

Meridian City Council Work Session

June 21, 2022.

A Meeting of the Meridian City Council was called to order at 4:32 p.m., Tuesday, June 21, 2022, by Mayor Robert Simison.

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

Members Absent: Luke Cavener and Treg Bernt.

Also present: Chris Johnson, Bill Nary, Emily Kane, Mike Barton, Laurelei McVey, Kyle Radek, Berle Stokes, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Liz Strader	<input checked="" type="checkbox"/> Joe Borton
<input checked="" type="checkbox"/> Brad Hoaglun	<input type="checkbox"/> Treg Bernt
<input checked="" type="checkbox"/> Jessica Perreault	<input type="checkbox"/> Luke Cavener
<input checked="" type="checkbox"/> Mayor Robert E. Simison	

Simison: Council, we will go ahead and call the meeting to order. For the record it is June 21st, 2022, at 4:32 p.m. We will begin this afternoon's City Council Work Session with roll call attendance.

ADOPTION OF AGENDA

Simison: Next item is the adoption of the agenda.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Don't have any changes to the agenda, so I move adoption of the agenda as published.

Strader: Second.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of the June 7, 2022 City Council Work Session**

- 2. Approve Minutes of the June 7, 2022 City Council Regular Meeting**
- 3. 3410 W. Nelis Drive Water Main Easement**
- 4. Hatch Industrial Pedestrian Pathway Easement**
- 5. Meridian Middle School Cafeteria Addition Sanitary Sewer and Water Main Easement 1 of 1**
- 6. Findings of Fact, Conclusions of Law for Alamar Subdivision (H-2022-0004) by Noble Rock Development, Inc., Located at 4380 W. Franklin Rd. (Parcel #S1210346603), Near the Northeast Corner of N. Black Cat Rd. and W. Franklin Rd.**
- 7. Findings of Fact, Conclusions of Law for Denial of Burnside Ridge Estates (H-2021-0070) by Kimley-Horn and Associates, Inc., Located Near the Southwest Corner of S. Linder Rd. and W. Victory Rd., Including 2365 W. Victory Rd., 3801 S. Linder Rd., and Parcels S1226142251, R0831430030, R0831430022, and R0831430010**
- 8. Findings of Fact, Conclusions of Law for Grayson Subdivision (H-2022-0014) by Schultz Development, LLC, Located at 1710 E. Amity Rd., Near the Northeast Corner of E. Amity Rd. and S. Locust Grove Rd.**
- 9. Findings of Fact, Conclusions of Law for Ferney Subdivision (H-2021-0103) by Engineering Solutions, LLP, Located at Parcel #S1109438871, Near the Half-Mile Mark on the North Side of E. Franklin Rd., Between S. Eagle Rd. and S. Cloverdale Rd.**
- 10. Addendum No. 20 to Agreement for City Prosecutor/Criminal Legal Services Dated November 1, 2002 Between the City of Meridian and City of Boise**
- 11. Resolution 22-2231: A Resolution of the Mayor and the City Council of the City of Meridian Authorizing the City Clerk to Destroy Certain Semi-Permanent and Temporary Records of The City of Meridian; and Providing an Effective Date**

Simison: Next up is the Consent Agenda.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move approval of the Consent Agenda and for the Mayor to sign and Clerk to attest.

Strader: Second.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

Simison: No items were moved from the Consent Agenda.

DEPARTMENT / COMMISSION REPORTS [Action Item]

12. Proposed Update to Meridian City Code Section 3-3-3(C), Regarding Limitation on the Fee Charged by a Vehicle Immobilization Company to Release an Immobilized Vehicle

Simison: So, we will move into Department/Commission Reports. First up Item 12 is proposed update to Meridian City Code Section 3-3-3-(C) regarding limitation on the fee charged by a vehicle immobilization company to release an immobilized vehicle. I will turn this over to Ms. Kane.

Kane: Thank you, Mayor and City Council. I'm Emily Kane. I'm a deputy city attorney. I'm going to introduce this topic and, then, introduce Allen Sparhawk to kind of talk about the specifics of this request. Meridian City Code Section 3-3-1 places a cap on the fees that can be charged by a company for removing a vehicle immobilization device or also known as a boot on a car. The cap under city code is one hundred dollars. Mr. Sparhawk has requested that this cap be raised to 150 dollars on the grounds that his costs have increased since 2019 when we -- when the city adopted this code. As Council and Mayor are aware, costs are increasing state and nationwide in general due to increased labor costs and gasoline and rising inflation. So, those are some generalities that would support an increase from one hundred dollars, but Mr. Sparhawk is here to talk about his specific needs with regard to this request. Oh. And I guess I would say he is with Deep 6 Security Services, which is licensed by the city and they are the only company that is licensed to do this in Meridian right now.

Sparhawk: Thank you for your time.

Simison: Well, welcome.

Sparhawk: As you guys all know, been corresponding with Ms. Kane and one of the knee jerk -- or what I felt was a knee jerk reaction was, oh, my goodness, that's quite a raise,

but one thing that I think deserves attention is my fees and I have been in existence since 2016. Ninety-five dollars was doing just fine in 2019, which I helped author the code that is in front of you. I never thought in a million years that we would be where we are at today with cost of anything. That's back when I was paying people ten dollars an hour for a part-time job. Now, I'm forced to pay 15 dollars an hour or I have no employees whatsoever and I let my client base down. That has nothing to do with the gas prices and the insurance costs that went up 40 percent just this year. So, yeah, I understand your reaction of, oh, man, that's a pretty significant increase. Like I said, my fees stayed the same for six years and to be responsible and to pay these people a wage that they are happy with and that they stay with me with I have to put my boot fees at 150 dollars. The other thing that I wanted to bring up is that Ms. Kane told me that you have your constituents' best interest in heart and that's the people of the City of Meridian and I totally stand behind you on that. I want to bring up to you something that you might not know. So, when somebody parks in a property for whatever reason, whether they didn't see the sign or they just don't care, that's not what we are here for, but they parked there and you have the option of having a vehicle immobilized. The vehicle stays there. We don't hold it hostage so to say in a tow yard and the fees were a hundred and now 150. That is nothing compared to my friend that had too much to drink at the Frontier last week, left their car parked facing the building that used to be called The Busted Shovel I think it was -- what it was and I took her to get her vehicle at 10:00 a.m. in the morning and it was gone. ASAP Towing had her car and it cost 320 dollars to get her car. That is no joke. I can show you the receipt. That's how much it cost. If I'm not able to provide my services to the gentleman that owns the First Interstate Bank behind Frontier and right over here across the street from you, I can't responsibly do it, he is going to have every one of those cars towed. It's going to cost everyone of those people 300 plus dollars to get their cars towed. I offer a service that's not as much and that is instant. We are -- we are within -- within 45 minutes answering the call to get over there, process their payment and release their boot. If you guys have any other questions -- you have to excuse me. I'm nervous. I have never done this before and I don't know if I touched bases on anything that you are interested in hearing, but as a business owner I have to be responsible and I have to be able to meet all of my -- my -- my -- my bills that come along with being able to provide those services. I wasn't able to -- and the last thing that I did was, hey, wait a second, I need to raise my boot fees, so I did.

Simison: Thank you, Allen. I don't think there is any -- I think you are doing just fine from that standpoint. I think I have more of a philosophical question --

Sparhawk: Sure.

Simison: -- and I don't want to put words in your mouth and I don't want to get in trouble with law enforcement. My understanding is, you know, to your point that the boot fee is what they were and, then, you start charging a different rate, but we have a code that says you shouldn't --

Sparhawk: Yeah.

Simison: -- or couldn't. My philosophical question -- what's the purpose of the code if people aren't going to follow it? No different than if someone's parking in private property and says --

Sparhawk: I understand.

Simison: -- don't park here, you are going to get booted. So, it, you know, kind of goes both ways --

Sparhawk: It does.

Simison: -- in my opinion in terms of do we establish a fee -- you know. And I -- I throw that out to yourself or whoever wants to answer that -- what's appropriate or how do you balance that?

Sparhawk: Well, we had a week after that I wasn't involved, I had a manager that quit and let people keep coming out and booting at 150. Every one of those people I refunded their money. So, we refunded their money and we didn't take their money and I stayed away from the lot for about two -- two to three weeks and we just picked up about a week and a half ago. I had to get time on -- because I want to -- I want to de-escalate situations, so we have a website that you are more than welcome to look at. On the sticker it says go to the website and pay. I had to get a differentiation of my current 150 and, then, a hundred. That's on there now, so that's when I picked it back up, going and booting in Meridian, and so that was -- that made it successful to follow your code. When -- before I had that and after I found out that that manager was letting -- or didn't tell people to stop booting -- or my booter to stop booting there, I stayed away until I was able to responsibly follow that code.

Simison: And so do you think that the code is the right place to have a fee?

Sparhawk: Well, honestly, no, I don't, because city of Boise doesn't dictate to me what my fees are. You guys are the only ones and I'm not here to -- you asked my opinion and -- and my opinion is, no, I -- I don't think it is. You guys don't tell Sunrise Cafe that they can't charge eight dollars for a 25 cent egg. So, that's -- that's kind of where I'm coming from, you know. Nobody told them to park there and, you know, in my opinion I'm still -- I'm -- I'm half of what a tow company charges and people get towed every day. They can't afford their tow bill guess what happens? Less than five days they get -- they lose possession of their car. Hundred fifty dollars is a lot easier to come up with than 300.

Simison: Thank you. It is a philosophical question. That's why it's kind of put --

Sparhawk: Oh, it's a valid question and -- and I appreciate it and -- and -- and, like I said, I never thought we would be here when I hoped -- when you guys invited me and asked for my input and, really, I'm -- I'm okay with it. I don't -- I don't see us having to raise every year and do I think that will be where we are at right now forever? No, I don't. But I think things will catch up so that it will even it out. So, your -- your question was valid.

