

A Meeting of the Meridian City Council was called to order at 6:05 p.m., Tuesday, July 18, 2023, by Mayor Robert Simison.

Members Present: Robert Simison, Brad Hoaglund, Joe Borton, Luke Cavener, Jessica Perreault, Liz Strader and John Overton.

Also present: Joy Hall, Bill Nary, Linda Ritter, Jamie Leslie, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

☒ Liz Strader	☒ Joe Borton
☒ Brad Hoaglund	☒ John Overton
☒ Jessica Perreault	☒ Luke Cavener
☒ Mayor Robert E. Simison	

Simison: Council, we will call this meeting to order. For the record it is July 18th, 2023, at 6:05 p.m. We will begin tonight's regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

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

Zachman: Yes. Mayor Simison and City Council Members, I'm humbled and honored to be able to present the invocation today. We read in Psalm 121. I lift up my eyes to the hills. From where does my help come? My help comes from the Lord who made heaven and earth. He will not let your foot be moved. He who keeps you will not slumber. Behold, he who keeps Israel will never slumber nor sleep. Would you join me in prayer. Heavenly Father, we look to you as our constant source of help at all times. May everything discussed tonight and every decision made be overseen by you, the Sovereign Lord. Grant grace to our Mayor and City Council Members to make wise and righteous decisions, as those who will give an account to you. Thank you for blessing those who seek you and establishing their ways. Bless our city with your presence,

peace, and prosperity. Deliver us from evil people and make this a safe place for all our residents. We ask these things in the name of our Lord Jesus Christ, amen.

ADOPTION OF AGENDA

Simison: Thank you. Madam Clerk, anyone signed up under future meeting topics?

Hall: There is not, Mr. Mayor.

Simison: Okay. So, with that -- oh, I'm sorry.

Hoaglund: Mr. Mayor?

Simison: I forgot to do something again.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move the adoption of the agenda as published.

Borton: Second.

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

MOTION CARRIED: ALL AYES.

PUBLIC FORUM – Future Meeting Topics

Simison: There is no one signed up under the public forum future meeting topics.

PROCLAMATIONS [Action Item]

1. Proclamation for the Owyhee High School Softball State Champion Day

Simison: So, with that we will move under Department/Commission Reports. The first item up is a proclamation with the Owyhee High School Softball State Champions Day. If I could have Coach Martin and the team join me at the podium, I would appreciate it. We want to put you behind the podium, because you will get an opportunity to speak into it, so it will just make it easier to do that. It will be easy. Don't worry. Don't worry, No worries. Council, we are here once again to celebrate an Owyhee High School state champion. This -- this is becoming a regular occurrence here at the City of Meridian and as I like to remind the mayor of Star, it is in the City of Meridian. Although I'm sure

maybe some of you fine people might live in another city, but we appreciate you representing the City of Meridian and the athletic accomplishments that you all have. So, we are going to do a proclamation and, then, Coach, allow you to say some words and, then, have every member go by and at least just say their name, position and year in school. Pretty simple from that standpoint. But we really appreciate you being here. So, with that: Whereas being an Owyhee High School's softball player is more than making -- making pitching, fielding, hitting and achieving state titles. It is training to build leadership, character, confidence, teamwork and resilience, all traits needed to succeed on the field, in the classroom and in the real world and whereas the hard work and dedication of the Owyhee softball team and coaches resulted in The Storm claiming the first softball state title in the school's history and whereas The Storm completed the regular season with a record of nine and three in conference and 24 overall had 85 home runs on the season as a team and while The Storm softball team finished the season with a 26 and five record, went on to their first Idaho 5A baseball state title by taking the 13 to three win in the championship game to bring the trophy home to Meridian and whereas the leadership, training, discipline of their coaches helped all team members to focus their talents, passion and determination to become a winning team, each player making valuable contributions to their victory. Therefore, I, Mayor Robert E. Simison, hereby proclaim July 18th, 2023, as Owyhee High School Softball State Champions Days in the City of Meridian and call upon the community to join me in congratulating the Owyhee High Storm on their remarkable athletic achievement and representing Meridian so proudly in the state tournament, dated this 18th of July 2023. So, on behalf of the city congratulations on this accomplishment and with that I will turn it over to the coach.