Simison: Council Woman Strader.

Strader: Thank you. Question for you, Mr. Sparhawk, and, then, maybe for Emily a different question. Thanks for coming. How does Meridian compare with Boise, for example? I think -- you are saying you provide this service in Boise as well; right? How much do you charge in Boise?

Sparhawk: Hundred and fifty.

Strader: Okay. And if we make a change to 150, is that going to get you through the next few years? Are you going to be back in the same spot a year from now?

Sparhawk: Well, let's -- let's say a few years passes, at least now I'm familiar with the process of coming to the city and providing -- and having the economy also backed me up with what's going on. I mean that's one of the things that I regret about coming in here in 2019 is I didn't have the foresight to say, hey, wait a minute, you guys are putting a cap on here. I was just happy that you guys were getting involved.

Strader: Sure. Yeah. So, I guess -- you know, I'm -- I'm kind of wondering -- well, if you don't mind I have a question for Emily.

Sparhawk: Sure. Do I need to step away or --

Simison: No. She says you are fine, so -- she will just come next to you.

Strader: Thank you. Thanks, Emily. So, how many -- like under our code how many licenses are available? Do we limit the marketplace for this service through the way our code is written or do we have -- are we granting, effectively, a monopoly to a business owner in Meridian?

Kane: Mayor, Council Woman Strader, there is infinite number of licenses available. There is no cap. It just so happens that there is one company out there. I think at one time there were three and they have kind of just gone by the wayside.

Strader: That makes sense; right? So -- yeah. So, it's not like a totally captive market that we have provided -- and I'm not familiar with this. It's the first time it's come up on Council. So, basically, we -- our past practice has been to set a cap on the fee. Do you think there is a way we could build -- if we were open to it -- an ordinance change, either some type of a COLA built in, some sort of a formula -- do we have any other licenses that work that way where we set the fees proactively for any business owners throughout the city and how do we bake in increases for their fees?

Kane: Mayor, Councilman Strader, I can't think of another license fee that does that. I believe we have fees that do key off of market rates and different economic indices and certainly that is possible to update this to have a built-in increase that follows something like that.

Strader: Thanks. That's helpful feedback. Thank you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. I was thinking along the same lines as Councilman Strader about -- if we can set -- there -- there has got to be a profit margin in a business, otherwise, you are not going to be a business very long, so --

Sparhawk: That's how I started.

Hoaglund: Yeah. Setting -- setting that -- okay, this is where you can make money today in a reasonable amount, nothing excessive -- what that term is can mean different things, but -- but, then, build in a -- to -- to the Consumer Price Index, the CPI, where every year it could raise his rates based on the CPI to -- to a higher amount just to cover -- cover extra expenses and -- but, then, if we get an extraordinary time like we are now, come back and we can make changes, but my -- my second -- that's -- that's kind of a comment. Possibly if -- if we could do that that might be a solution. The other question I have, though, is -- Allen, you provide the boot and what I had heard you described earlier they were actually towing the car and so it -- and, Emily, do we have -- we don't cap any fees or do anything for -- when a tow -- a vehicle is towed? Do we have that in our ordinance?

Kane: Mayor and Council Member Hoaglund, our ordinance does say that the vehicle -- a vehicle cannot be towed if it has a boot on it, unless it's been there and immobilized for 12 hours. Otherwise, regulation of towing is generally by state law.

Sparhawk: And it -- and it is actively -- all of your tow companies that operate -- and the reason I know this is because I partner closely with the Nesmith Towing. So, all towing is regulated by the state. They cannot charge more than what the state is saying that they can charge. It just so happens that -- so, 300 -- and that depends on where you are -- where you are at in the state, because it goes by mileage. So, right now we are about half -- we are about half of what they can tow by the legal law of a -- they call it a nonconsent tow.

Simison: Okay.

Sparhawk: So, that's the only part of towing that the state has a code for is a nonconsent tow.

Hoaglund: Okay. Mr. Mayor, follow up.

Simison: Councilman Hoaglund.

Hoaglund: Yeah. I was just kind of curious, you know, because I'm thinking, boy, if we can't regulate towing -- but it sounds like the state does that. You know, we are -- we are

-- we are regulating the booting of a vehicle, which, of course, I think the cost would be less for a person to have it unbooted and having you boot and, then, have to come back, unboot and -- but towing and actually physically moving a vehicle and doing all that there would be less, but -- yeah. It's -- it's just -- what are your thoughts about a Consumer Price Index, if we could do something like that. Set the fee and, then, have it move according to the increases there?

Sparhawk: Well, I can only speak for myself. It's only a matter of time before there is more people that come in and go, hum, there is only one booting company and one booting company already was doing practices that weren't conducive to be in business for very long. Who knows if that's going to happen again. I certainly don't mind it. You guys have been welcome -- you have made me feel welcome to come in and talk and be transparent about everything. Maybe there is -- you know, maybe there could be -- you know, maybe we should -- you know, I'm asking you for something I'm -- I'm -- I'm also going to see things from your perspective, too. Like I say, it's probably just a matter of time before somebody else comes in and doesn't have the right mindset to -- to provide a service that is more convenient and less expensive as towing. I don't know. But, then, again, if they do, then, that's just going to make me look better, because I will always operate ethically, even though some people don't agree and -- you know. But I'm the bad guy, but somebody's got to do it; right?

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council. So, I was involved with -- with booting when it originated back in Boise back in the '90s and crafting the ordinances in Boise that we wrote back then and -- and -- and, Mr. Sparhawk is correct, I mean the -- the -- the industry has some bad -- has had bad actors in it both locally and nationally and that's why I think a lot of both -- municipalities and the state have chosen to regulate this area. I mean towing has the same sort of history, again, why the state chose to regulate at least some minimal things and -- and that's not Mr. Sparhawk's fault, I mean that's really just the nature of the business that he understands, that there are some people out there and it is to avoid predatory practices that end up falling on the consumer and so, you know, one of the things we look for -- it's not necessarily the -- the price point, but the consistency, so that what had happened sometimes back in the '90s in Boise is, you know, at 3:00 o'clock in the morning the price was suddenly a lot more expensive than it was at 10:00 o'clock, because you could charge it and someone has been drinking and they wanted someone to unboot their car and so there was a lot of bad practices that we were trying to get a handle on back then that has sort of continued and so now really the minimal is the registration of the business so we know who the people are, they know that they have insurance, so that there is no damage to people's vehicles and no damage to anybody and that they are covered and that there is some pricing sense that's consistent and that can be posted on the signs that are on the lot, so the person doesn't go there and say, well, wait a minute, I thought it was a hundred dollars or 150, because it says there on the sign, now you are telling me 300 dollars. So, it really was to try to prevent some of

the bad predatory practices that other businesses have had and -- and as Mr. Sparhawk said, many of those, obviously, don't survive, because that's not a good way to run a business. But that's really the reasons for why we have had these. And, again, when we work with the business like Mr. Sparhawk it really isn't problematic. And, again, I think it's one whether or not -- we don't have any other licensing that has any inflationary practice to it, but certainly if that becomes an issue, whether it's from him as the operator or from the business owners of the parking lots, whether it's apartment complexes or other businesses that find that it's not viable for -- for the way we are enforcing it or the way we have created it, we are certainly going to hear from that business community and we have always been able to adapt to that and work with them through this, like with Mr. Sparhawk on this particular one. So, it -- it doesn't -- it doesn't feel like at least at the moment that an inflationary tool is really necessary. I mean I think, again, if this -- we see such an extraordinary shift here, I don't know that we are going to continue to see that level of shift, but certainly we are going to have that conversation and we can talk about that with both Mr. Sparhawk or any other business owner that wants to come and adopt this type of business here in Meridian, we certainly are always open to that conversation and we wanted to be responsive to the community, both from the consumer standpoint, as well as the business owners. So, I think we are -- we are definitely able to work together to try to figure out a solution, so --

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you very much. So, I'm going to ask a question that's going to go a different direction and try to understand the history of our ordinance from 2019 and what was happening at that time to cause it to be in place in the first place and, then, to try to understand, then, why the city of Boise is no longer regulating it. So, if anybody could share with -- that information with me that would be great.

Sparhawk: So, I have been involved since 2016 and since, then, Boise has not regulated the price. They have done exactly what Mr. Nary has said and that is make sure that we have insurance to cover the vehicle that we are touching, make sure that we have workmen's comp, make sure that we are a valid business and to make sure that the people that are touching the cars are licensed. So, that -- what happened was in 2000 -- between 2016 and 2019 I started getting more and more properties as the other person that was established was going through his trials and tribulations, whatever, and I began getting more clients and I started servicing them the way that you service a client and that is you provide the business. You -- your yes is your yes and your no is your no. So, it became more up on the radar here in the City of Meridian and you guys -- your entity here, the Council, just wanted to be proactive in saying, hey, let's -- let's regulate this at least and so they invited me and they invited the other gentleman that was running his business and with everybody we all authored the code, so -- and, like I said, at that time, you know, heck, we had already gone three -- three years with 95 dollars and that was great, you know. But it's just not so great anymore.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you very much. That -- I appreciate that.

Sparhawk: Thank you for your question.