Martin: Thank you so much. I'm head coach Tess Martin. I just want to say on behalf of the entire Owyhee softball, thank you for the community support. Couldn't have done it without everybody, our administrators, teams, parents, everybody. We just had a tremendous amount of support. So, without further ado, I will introduce my assistant coach Jordynne Ketchum.

Ketchum: She did my job for me. Jordynne Ketchum. Varsity assistant.

Rice: My name is Alexa Rice and I just graduated this year and I'm an outfielder and I'm going to play at Treasure Valley Community College.

Hatzenbeller: My name is Martha Hatzenbeller. I'm a left fielder and pitcher and I will be a senior and I play Owyhee High School.

Schab: I'm McKenna Schab. I will be a junior and I play Owyhee High School also and I'm a catcher-outfielder.

Haith: My name is Rylie Haith and I'm a center fielder and I'm committed to Utah Tech and I will be a senior.

Malliarodakis: My name is SoBella and I go to Owyhee High School and I'm going to be a junior.

Watts: My name is Kina Watts and I'm a shortstop and pitcher and I'm going to be a senior.

Schneidt: I'm Brooklyn Schneidt. I'm an infielder and I just graduated and I'm going to Western Oregon University.

Brooks: I'm Grace Brooks. I'm a pitcher. And I will be a junior.

Fazio: My name is Isabella Fazio. I'm an outfielder and I will be a junior.

Buckingham: My name is Molly Buckingham. I'm a first baseman and I will be a senior.

Brooks: I'm Bailey Brooks. I'm a first baseman. I just graduated.

Bryant: I'm Alaina Bryant. I'm a catcher, third base, and I'm going to be a junior.

Townsend: I'm Kendall Townsend. I'm a pitcher and I'm going to be a senior.

Cavener: Maybe, Mr. Mayor, as you are coming back up it's a -- it's a good reminder for the Council. Sometimes the city plays the Chamber of Commerce in an annual softball game and so, Mayor, maybe it's appropriate to open up your office for 20 or 30 internships in preparation for the next time we play them.

ACTION ITEMS

2. Approval of the Fiscal Year 2023 Amended Revenues and Expenditures in the Amount of \$217,401,857

Simison: Great advice. All right. With that we will move on to Item 2. This is a hearing this evening, which is approval of the fiscal year 2003 amended revenues and expenditures in the amount of 217,401,857 dollars.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yes, we do need to take action on this -- on these next three items for our budget for current year and upcoming fiscal year and foregone. So, for Item No. 2, I would move that we approve the amended revenues and expenditures for fiscal year 2023 in the amount of 217,401,857 dollars.

Borton: Second.

Simison: Okay. I have a motion and a second. Do I have discussion? If not, Mr. Nary, do we need roll call?

Nary: Mr. Mayor, I think this is just to publish; is that correct? So, yeah, a voice is fine. This is just to publish that number to the public.

Simison: Okay. All in favor signify by saying aye. Opposed nay? The ayes have it and Item 2 is agree to.

MOTION CARRIED: ALL AYES.

3. Tentative Approval of Fiscal Year 2024 Proposed Revenues and Expenditures in the Amount of \$233,617,300

Simison: Next item up is Item 3, which is tentative approval of fiscal year 2024 proposed revenues expenditures in the amount of 233,617,300.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that Council approve the proposed revenue and expenditures -- let me start that again. They have a different word in here. This is a tentative approval. So, Mr. Mayor, I move that Council move to tentatively approve the proposed revenues and expenditures for fiscal year 2024 in the amount of 233,617,300 dollars.

Borton: Second.

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Do we have a proposed date for the public hearings on the budget that we want to include within this motion?

Simison: August 15th is the proposed.

Cavener: Thank you, Mr. Mayor. Thanks, Jenny.

Simison: Is there further discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and Item 3 is agreed to.

MOTION CARRIED: ALL AYES.

4. Approval to Reserve All Foregone Revenue Associated to the Fiscal Year 2024 Budget in the Amount of \$635,085 in Order to Utilize that Amount in Subsequent Years

Simison: Next up is Item 4, which is approval to reserve all foregone revenue associated to the fiscal year 2024 budget in the amount of 635,085 dollars in order to utilize that amount in subsequent years.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that Council elect to reserve all foregone revenue associated to the FY-2024 budget in order to utilize an amount in subsequent years in the amount of 635,085 dollars.

Hoaglund: Second.

Simison: I have a motion and a second. Do we have discussion? If not, all in favor signify by saying aye. Opposed nay?

Cavener: No.

Strader: Nay.

Simison: Would -- did the votes -- does the approved stand okay with Council or would you like it to be recorded separately? I have verbal four to two, but does that work for Council?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Mr. Mayor, I would like my opposition recorded, please.

Simison: Okay. If the clerk would call the roll.

Roll Call: Hoaglund, yea; Borton, yea; Cavener, nay; Perreault, yea; Strader, nay; Overton, yea.

Simison: Four ayes. Two nays. And the item is agreed to.

MOTION CARRIED: FOUR AYES. TWO NAYS.

5. Public Hearing for Lavender Heights No. 2 (H-2023-0028) by Clint Hansen, located at 6256 S. Mechta Ave.

- A. Request: Vacation to vacate a portion of the 5-foot wide public utilities, pressure irrigation and lot drainage easement on Lot 11, Block 9, Lavender Heights Subdivision No. 2.

Simison: Next up is Item 5, which is a public hearing for Lavender Heights No. 2, H-2023-0028. We will open this public hearing with staff comments. Are we ready?

Ritter: Yes.

Simison: All right.

Ritter: Good evening, Mayor and Council. I'm Linda Ritter with the Planning Department. Tonight we have here a request for a vacation. The property is located at 6256 South Mehta Avenue and it's in the R-4 zoning district. The request is for a vacation of a portion of the 1.2 feet of a five foot wide public utility drainage and irrigation easement along the northern border -- boundary of Lot 11, Block 9, of Lavender Heights Subdivision No. 2. A property boundary adjustment PBA-2022-0027 was approved that shifted the northerly property line 1.2 feet to the north to account for the existing home that was inadvertently constructed within the easement area and the required five foot wide side yard setback. Relinquish -- relinquishment letters have been submitted from all the impacted utility companies consenting to the partial vacation of easement as proposed. Letters were received from Boise Project Board of Control, New York Irrigation District, CTC Telecom, Idaho Power, Intermountain Gas Company and Sparklight. Staff is, therefore, recommending approval for this vacation and at this time I will stand for any questions.

Simison: Thank you. Council, any questions for staff? Okay. Is the applicant here?

Hall: Mr. Mayor, they have not signed up online.

Simison: Let's see who -- we do have several people online. If there is anybody online who is -- who is the applicant for this item, if you can use the raise your hand function. All right. No one is raising their hand.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: If the applicant isn't here I do have a question for staff. Do you happen to know how this came to be, if there was just an error on the construction company's part to build the stem wall over the property or -- this obviously is a little concerning that this may not be the only property either in that development or in -- where -- you know, where we have an issue with this, but I just would -- the narrative didn't give background on how this came to happen and it sounds like it's currently under construction. So, I really would like to -- to know more history on it before I -- I agree or don't agree.