Perreault: I also agree -- or I should say have concerns about the city limiting what a private business can collect, as long as it's within market range. So, I -- I don't know if -- I have to think about the suggestion to increase it -- offer a small increase every year. I don't know if that would -- if that would be effective in the long run or not, because in this particular unique case costs have gone up exorbitantly in a very short amount of time. But it does also concern me, just as a matter of -- of practice on the city's part, to raise a fee based on one company's request or concern. So, it doesn't sound like the legal department has any issue with that request.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: So, I'm okay with the request. I think indexing is bad policy for any fee. This one's no different. If we didn't want a business like this to survive we probably wouldn't have allowed it in the first place, but we found a -- a -- a place for this service and business should be able to recoup enough revenues to remain productive. I find this increase to do just that. It's not specific to this particular operator, but as a city as a whole I think this makes sense. I wouldn't index it. I would allow a future issue, if it ever arises, as to whether or not it's an appropriate fee to be addressed at that time and based upon the circumstances and evidence at that time, that Council can up or down that change. But I just think it's bad practice to build in an inflationary figure, even if it's with good intentions. So, I'm supportive of the amendment that's requested here.

Sparhawk: Thank you.

Hoaglund: Mr. Mayor?

Strader: Mr. Mayor?

Simison: Let's go to Councilman Hoaglund.

Hoaglund: One of the things that I heard Mr. Nary mention that hadn't occurred to me earlier was the fact that if you do to a CPI type thing it sounds like there are signage out there where it says the fee shall be 150 dollars. Well, if we do a CPI, then, we are going to have that -- that sign is going to be limiting or not correct and that makes it problematic and so I think that -- that was a good idea that met a better idea, so -- so, just -- just a thought on that, that -- and -- and I don't have a problem with increasing the fee either.

You laid out your case, gave percentages. We know what the markets are doing. Our Public Works director is coming to us all the time wanting more money. I don't know what we are going to do about that, but -- so, we understand where the market -- so, yeah, it -- it makes sense. It's been there for quite a while and knowing what's going on in the marketplace is certainly something we could -- we could do. And the other thought is the fact that by completely unregulating this marketplace we do allow bad actors to come in. They don't have insurance. They may say they will charge 150 dollars and, then, the scenario of 3:00 a.m. in the morning and it's all of a sudden 300 dollars and what recourse do we have? And -- and we don't -- we don't want to get into that. We want good people who are in business and do the right thing, as -- as you are doing and providing service and -- and have it -- have it work for everybody involved.

Simison: Council Woman Strader.

Strader: Yeah. I -- I think I agree. Yeah. It seems like the CPI idea, while an interesting idea, I don't know if tinkering with that would make that much sense. It does appear that the -- right, the price is regulated at a state level for towing and I think that to me is the foundation of why this is similar, because it's an elastic demand. Like customers don't call you and ask to be towed; right? Like they are, you know, getting towed and -- and they are paying and so they -- I think the issue there with regulating the fee make sense, you know, so that people aren't getting taken advantage of. We have business owners that are operating their businesses the right way. So, I think it makes sense and, hopefully -- hopefully 150, given that it is a huge increase, would get you through the next few years without having to come back to us I think. So, makes sense to me.

Simison: On the -- the question that you -- what you have mentioned -- and I don't know if we have anybody that knows this, but, you know, I understand why CPI may not be the best thing, but what about 50 percent of the state towing fee? I don't know how often they evaluate that, what they make that determination based upon --

Sparhawk: I believe litigation it seems.

Simison: Yeah. So, I'm not going to say it's right; but -- but to your point someone else is making determinations and that's what is weird, is I do feel like we are artificially selecting a number based upon what I can't pretend to tell you anymore than towing fees are --

Sparhawk; What I can do is give you my word to be a good statesman for that which I am representing.

Simison: And I don't -- I don't doubt that, but, you know, we have had interesting conversation in the past where we have asked people to show us your books to show us what your real cost is, you know, and I don't think that's what we are in the business of doing from -- but when you start putting regulations on and -- and assuming that these are your business costs and assuming that this is good -- again, I -- I don't know if Boise has an unscrupulous market. I would -- I don't have any idea if it's unscrupulous today.

But as you mentioned, you know, the fee is -- that's what the fee that you are at least charging over in Boise. Is everyone else in Boise charging that fee or not?

Sparhawk: I'm the only one in the Treasure Valley that I know of. Don at Signal 88 helps a few of his clients. He hates doing it, so he doesn't really proactively do it. I love the guy, too, by the way. If I die he's getting my business. But, really, we are the only ones that are out there. I have got -- I think 96 properties. I'm not sure. I just have too many.

Simison: It's just a great question, conversation, that, you know, everyone wants to protect predatory practices. We do it at all levels of government, you know.

Sparhawk: Right. Well, predatory in the sense of what we do would be exactly what you guys said, except for in the past it was -- oh, I will knock down your price for -- and I will leave the rest up to your imagination and it was also in trade for other goods and services. So, it just -- it wasn't -- it wasn't good. Also hiding behind bushes. That's predatory and that was done. So, we have -- which I will be more than happy to turn over at any point in time -- every one of my employees are GPS tracked on their T sheets on their phone. They are GPS tracked on every car that I have and so I also have an app that when it pulls up the property that you are at, it GPS dings it, so you can see that we are never in one spot and we are definitely not hiding in any bushes, so --

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I just want to say from one business owner to another, thank you for self regulating within your industry and setting a standard for other members of your industry. I'm also in a self-regulated industry and a few bad actors create a lot of challenges for our industry as a whole. So, thank you for doing that and being part of the conversation. I -- I was the victim of predatory booting of my vehicle in Salt Lake City and Salt Lake is very very bad. There are a lot of private commercial property owners that will not appropriately mark the parking spots or appropriately mark where their property sits, so you will have multiple owners of different retail centers that will run into each other and they won't say this is mine and this is this other persons and then -- and, then, they have somebody that sits in a car and waits for out-of-state plates to come in and park and leave their car and, then, the police cannot help you if that happens to you, because it's on private property. So, this is something that I know a lot of other areas of the country are dealing with and it's not a good thing at all. So, thank you for educating us on this and trying to keep it reasonable and not, you know, take advantage of people, so --

Sparhawk: I would much rather that they never park there. I hate booting and I have been told don't tell people you hate booting, but I hate it.

Perreault: Do you think that the property owners do a good job of signage and -- and making it clear to --

Sparhawk: So, the property owners hate signs on their property. They do not like signs on their property and I just tell them, look, you have no choice, it's 18 by 24, it's reflective and everything -- you know, you have to have it. They hate it, but I think it's good and, of course, everybody that gets booted wants a sign right in front of the Stoll that they park in and I'm like we could do that, but you wouldn't have seen that one either. Go figure. So, it's just -- you know, you are -- you are danged if you do, danged if you don't. So, you just got to try and regulate what you can and we make sure that our signs are there and that they are visible. I have even went and trimmed bushes away from our signs and just even -- even down here at Frontier -- just to give you guys an idea of how I do operate. I went there, there was 13 cars in that parking lot and it was right after I put the update on the website and I got the booter there and three people came -- three or four people came to park while I was in that parking lot. I went up to them and I said, hey, don't park here, you are going to get booted just like all these other people and I just want to let you know that if I would have been here when they came here, too, I would have told them. So, I am as fair as I can be and so I do every chance that I can get. I'm not there -- I'm not there to make my money on the boots. I like security better.

Simison: So, Council, what's your direction?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Not sure if we are taking action on the city code today.

Simison: No. It's just -- the question is would you like to see this come back.

Strader: Yeah. It sounds like we are all in agreement that 150 sounded fair in light of economic circumstances, with the hope that that will get you through the next few years before you are back, so --

Simison: Okay.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: This might be a question for Emily or -- or Bill. Do we have similar regulations for the licensing as what Mr. Sparhawk explained with city of Boise as far as the requirements to have the insurance and -- and those kinds of requirements?

Sparhawk: So, you are pretty parallel. The only difference -- you guys are a lot more -- on your fingerprints you -- you do it a little differently, but you got -- you are parallel. You are very parallel. Like it's the same. The only thing different in -- is that you -- you do allow for booting in the fire lane if we are present to get it towed immediately, because it's a fire lane and you do say that we cannot tow a vehicle unless it's been booted for 12

hours. So, 12 hours is the magic number of the time where people start coming out and they start destroying our boots. That's why I have come up with 12 hours. But, yeah, you -- you are very parallel with the city of Boise. The signage, everything. The only thing different -- and I will be fair to the process -- is that you don't have a city code enforcer going to any of the properties in Meridian and signing off. But, rest assured, they are where they are supposed to be at every entrance and they are visible.

Simison: Thank you very much.

Sparhawk: Thank you for your time.

13. Police Department/Attorney's Office: Proposed Updates to Animal Impoundment Fees

Simison: So, next item up, Item 14, is the Police Department, attorney's office, proposed updates to animal impoundment fees. Let Ms. Kane continue the conversation.

Kane: Thank you. Mayor and City Council Members, this is a long standing request from City Council to work with the Idaho Humane Society to update our impound fees that they collect on our behalf when an animal is impounded in the City of Meridian. So, quick history of our impound fees over the years. In 1950 it was one dollar. They were actually comparable to where we are now for -- in the '70s and '80s and, then, in 1997 the -- our impound fees for some reason spiked way up. So, a first impound was 23.50, second 36, all the way up to 96 dollars. Today it's ten dollars for a dog and 12.50 for a cat and it's been like that since 2013 when we first contracted with the Humane Society to be our -- to be our pound. We are -- Meridian is the lowest -- has the lowest impound fees of all of the other jurisdictions in the valley. Kuna does have a ten dollar fee for a dog, so they are tied with us for the lowest, but they do also have graduated fees for the repeat offenders that come back. One thing we don't have is a livestock fee, which Ada county does. Boise has a fee structure that's -- that keys off of licensing and whether if the dog is altered or unaltered. Ours is a flat rate of ten dollars for a dog and, again, 12.50 for a cat. So, our -- I have worked with the Humane Society to kind of determine what -- what it takes to impound a dog, the amount of work and the amount of time, equipment, things like that. There really is no per dog rate, because the factors that go into each impound are so different, based on kind of the animal they are dealing with and the circumstances and where everybody is, the dog and the -- and the -- sorry -- the animal officer. But this 50 dollar fee does include some assumptions. They outline these in the memo that's in our packet, but just as an example, we assume 15 minutes of dispatch times with the time on the phone with a calling party saying there is a stray dog or there is a dog in my backyard or on my block, 30 minutes for the officer to travel from where ever they are to that location, 45 minutes to capture the dog, talk to witnesses and, then, kind of write that report, take up notes, 30 minutes back to the facility, the -- the shelter. Fifteen minutes to unload and kennel the dog and, then, 15 minutes to do the paperwork that it is necessary to process the dog into the shelter. So, altogether with those assumptions the Humane Society incurs a cost of about 50 dollars for -- to impound a dog. It's a little bit more to impound a vicious dog or a bite case. It takes longer to deal with the dog and to assess

the circumstances and talk to the witnesses. For cats what I have learned is that people generally bring in cats. The Humane Society doesn't usually go out and pick up cats and that's not covered by our contract with them. So, it's something they kind of do as a courtesy for public safety or where a cat is in trouble or hurt, but they -- they told me that 87 percent of the cats that come in are captured by other people, by members of the public and dropped off. So, that fee is significantly lower. It's really just administrative in dealing with it and, then, the occasional going to pick up the cat again. We don't have a livestock fee, but I would recommend that we do that. It takes two officers -- they -- they need the trailer, which means it takes longer and more gasoline. They need more equipment to capture the animal and, then, with -- with two people going back and unloading the livestock and kind of dealing with it, it takes a lot longer to deal with it. So, the -- that fee is significantly higher -- or that proposed fee. So, these are the proposed impound fees. I would recommend that City Council authorize us to raise these rates -- or raise these fees rather. Again, historically, our revenues over the past six fiscal years have been in the -- from 2,000 to 3,000 range. In FY -- fiscal year '21 there were 2,900 dollars. If we were to apply the proposed fees to an average of the number of dogs that were impounded and redeemed over the last three years, it would come to about 13,750 dollars. Same kind of formula with cats. It would be -- it would be higher than usual, 675 dollars. Livestock would be 300, but they really only captured two -- I think cows in Meridian. Might have been horses actually. But overall if the numbers stay about where they are and we adopt the new fees, the projected revenue from fees in fiscal year '23 would be 14,725 dollars. So, that is a significant increase. It's -- the fees, again, are at a rate that -- are at a number where people we are thinking would still go and get their animal and redeem it. Of course, if we charged a true -- a true cost this fee might be so high that people would not go and redeem their animals. When that happens this fee is not collected. This fee is only collected when the Humane Society impounds a dog or cat and it is redeemed. So, it would meet Council's request that we capture more of what it actually costs and more of what the city is paying for these services. So, the next steps would be that City Council would adopt the proposed impound fees or fees that Council thinks are appropriate. I would update and clarify the Humane Society agreement to state that the city receives one hundred percent of our impound fees. We are collecting one hundred percent of our impound fees now. So, we just need to clarify that in the agreement. But we would empower the Humane Society to set and keep one hundred percent of its fees. So, boarding, vaccinations, veterinary care, the things that it -- that the IHS covers and that its 501(c)(3) branch supplements. So, that would -- that would be kind of their -- whatever they expend they keep and our fees would come directly back to us. I think that is it.

Simison: Thank you, Emily. Council, questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader,

Strader: Not questions, just to comment. Thank you for doing this. It's something we have been focused on and I -- you know, I just -- I don't know what happened there over

history with the fees. It's hard to understand why they would have gone down so much. But this makes sense to me; right? Like the taxpayers of all Meridian -- City of Meridian is paying the Humane Society a huge amount of money for a contract every year and as we heard directly from the Humane Society there are repeat offenders where the same dogs are getting loose coming back over and over again, because they don't care because the fee is so small. So, I really hope that this will change people's behavior. I appreciated the methodology and thought that went into the cost behind each fee and I thought it made a lot of sense. So, thanks for following up on this and I think it's good work. Thanks.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I agree. I hope that it changes behavior for the better and I am not opposed at all to the increase, but because the increases as a percentage are somewhat significant, I'm going to counsel -- I'm going to kind of like channel Councilman Cavener here and ask if -- if we feel it's necessary to have a public hearing to get public input -- input on it.

Kane: Mayor, Council Woman Perreault. Yes, so for -- as with any fee adoption there is a public hearing process built in. So, it's noticed twice in the newspaper. I'm not sure if anyone sees that, but we can do some outreach to broaden that scope and, then, there is a public hearing that's required to make an increase in the fee. We can -- you can have more than one, but you do have to have at least one.

Perreault: Did I miss that in the next steps? Was it there and I didn't see it?

Kane: No. It is implied under adopt fees.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Emily, you mentioned another city has -- for dogs that are frequent flyers, if you will, and they raise the fees. Is a -- is 50 dollars enough to make that work? Because there is that price point where people go I -- I don't want the dog back, because I'm not going to pay that. Are -- are we at a good place or do we need to look at having some sort of increase in fees for frequent flyer dogs?

Kane: Mayor, Council Member Hoaglun, I -- that -- it is popular to have the increase in fees for the repeat offenders. If -- I would say with regard to fees, fees are not punitive. So, where ever that is happening we would want to start with what it actually costs, so the actual approximation and discount for the second and first. So, we can certainly do that. But I would recommend that we structure it a little differently in that event. As far as whether -- I -- I do think there is a price point out there, a point at which people will not go

and redeem the dog, but it's somewhat of a guess certainly. I think the Humane Society knows more about that. Ten dollars is certainly too low. I think depending on the circumstances people are paying the 77.25 to go get their -- their dog that's been out three or more times in Boise. The Humane Society does really like Boise's structure. They like having that quasi-punitive aspect of the fee. So, we can certainly do that. I would -- I would structure it, again, to start high on the -- on the repeat offender and scale down. Most dogs are -- well, most animals are not repeat offenders. There are those out there, of course, but the hope is that this point is the point at which people would go at least once.

Hoaglund: Thank you, Emily. Mr. Mayor, follow up?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. Our dog when we had it would have been a frequent flyer every Fourth of July, but -- once a year trying to keep it in, but -- so, you can't penalize in these fees, but you can incentivize, so you work back -- there is the true cost and, then, work back to first impound, like Boise does in that case, because we are at -- we -- we would be at 50, which would be their third impound, so --

Kane: Mayor, Council Member, yes, that's correct.

Hoaglund: Okay. And -- and just to comment further, Mr. Mayor. I'm -- I think these are -- these are fine. I think it's something that we need to update and utilize and -- and bring up -- bring up to date for our times now and add that livestock fee. Hopefully, we don't have many, but as you show maybe two in livestock. Could be goats. Could be cows. Could be a horse. So, yeah, something we -- we have to have for those rare occasions it does happen.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I agree with Councilman Hoaglund. I think that -- that the amount that was determined was pretty close to what is acceptable. Is about 50 dollars where the Humane Society believes that people will -- like above that people might leave their animals there and, then, they need to adopt them out or like at that point it's their cost and they kind of got to figure out what to do with the animal if they are left there. So, are they -- have they advised you on what is kind of that tipping point?

Kane: Mayor, Council Woman Perreault, we did discuss the -- the issue of will people pick up their dogs, but we didn't discuss the specific tipping point. They -- they do believe that 50 dollars is a nice number that is -- it hurts, but it's not going to make someone abandon their dog. That's the hope. But if -- if you would like me to find out more about where they think that tipping point is I can do that.

Simison: Well, Emily -- and I guess maybe to piggyback on that, this is just a City of Meridian fee. This is not the Humane Society fee and one day versus eight days or seven days -- I mean there -- there are increased costs -- you know, because on one point I was like, oh, ten dollars. You can just -- that's a pretty cheap pet boarding fee, you know, while you go on vacation, you know. But we know that that's not the only cost. There is more and it -- so, I don't know that you could ever truly define what is an acceptable when every day that cost changes to a certain level and I don't know what their fees are related to that, but I think it would be hard for us to set our fee based on what would be acceptable or not acceptable to the general public, unless you say for one day, you know, that -- that would be the number. But that's just my two cents on looking at that, because it's -- who knows.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Just out of curiosity, do we have a hard time collecting these fees? Did the -- does the animal owner have to show that they have paid the city before they can go pick the animal up or is this become one of the situations where we are trying to chase down payment for these, because they don't have -- it's not tied to whether they can go release their animal.

Perreault: Mayor and Council Member Perreault, so the way it works is that the Humane Society collects this fee on our behalf and remits it. They do that for all the jurisdictions. So, they have to keep track of where the animal came from and attach that particular fee.

Simison: So, Council, your direction? Bring it back at these fees for public hearing? Okay. Okay. Thank you, Ms. Kane.

Kane: Thank you.

14. Parks and Recreation Department: Eagle Road Roundabout Landscaping Discussion

Simison: Would you like to do the next one, too? No, it's not you. I just thought I would ask if you would like. Okay. Then with that we will move on to Item 14, with the Parks and Recreation Department. Eagle Road roundabout landscaping discussion. Turn this over to Mr. Barton.