Ritter: Council Woman, I -- well, as far as I know the house is already constructed, so it's already built and so they did a boundary line -- a property boundary adjustment to correct the issue, but they still had to go through the vacation process. I can't assume what happened. This occurred before I started my tenure here at the city. If I had to guess it was probably project management on the site at the time that the footings were put in or whatever. So, I can't lay blame to any person.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. I'm -- I'm comfortable with moving forward with this. These are -- these do happen from time to time. There is no impact that will occur in terms of -- we have got the letters from everybody, everybody has been notified, so the easements are still protected. It's just an adjustment to -- to make this move forward. So, unless Council has heartburn over -- over moving forward without hearing from the applicant and even if that question were answered, there is nothing that we can do to change that. So, that's -- you know, we can still get an answer from them. If, Linda, you want to follow up with them, but I'm good with making that motion if Council agrees.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I don't know whether the property has been sold to a homeowner. I feel terrible if that's already happened for that homeowner's sake and I am -- so, in that regard I -- definitely this is necessary and my concern, however, is that I don't know if people are paying enough attention that this would set a precedent or not, but it is a little concerning to me that there may be an impression that accuracy doesn't need to be present if vacations are acquired easily enough. So, I don't know, maybe I'm reading too much into it. I don't want to disadvantage the property owner by any means, because this is really important for them to legally be in the correct boundary on their map. But at the same time also have a lot of concerns about kind of what this means. So, to your question, Councilman -- or Council President Hoaglun, I'm happy to go ahead and vote on it, but I wouldn't -- I would appreciate if staff could do a little more research for us, since the applicant is not here.

Ritter: Absolutely. I will. I will find out the information and respond.

Perreault: Thank you. I appreciate that.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just a comment for applicants -- and this applicant in the future. It's poor form not to appear before City Council when you make a request and I think even for something that's, you know, a straightforward decision I think it shows a lack of diligence and I would encourage future applicants to appear before us. I think it's important and I just wouldn't like to see this happen on a regular basis.

Simison: Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Everybody makes mistakes. This is an applicant that we see on a fairly regular basis. That is not their brand necessarily to miss something like this. So, my -- I'm going to chalk it up to a -- a fluke accident. But I agree with Council Member Strader, this is not a -- I think this is the very first time I have supported maybe a potential motion for approval where the applicant hasn't been present and I don't anticipate that this is going to be the status quo moving forward. But I also want to give the applicant, who has done a lot of work in our community, has a pretty good track record, the benefit of doubt. It is probably just a miscommunication or a scheduling mistake.

Simison: Thank you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we close --

Simison: It is a public hearing. I was at least going to ask for -- if we have any public that would like to provide testimony on this. Do we have anyone signed up on this item?

Hall: We do not, Mr. Mayor.

Simison: Okay. Is there anybody present who would like to provide testimony on this item, either in the audience or online? Seeing no one raising their hand online or anyone coming forward and the applicant is not here for any final comments -- Councilman Hoaglund.

Hoaglund: Mr. Mayor. I know staff will get -- their first one is more fun than anticipated, but I move that we close the public hearing for Lavender Heights No. 2 H-2023-0028.

Borton: Second.

Simison: I have a motion and a second to approve Item 5. Is there any discussion? Oh, I'm sorry. I have a motion to close the public hearing. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is closed.

MOTION CARRIED: ALL AYES.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: After considering all staff and -- after considering all staff testimony and Council discussion, I'm going to approve File No. H-2023-0028 as presented in the staff report for the hearing date of July 10th, 2023.

Borton: Second.

Simison: I have a motion and a second to approve Item 5, which is H-2023-0028. Is there any discussion? If not, Clerk will call the roll.

Roll Call: Hoaglund, yea; Borton, yea; Cavener, yea; Perreault, yea; Strader, nay; Overton, yea.

Simison: Five ayes, one no and the item is agreed to.

MOTION CARRIED: FIVE AYES. ONE NAY.

6. Public Hearing for Linder Village (H-2023-0005), by CSHQA, located at Southeast corner of N. Linder Rd. and W. Chinden Blvd.

- A. Request: Development Agreement Modification to the existing Development Agreement (Inst. #2019-028376 & #2021-102392) to update the conceptual development and use area plans to amend some of the building footprints, vehicular/pedestrian site circulation and parking; and include multi-family residential as a future use.