Barton: Good afternoon, Mayor and Council. I'm here this afternoon to talk about the two roundabouts that were recently completed on Eagle Road and in November of 2020 Council approved a cost share agreement with ACHD for several nontransportation items. One of those items was landscape improvements and in that cost share it says that ACHD will do their standard treatment of the two inch washed rock if -- if -- if we don't -- if we don't say we are going to landscape it per the cost share they are going to go ahead and put in that washed rock as their standard treatment. So, we thought it would -- you know,

to leave that open that -- at that time Council said, hey, you know, probably a good idea that we might want to put some landscaping in there to be determined in the future. So, during the process ACHD had a turnover of project managers and the information of the cost share wasn't disseminated to the new project manager. So, on one of the roundabouts the rock was installed and, then, on the other roundabout when we saw that we stopped them and said, hang on a minute, we have a cost share that says you are -- we are going to leave that open to possibly landscape it. So -- so, that's kind of -- kind of where we are. One -- one of the roundabout looks finished and this is supposed to be a map, but I'm not seeing it here. There we go. So -- so, there is two of them. The one at Zaldia and, then, another one at Eagle and Amity. So, the one roundabout at Eagle and Amity that received the two inch -- or the four -- actually, it's a four inch layer of two inch rock -- is what you see right there. So, it looks okay. But you have this pavement section that's however wide it is. Ten foot sidewalks. The diffuser islands that are concrete and, then, you go to the center and it's all rock. So, it's not -- it's -- there isn't anything there to soften the appearance. That's kind of a close up of it. And ACHD put boulders in there to keep traffic from going across it, so -- I mean it is what it is. It's low maintenance and definitely -- definitely a lot of rock and concrete. So, that the roundabout at Zaldia we went and put bark in, which according to the cost share we said that we would do, and it has some of those diffuser boulders they call them in there. A little bit of a softer appearance. So, that -- close up picture of just the bark in that one. So, what we did is we developed a landscape plan to beautify both of the roundabouts and in this plan there is a mixture of plant material and several trees in the center and this is all kind of low maintenance, low water consumptive type materials that could be put in here with a perimeter of rock, thinking that we could transfer some of the rock from the Amity roundabout and move it, you know, back -- back truck the very center of that material up and transfer it into a roundabout over on Zaldia, so it wouldn't go to waste. There was an expense in moving it, but at least it kind of fits in the design. We are not throwing it away. So, you can see that's just a -- kind of an illustrative plan of what it could look like. A -- a mix of low water consumptive blooming plants that would definitely kind of soften that street section and there is a -- a cross-section of what it could look like. So, again, definitely a little softer appearance than just the -- the rock out there. So, we are looking for a discussion and Council direction. I guess one of the things before we -- before I kind of wrap up what I have to say is that Miranda Carson will be here -- be in front of Council here in a couple of weeks to talk about a cost share at Taconic. So, there will be a roundabout as you are traveling south on Eagle Road. There will be one at Zaldia, one at Amity and, then, one at Taconic. So, I think whatever we do here, if we -- if we leave one bark, one rock, and, then, decide the landscape another one, we kind of have this mixed match set of -- you know, in that corridor there is not a real consistent look. So, it makes it -- at least in my mind it makes it a little bit odd. It could be that we landscaped the one at Zaldia, leave the one at Amity rock and, then, landscape Taconic, because at least you have maybe a similar road typology that -- it's an arterial -- arterial has rock and, then, where the arterial meets a -- a collector maybe that's landscaped. So, that's just another -- another thought to put into the conversation. So, we can -- we can leave the roundabouts the way they are. The -- the cost share -- we could basically just ignore the cost share, because it was ignored in a way. That's certainly an option. We can move forward with a budget request that we can move into the -- the parking lot for the

discussion on the 28th to -- as an FY-23 budget request. We could do one or the other as well. So, like I said, we are looking for Council direction on how to move forward.

Strader: Mr. Mayor?

Simison: Thank you, Mr. Barton. Council Woman Strader.

Strader: Thank you so much, Mike. So, I'm just -- 150,000 dollars is a huge amount of money for this and I saw the breakdown that you sent Council Woman Perreault; right? So, it feels like it's really the irrigation is a big piece of it. So, you have got the drip irrigation, the water meters, the connection, lateral mainline -- is that part of the irrigation as well?

Barton: Yeah.

Strader: Yeah.

Barton: Mr. Mayor, Council Woman Strader, it is. So, the water meters are outside of the roundabout. There is -- there is a sleeve that's been installed underneath the roadway. One of the water meters is about 150 feet from that outside edge of the street up in the Albertson's parking lot.

Strader: Okay.

Barton: That's the one at Amity. The other one is a little bit closer. So, there is a whole point of connection with a water back flow device and, then, we need to put a line underneath Eagle Road and we need to put a line through the landscaping at Albertson's.

Strader: Right. So, this is what I was thinking. And I apologize, because I -- it's not one of the options, but I really think maybe we could take a step back and get creative and -- and even we could reach out maybe to a couple of folks that are experts that -- what is a native pollinator or a native plant that would survive based on the natural precipitation of these roundabouts? Like so through Googling found a few -- maybe sage brush. Maybe arrow leaf balsam root. It's in the sunflower family. It's beautiful. It's a beautiful wildflower. Looks just like a sunflower. I see it growing on the side of the highway, which tells me that it could possibly grow inside of these roundabouts. But I was just thinking can we find a native plant that helps the bees that could live in the middle of these roundabouts where we don't have to install any kind of irrigation and -- and just test it out and see if that would work and if it would -- I mean that would cut down on -- it looks like just a huge amount of the cost. So, just some creative -- yeah, just some creative brainstorming there. But I think the issue is ACHD is super loving these roundabouts and by -- not everyone loving them, but we are just going to get more and more roundabouts and every single roundabout is going to cost just like 75k. I think we need to really think about is there a -- a more -- you know, appropriate type of plant life that could live in the middle of these roundabouts.

Barton: So, maybe just a comment to that. And I like -- I like that thought. I think it -- I think it's good and if there is, you know, native -- there aren't many native plants that grow in this valley and there is sage brush, so -- and it doesn't -- there isn't a -- it grows in our environment, but I don't know if it will do very well in a roundabout environment where it's -- that soil that's been placed in there is compacted -- I don't know what type -- I mean there is -- there is those factors and the other thing to consider is that if we want to kind of test drive something like that, it's a pretty high -- high profile, high visibility area and -- I like the thought, but, you know, maybe experiment with some of that stuff with planted in the fall, anticipate moisture during the winter so it can get through that first season or so and survive, but maybe just a thought, do we want to do that here where people see it a lot. Maybe we do, but --

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I was even thinking that City Council should do this as like a volunteering service project, you know, as team building or something. I -- I don't know. I -- there is no harm in trying if it's just a matter of, you know, basically like find a native plant that's beautiful that's also kind of a weed. I don't think is any harm in experimenting with that and see if it will grow and -- but I do think you need to leverage a couple experts and speak with somebody, you know, maybe at ISU or some program locally. I'm sure we can connect you with some people that could advise us about something that would grow. I just think it's -- it's better to try to find a solution that's more low cost in light of the fact that it's not just one, it's not just two, now there are three of them. Probably there are twenty of them coming and this is just a huge amount of money. I want it to be beautiful, but cost effective.

Simison: Yeah. I think that there is going to be at least two more in the short term coming over on Locust Grove, but one, two, maybe even three in that area. So, yes, it's a high cost. It's also a high maintenance cost ongoing. I'm going to withhold my comments, because staff knows where I am on this topic and I will let you guys dialogue.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. One of the things I am concerned about is -- is maintenance cost -- ongoing cost. I mean it is expensive to landscape, but there is that ongoing maintenance. I know since I work in Nampa and -- and there is two roundabouts near where I work and go and they do -- they went with architectural structures and historical structures. So, one to my south is Guffey Bridge, but they do a raised brick and gravel and rock, but, then, it's a -- you know, a miniature Guffey Bridge on the Snake River. In another one they have horses and different things. So, significant upfront costs. Probably more than 75,000. I don't know. That's a Nampa Highway District item. But -- but maintenance wise that -- you are -- you are -- you are really reducing maintenance costs on that,

because it's just going to be there and probably maintain for weeds, spray every now and then, and that would be it, so --

Simison: And fix when people hit them with their cars.

Hoaglund: Oh, yeah.

Simison: Which will happen.

Hoaglund: Yeah. So, yeah, I'm kind of torn. You -- you want something -- if we can do rock like we have and -- and they have got a few boulders, but maybe doing a little more boulder work that makes it a little more interesting of -- and -- and -- but, again, a low maintenance type of thing, you know, it -- I think Council Woman Strader's point about low maintenance, native vegetation, if that could work, yeah, let's take a look at that. But something that requires less maintenance, less water. We are high desert, so that -- that's always a concern. So, one of the places we can be more efficient at, so --

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I -- I agree with my fellow Council Members. I do have concerns about maintenance costs and just -- yeah, I don't want to take this on as a project for our parks to maintain when we get ten plus of these. I mean it could get excessive. So, I love what Nampa has done with their roundabouts. They are really neat. And I'm not opposed to an -- an increase in the up-front cost if it means that we are not maintaining, you know, watering, cutting, all those things. Specifically the question that you brought before us -- I was -- as you e-mailed some cost it looks like there is about 12,000 for us to move the rock from where it was placed to another set of roundabouts and, then, if I understood what you had sent correctly, there is another 14,000 in repairs that we need to be making. Is that -- is that related to the main lines or is that related to moving from the one roundabout to another?

Barton: Council Woman Perreault, yeah, that's -- so, the 12,000 dollars is to move the rock from one roundabout to the other and what they have to do is there is weed fabric in there, so a vac truck would go in and vacuum all that rock up in kind of a design that we have and however much -- that's an hourly charge to vac that up. It's pretty expensive. And, then, move it to the other roundabout and, then, the -- the 14 is the -- both lines under the street and the point of connection -- both point of -- points of connections and particularly the one in the Albertson's parking lot that's so far away.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I just -- I -- I don't know if you all read the e-mail, but I asked Mike what ACHD's response was to requesting compensation for that and they -- they don't have it in their budget to do so. So, I -- I'm also, along with Council Woman Strader, struggling to say that this is where taxpayer dollars should go to this extent. So, I don't know where that leaves us.

Strader: Mr. Mayor?

Barton: I think what I -- what I'm hearing --

Simison: We have one more Council Member who is unmuted, so -- Councilman Borton.

Borton: Thank you, Mayor. I may be on the other side of it. We had contemplated less than two years ago to spend money on the landscaping. I just -- the principle that you got one shot to make things like this attractive, calming -- we knew we were going to spend some capital on it and there is going to be some maintenance cost, but perhaps there is a lesser expense, but, still, landscape it. There is nothing wrong with making this -- these roundabouts look attractive. We got one chance to do it, so -- I'm not -- I'm not opposed to continuing down the path from November of 2020 that contemplated the city's desire to spend funds to beautify these large roundabouts.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I -- I agree that it would -- I think it's important for the city to look good. I think it's really important. I just wonder if we need to dig deeper and find a beautiful solution that natural precipitation -- redefine -- like the weed of wild flowers, whatever it is that will survive in this location. But let's not give up on it. I don't think it's a no for me. Like I would rather have it look beautiful for a third of the cost if possible. Like that's kind of where I'm at. I think it's important for it to be beautiful. I don't want it to look terrible. We want our city to look beautiful. I think it does. I think we should continue down that path. At least we could find something that's more cost effective. Just my general take on it. So, I'm kind of in the middle of this. I don't -- it's not a no, just hoping there is something that's more effective.

Simison: And I just would like -- I don't know it would generate a lot of phone calls, but I want to be careful that we don't just make this made of weeds, because I do think that that -- you know, we see native weeds going over Meridian overpass and they are not the most attractive. We would say why aren't we out there taking care of them, so --

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Do you think one option could be to parking lot this idea for next Tuesday? We are missing a couple of Council Members and that might be the more definitive work in the road and give Mike a couple days to move some ideas of perhaps a low cost -- a lower cost idea -- couldn't hurt at least.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. I'm more generous than Council Woman Strader. I was thinking half the cost. She was a third. I was thinking half, so -- one thing I would like -- and this probably isn't for you, Mike, but maybe Dave can find out from Miranda -- because I know like on -- on Black Cat there is going to be a roundabout at Black Cat and Ustick and a roundabout at Black Cat and McMillan. How many roundabouts are we going to have -- Ten Mile and Amity. Yeah. There is -- there is going to be a number of roundabouts coming to this community over time and -- and that's fine and I do want them -- if we have a cohesive look -- it's just that cost factor. What's that going to look like for us as -- as time goes on. So, it's one of those things that -- we want to look nice, but -- yeah. I'm good with half the cost.

Simison: And -- and that's the challenge is that we are being -- ACHD is -- is putting these throughout our community, then, turning to us to make them look nice and maintain them. I guess I have got some fundamental issues with that concept of -- because there is a lot of other needs in the city that we invest these dollars into one time or ongoing related to these. As someone who lives right near these two roundabouts I have not seen the community advocating for a more impressive looking roundabout in either one of these locations. Now, I'm not going to say they would or wouldn't long term, but that's -- you know. And as a -- as a homeowner in my HOA where we do have a roundabout right there in the middle, as people go through, and I see the amount of vehicles that have hit that and the damage done and the costs that have been reinvested towards fixing these. So, the nicer these go, the more expensive they become to maintain and I don't know, Mr. Nary, do we get one hundred percent or do we have a deductible that will be our cost no matter what -- whether it's replacing landscape, whether it's rocks that are -- you know, there is -- because one of these does have a rock wall in it. If -- right currently it's -- both of them do. So, someone hits these rock walls who is fixing that rock wall right now? Is that us?

Nary: So, Mr. Mayor, Members of the Council, I mean it depends. Obviously, if we catch the person who hit it -- I mean -- and they have insurance we certainly are going to go after that to do that. If it ends up being on our dime, say it's a hit and run, we don't catch anybody, yeah, certainly we have a 2,500 deductible. So, it's our dime for the first 2,500 dollars. You are right, no matter what we do it's probably going to be more than 2,500 dollars if it's more than just rocks that are in there, so -- I mean there definitely can be a cost that can get really significant. Again, they don't get hit very often, but, like you say, -- I mean when they do it can be very significant. We replaced those two islands -- or the island down here on Main Street that had two big giant pots and a pole taken out in

the center of it and it was well over 20,000 dollars. So, it was very expensive. But, again, they had insurance, so we were able to collect back on that.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Probably should know this, but is that section there in South Eagle still considered Highway 55 or does it stop at the Interstate?

Simison: It's Overland Road is where it becomes state.

Nary: Yeah.

Perreault: So, it doesn't make a difference as far as our planning goes, the type of road. Because I was thinking along the lines of -- of what you had said even before you had mentioned it, but, okay, Zaldia and Taconic are there next to beautiful neighborhoods that are beautifully landscaped and do we -- do we landscape those, because it keeps with the landscaping along the berms and because it is a different use it's neighborhood use with a collector versus Eagle and Amity, which is two arterials. Do we kind of look at those elements of it as we are talking about future design for roundabouts? So, I -- all in all I'm not really in favor of changing the one that already is how it is, especially -- the Mayor lives in that area and he's not hearing anything from anybody about there being concerns about it. But maybe as we are considering this now and in the future, the location -- it just becomes a location specific thing. I want the consistency, I do, but --

Barton: And that's definitely one way to do it is the treatment matches the road typology. Like if you have an arterial meet an arterial, it's -- or maybe it's rock, because you are -- you know, just going through. But maybe where it meets a neighborhood, it's landscaped. I mean that's just another consideration I guess.

Simison: Yeah. I mean the -- the one at Eagle and Amity, that area is just wide open. Nothing -- it's blank. It's -- it's a blank canvas of -- who knows what that corner is actually going to look like and what may or may not make sense. The other one is smaller, closer to the neighborhood, and I think that because it's got the -- the bark on it, it -- it does blend a little bit more than the other one, which really stands up and it is the only thing down there in that corner, so -- and you got an Idaho Power station on one corner and you have a parking lot on the other and the other we don't know. So, it's -- yeah. I don't know. And it's big. It's just a huge thing. The one thing I don't know, maybe, is, you know, when we did Meridian Road interchange we took -- we took very careful in making sure we had areas where people could pull out and do the maintenance. I -- I don't know how people do -- you know, I look at Pine 43's roundabout, I don't know how we are -- how someone is safely, in theory, performing maintenance on that and -- same one in these two locations. I mean, you know, these are designed to have people drive on the -- drive over them, especially large semis, fire trucks, when necessary and so I just don't know.

Barton: Mr. Mayor and Council, there -- there is a pull out. So, there is a wall there and you can actually park on that.

Simison: So, that's what that cut out is for is more for the auto --

Barton: Yeah.

Simison: -- maintenance?

Barton: Yeah. You can safely park there and get out.

Simison: Okay. That helps me understand that. It's like -- I just thought it was a good maintenance -- or a good architectural feature.

Barton: Yeah. No, it -- it actually has function. Yep.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just one other thought. You know, you can adopt a highway. Maybe people in -- maybe businesses in Meridian want to adopt a roundabout. You know, that's another idea. But I -- I think if -- if you wouldn't mind following up on the possibilities of the more native -- that thrive -- the really hardy plants that could make it. If there are any that would be awesome.

Barton: Yep. I will.

Hoaglun: Yeah, Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. I think we could start out right tonight for -- for sponsorships and John's Auto Care, for example, could be sponsor of a roundabout and they take -- you know, pay the city big bucks and take care of that. I think that would be fantastic.

Barton: Maybe the Community Planning Association might want to get involved.

Hoaglun: I -- I think there is an administrative issue to all that, too, so -- yeah.

Barton: So, bring this back to the parking lot on the 28th is I think what I'm -- just to summarize and come back with a short list of plants that could be planted and the conversation maybe leave Amity the way it is and plant some of these plants at Zaldia and if they don't work come back and say, hey, they didn't work, so it's -- now we got to landscape it. Trying to --

Simison: Mike, maybe just -- can you just get a cost on just some bigger rocks? I mean that's what we did at the Meridian Road interchange on those areas. What if we just put some bigger boulders, especially in the one at Zaldia, where you don't have to go into any of the water aspects and -- at least find out for myself, you know. I don't know how much a boulder costs to place -- two thousand a boulder and you put in five boulders, six boulders.

Simison: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Xeriscaping. There is a lot of really cool stuff that's done with xeriscaping. Cactuses. Rocks. Work -- working with rocks and cactus. Things like that. But I -- I do like the idea of -- I guess I just assumed that parks had already kind of started down a road of -- of making sure that we were going to be consistent from here on out, so I didn't know if that -- the planning of these was specific to these or if this was intended to be replicated.

Barton: Most -- well, a little bit of both. Yeah. It's -- it's something that can be replicated from one to the other. Sure.

Simison: And I guess the other question -- I mean we are -- the private -- private development is doing these as well. Do you want to meet their standards? Because, otherwise, you are -- you know, that's just a great policy question, because, otherwise, you know, are we going to be mismatched, are we going to be the same. Does it matter who did it? I don't know the answer, but -- next week I guess more --

Barton: Sounds good.

Simison: -- conversations.

Barton: Thank you.

15. Public Works: Vehicle Emission Testing Update

Simison: Thank you. Next item up is Item 15, which is the Public Works vehicle emission testing update.

McVey: All right. Thank you, Mayor and Council. I'm actually not going to ask for any money tonight. I know. So, while Chris is pulling up the presentation -- so I sit on the Air Quality Board as a representative for the Mayor and, then, I also have some other Members from the Air Quality Board, as well as Emily Kane here to help answer any technical questions, because I'm definitely not the technical expert on this, but -- so tonight I'm not asking for any official action, but we are seeking the intended direction that the Council would likely go if federal and state emissions testing requirements were revoked. So, this is definitely a forward looking -- if these things happen what would you

likely consider. So, currently vehicle emission testing is required at three levels of government, so the state, federal and local and it's important to understand why and what each level requires as we discuss this topic. So, a little bit of history. Ada county's emission testing program was started in 1984 due to violations of the carbon monoxide air quality standard. So, out of that over the years the Air Quality Board was eventually formed and local ordinances were put into place under a couple of joint powers agreements. So, emissions testing was required as part of a ten year maintenance plan to address the carbon monoxide issue and we are actually ending the second ten year plan that will sunset this year. So, additionally, in 2008 state code was changed to require emission testing in areas where -- that were at or above the 85 percent national ambient air quality standard and that's what drove in 2010 the emissions testing that became a requirement in Canyon county and Kuna. So, currently only Ada county and Canyon county are the two areas that emissions testing is required in the state. So, who is required to test? So, this is kind of an important element. So, emissions testing is required every two years for gas and diesel vehicles made between 1981 and 2018. So, you will see newer cars, classic cars, electric, hybrid vehicles are exempt, among several other types of vehicles. So, what has changed? Well, the first was Senate Bill 1264, which was passed and signed into law last year that struck vehicle emissions testing in the state effective July 1st, 2023. So, this will eliminate emissions testing in Canyon county on July 1st, 2023. However, it does not eliminate the testing requirement in Ada county, because we have that extra federal requirement in place. So, let's talk about the federal requirements. So, this was established in 1984 only in northern Ada county, because we were in violation of the national carbon monoxide air quality standard. It's important to note that the last measurement that was in violation of the standard was measured in 1991 and DEQ is required to give a recommendation to EPA every five years on the effectiveness of the program and whether that program should be continued. So, DEQ is anticipating going to EPA and requesting the removal of this nonattainment designation in December of this year and the reason that they are doing that is their data shows that the effectiveness of the program has decreased due to the fact that more and more vehicles that are on the roadway are new -- newer vehicles that are built to meet higher emission standards and that many of the vehicles that were failing emission standards have been repaired or removed from service. So, only about ten percent of vehicles that are tested each year fail, not necessarily all those are directly related to emissions. There is a few other things that can cause you to -- to fail those tests, but DEQ data shows that if emissions testing is removed that there will be no negative impact on the Treasure Valley air quality. However, we still will see periods of lower than desired air quality, but the vehicle emissions program is not what will fix those concerns. So, we are seeing those exceedances due to the fact that we just have more vehicles on the roadway, emissions from industry, wood stove smoke, and wildfire smoke. So, the vehicle emissions testing program doesn't change those things. So, you may be curious about the impact on vehicle emissions testers. So, currently there is 39 of these testers in Ada county. Ten of those are in Meridian and only four of those stations solely do emissions testing. So, ending the program, obviously, would have an impact on those four businesses and all of the testers have been notified of the pending changes. So, at a high level this is what the process would look like. So, if DEQ moves forward with their recommendation and EPA agrees with their data and conclusions, then, only local

ordinances would remain in place that would require emission testing. So, there is kind of two paths. If all local ordinances were repealed, then, emission testing requirement would end in Ada county and Ada county cities. However, if some of the local ordinances remain in place, then, emissions testing would only be required in those select areas and likely the requirement to administer those programs would fall on those local agencies that are choosing to keep their local ordinances. So, why is the Air Quality Board asking for direction now well before they go to EPA, well before EPA makes their ruling. They are just trying to set direction for FY-23. So, they are trying to plan for their software needs. They are trying to plan to let the testers know what they are going to do, whether or not they should continue with agreements. So, the discussion that we would like to have tonight is to gain Council's general consensus on -- if both the state and federal requirements are revoked, would Meridian repeal its air quality ordinance or air quality emissions testing ordinance or when Meridian have the desire to keep the emissions testing requirement, which would require us to rewrite our ordinance and likely administer the program ourselves.

Simison: Thank you, Laurelei. And this is why I'm always so impressed. This is what she does on her downtime to help inform and educate us, get us up to speed and so I appreciate you sharing this with us and as was mentioned, we -- we -- we do have our Air Quality Board member and the automotive industry and part of that John Nesmith is here and Matt Stoll is also here with COMPASS Air Quality Board oversight management and so open up for any questions you have for Laurelei, Legal, or -- and we can probably get one of those two to come up as well if needed.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: So, my -- my biggest concern would be -- it seems fine now, right, but we have emissions testing in place and there is a whole infrastructure and ecosystem of people that do the testing, et cetera. If DEQ and everyone agree it could be eliminated, but, then, what if what happened to Canyon county or Kuna happens to us and we end up in that same position? I guess I'm just more worried about like opening and closing programs quickly without knowing that that's a long term viable option. Is there any background in how Canyon county ended up? And I don't know if Matt is the right person or who, but how Canyon county ended up with a separate program and what drove that and how that could impact us.

Simison: Thank you, Matt.

Stoll: Matt Stoll, executive director for the Air Quality Board and also the Community Planning Association. Can I go back on these slides? Okay. So, historically emissions testing has been required in northern Ada county since 1984 when we violated the health based standard for carbon monoxide. Canyon county and Kuna have never violated the health based standards or -- and been declared as nonattainment for any pollutant of concern. The -- back in 2004 or so the legislature at the encouragement of some local

elected officials and also some citizens created the ability to create an air quality council and so they created the Treasure Valley Air Quality Council, which reviewed the data for the region and, then, also made some recommendations regarding proactive measures that could be had. That was the emissions testing program in Canyon county and Kuna and what they specified in Idaho Code 39-116(b) was if you are 80 percent of the design value or the health based standard for a given pollutant and transportation is one of the top two contributors to that elevated level, then, you can have an emissions testing program. DEQ can mandate it. And that's what they did with Canyon county and Kuna. They never had a violation of those standards. So, back to your original question as far as are there any assurances that we won't have to go back to emissions testing in the future. Simple answer is no, because we do have -- ozone is a pollutant of concern and fine particulate matter are pollutants of concern. However, the drivers of those tend to be industry, also wildfires and transportation is a component. If we go nonattainment for any of those pollutants and the regulators, EPA and DEQ, decide that emissions testing would be a viable control strategy to help bring it under control, it likely would not be the same program that we currently have. We have -- in looking at a variety of scenarios about what could be done with the equipment that the station owners own, we have been told that they are antiquated and they would not be usable in nonattainment areas for ozone or PM 2.5. Does that answer your question?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yes. Yeah. That does answer my question fully. So, I guess just to reflect back what I'm hearing and -- you know. So, DEQ and the EPA are the experts, right, on what a control strategy -- what control strategy would work. It seems like they are both leaning toward getting to a place where they -- they don't think this requirement should exist and so, you know, I think it's really important we take care of our public health and our air quality, but if I'm hearing that the environmental experts are saying that the -- controlling vehicle emissions is not an effective control strategy anymore in terms of what we are -- what we are dealing with now -- I don't know. Is that a fair characterization of -- of where we are at?

Stoll: Mr. Mayor, Council Member, I would phrase it a little bit differently. They are not saying that controlling emissions is not appropriate. What they are saying is that the emissions testing program may have outlived its purpose. So, we have federal standards for vehicle emissions that continues to lower periodically and also as we are turning over to more of a hybrid vehicle fleet and adding in electric vehicles, we are seeing emissions decreasing significantly or being nonexistent. So, emissions from the motor vehicle fleet are being controlled that way through national standards and, then, also fleet turnover. But keep in mind that the emissions testing program in Ada county was solely created for the carbon monoxide issue that -- we haven't had an exceedance since 1991.

Strader: Got it. I just have one more question.

Simison: Council Woman Strader.

Strader: How far are we off of the standard? I -- I think maybe you went through this, but like here through state code they had decided at one point -- you know, you wanted to be at or above 85 percent of the national standard. Where are we in terms of Ada county relative to standards? Is it like within ten percent, within 50 percent? Just ballpark.

Stoll: Mr. Mayor, Council Member, it would depend upon which pollutant you're talking about. So, carbon monoxide you're nowhere near the standard. It's pretty much, again, non-existent. For ozone and PM 2.5, they are pushing up the standard. It's about 80 percent since the last time I saw the data -- is that last data set I saw. It's around 80 percent. Now it gets into whether your elevated levels on a daily basis are related to wildfires. A majority of the data that they are seeing is because of wildfires and wildfires that the smoke's being transported in from other states and it's one case it was transpacific transport. That also affects, because of the gases that are being emitted from ozone, so it's not just fine particular matter, but also oxide that measures in and also organic compounds. So, it is around 80 percent. That standard or that requirement through Senate Bill 1264 has been struck out effective July 1, 2023, which gets back to your question what assurance do we have that we won't be pulled in like Canyon county or Kuna. That state law is going to be struck.

Strader: Got it. Thank you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I wouldn't mind hearing from John. I just wanted -- since I think you guys do emission testing, just impacts and that transition and if you can speak kind of to that -- that question. And also I -- I want to correct the record, because it's Meridian Automotive that's going to be the first sponsor, not -- I saw John sitting there with John's Auto Care, but it's Meridian Automotive which John owns, so -- anyway, thanks, John. My question just is, you know, you conduct emission testing and I know there are some just sole providers. You're a full-service automotive center, but what type of revenue does that look like for people who do this? Is it a big impact. And I can understand the guy who sits up on a street corner that's it, but can you give me some thoughts on that?

Nesmith: Sure. Certainly it's going to affect all your -- the red vans or, you know, those -- those facilities will all -- will all close. You know, I'm kind of in the middle ground where it's not going to affect our business, you know, hugely negative. You know, it's probably five, ten percent, depending on the time of year. Probably more like five percent. The thing I see is the -- the mentality of folks -- you have a certain amount of people that are like no problem, I need to pass and that's what I think that potentially that ten number that I heard that don't pass, those folks come in -- I know I see all the notices come in, you know, the delinquent notices and that's why I was an advocate of having to pass the emissions before you register a car, because I think there is some other things at -- like

other states you go buy a car from California they don't pass emissions they sell it here. I don't know what that makes -- you know, I'm not a good numbers guy to know what that affects, but I do see that your -- the diesel guys that blow black smoke everywhere, the guys that -- you know, I don't know how much that's going to encourage that behavior or if it even matters, you know, in the big picture, because there is enough new cars that are clean enough, will it really affect us. I know I enjoy sitting in traffic when there is cars that aren't blowing blue smoke and that do run properly, because you still breathe it and -- and our traffic's getting worse. So, I think that's, you know, certainly going to have an industry that's going to go away. I -- I see the negative behavior increasing. So, I think it's going to be not ten percent, I think it's going to be -- I think it's going to double personally. I think you are going to have 20 cars out on the road that wouldn't have passed emissions that -- just because I think the behavior of people won't fix cars. People run around with check engine lights on that won't worry about it, because your car still runs, because we see that -- the behavior coming in -- oh, my gosh, I got to pass the emissions. I got to fix the car or -- that's what I see. Anyway, stand for questions.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I appreciate that perspective, John. Yeah. It's interesting, you know, human behavior is rather, you know, interesting. It's always fascinating what people do and how -- what motivates them. You know, I -- I'm a believer in -- in the -- in the science in this, that if -- a lot has changed in 30 years in our -- our car technology. I mean you would -- you would know of anybody how -- how that -- how that has changed and are we to that point where there are going to be less vehicles that emit as much pollutants as in the past. The standards as Matt pointed -- you pointed out, federally or -- have changed and there are -- it looks like they are going to change again. We will see. You know. So, to me it's -- it's a science question and if we aren't violating the standards why do we need to have a -- have an ordinance that requires inspections, especially if we are moving in the direction of cleaner -- cleaner transportation options. So, just one of those things that I'm mulling over right now. Appreciate the insight you all have given.

Nesmith: No worries. You know, I network with a group that is nationwide and it's interesting to talk from, you know, guys from New Hampshire that they still have state inspections, so they still have people bring in cars that make sure they are safe and they don't have broken windshields and -- and other things that are also important, you know, that are the safety of our -- our families and stuff running around that people aren't driving. So, you know, I don't know how far you take it. I certainly -- I -- I'm a believer in science as well and if the numbers are getting down so small enough that the few polluters are out there that aren't -- it's not overall affecting our air I just -- I grew up here, you know, enduring inversions and, then, things like that in the wintertime and, you know, I'm very passionate about being healthy and in good clean air. So, I don't know, it's -- it's certainly, you know, a challenge and -- and I appreciate the numbers that Matt has brought forward and appreciate that, too. But, you know, I'm sure the industry will survive and, you know,

I appreciate their perspective of trying to at least, you know, taking care of the equipment and that stuff, too, as well in the industry that -- that, you know, may disappear.

Simison: So, John, anecdotally scientifically, if you even have any idea, cars that are failing that you guys see is it more overall age of vehicle, like a car that's 30 years old, or is it a year, make, model threshold where you think that the technology changed in those cars that that's not been -- that's just more informational, because I'm curious.

Nesmith: I think it's both. Definitely age. And as I see, you know, families have cars and so you have mom and dad have one vehicle and, then, they recycle and go down, so we see, you know, kids' cars that are higher mileage and, you know, the more mileage you put on a car the more things fail. You know, catalytic converters fail. They are warranted to 80,000 miles, but after that you're done. So, I -- definitely age and mileage for sure and the mentality of the people driving them is also a factor and, then, especially your younger generation, unless they're mandated to fix it they won't, because they can watch Youtube and it tells them everything that it involves in either fixing it or -- you know. So, pretty much they -- I don't mean that literally, but there is a -- definitely a different education factor on a younger generation that -- you know, that just seems to either want to resolve it themselves or not worry about it and I think there is a -- you know, a good factor on having -- having -- I would like it to see what they could to pass a -- you know, not run around with -- with problematic vehicles and I would take it a step further with safe windshields and, you know, safety program like other states do. But, you know, we are not there.

Simison: Well, as someone who unfortunately got rid of my 1987 Jeep Wrangler when I couldn't pass the Virginia state safety inspection, it was the dumbest day of my life when I decided I didn't want to do a thousand dollars worth of car repairs and I went and bought a new car. So, I -- I have seen it -- the value -- apparently three broken engine mounts is a reason to put a safety -- and I would have not known that, that I could have my engine fall off at any point in time related to that. So, I appreciate your comments.

Nesmith: No problem. And, you know, here we are very blessed to live in a state -- we are a very arid climate and vehicles are a lot older versus, you know, back east they don't live that long and so here it's very common to have 20, 30 year old vehicles, you know, it's just the way -- you know, we got a nice community that helps take care of them, they don't rust out and that stuff. But I'm with you. So, it's a little bit of a conundrum, you know, that we run into. I just worry about what will come, because I worry about the dealers that go to other states and they go, great, we don't have an emissions program anymore, we just get to dump here and, then, the consumers won't know what they are getting and they get very -- that will -- it will affect us. We just -- I -- it may have to sort itself out and, then, we will see how it goes.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: The challenge that -- that I keep chewing on is we just have such a huge amount of people that drive through the City of Meridian that don't live here and while we -- if we were to choose to keep a program and even administer it ourselves, for example, I don't know how much that actually benefits the City of Meridian, because we have five towns -- four towns that drive through us. That's kind of my struggle and curious if anyone wants to share their thoughts on that.

McVey: Yeah. Council Woman Perreault, I think that's a good point and I -- I would continue to point back to DEQ's data, right, because if -- if the state -- if DEQ and the EPA both have to agree that this emissions program is not benefiting the region, I think, you know, if -- if we as a city want to focus on emissions reductions it's -- it's other things besides the emissions -- vehicle emissions testing. It's -- you know. And things like you guys do, encouraging public transportation, getting more cars off the roadway, you know, potentially -- one of the things on DEQ's website was encouraging residents to convert wood burning stoves to another form of -- of heat. But I think, you know, this -- this top chart -- it's a little bit hard to see, but this is straight from DEQ's website and shows basically their analysis of with and without the emissions testing program in place and you will see that even with the emissions testing in place it really does take very little of the emissions out of the picture. So, I think you are spot on that if one or two of the local agencies keep the program it's going to be an even smaller impact than -- than what's shown on the graph there.

Simison: All right. Because just -- ultimately we are not going to make a decision about for or against. Mr. Stoll is looking to get a gleaning into Council's consideration about do you want to do your own emission testing program if everyone else backs out. That's the basic question that we are going to get around to somewhat, because I don't think that what -- many of the other cities are going to maintain a program in Ada county. Maybe one. But I won't even go that far. Okay. I'm getting a shake. But, you know, they -- you're not going to make a decision until you have all the information. I would never expect anything less than you, but for their budgeting purposes they are looking for some general viewpoint on Council. So, if -- if we have three or four -- so if we have four of you -- if we have three or four that have a general direction, you can take that for what it's worth, knowing that until a decision is brought in front of you for an up or down vote nothing is guaranteed one way or the other. So, any direction you -- any comments you can direct specifically towards him on your general thinking if both -- if the assumption is that both were to say it's no longer necessary or required, what your thinking would be.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I'm happy to kick it off a little bit. I believe if DEQ feels strongly that there is not a negative impact from this -- one of the frustrations I had when I served on the Air Quality Board was that I felt we were administering a program that the mandate was so incredibly narrow in terms of what we were there to do was really executing on that specific framework and I think as a city we are better off -- if we think it's important for us to have

great air quality, I think that's a better wider conversation than a vehicle emissions testing program, to Laurelei's point. I think there are other things we could consider doing to incentivize people in Meridian and improve our air quality to the extent that we can and I -- I totally take the point that, you know, wildfires are driving a lot of the particulate issues and et cetera. So, I -- I personally don't believe -- if the experts are showing this data that we need to administer our own program. So, I wouldn't be in support of starting our own program at this point.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. If EPA grants me the DEQ's request to discontinue the vehicle emissions program for northern Ada county, then, I think I'm in favor of repealing our ordinance. I mean, yeah, if we need to do something else for other reasons, then, we can look at that. But if the science is there, we are asking citizens to do something that isn't really having an impact in a positive way. It's -- it's negligible. So, there is -- there is no need to do that, so -- but, again, I would only do that if EPA grants the DEQ's request.

Simison: Councilman Borton.

Borton: I agree.

Perreault: Council Woman Perreault.

Perreault: Mr. Mayor, thank you. I agree that I -- I -- I'm not in favor of the city administering its own program, committing dollars and stuff to that. I hope that there will still be some locations that will allow people to do it voluntarily. Those that -- you know, I'm all about people being responsible drivers and responsible with their vehicles. So, I hope that -- that there will still be an opportunity if people want to do it voluntarily that they can have their vehicles checked in that way. I don't doubt that having that one requirement every couple years makes people more aware and more conscientious of the condition that their vehicle is in and that alone creates a benefit. But I don't -- I don't believe that the city should bear the cost of running its own program.

Simison: Okay. Does that give you enough feedback and guidance at this point? Okay. Well, then, we will look forward to seeing what comes later this year and if there will be anything officially brought back for the Council for consideration. All right. Thank you very much. Thank you for being here, John, Matt, Laurelei, Kyle. Kyle. Okay. All right. with that --

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I move we adjourn the Council Work Session.

Simison: I have a motion to adjourn. All in favor signify by saying aye. Opposed nay?
The ayes have it and we are adjourned.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

MEETING ADJOURNED AT 6:23 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT E. SIMISON / /
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK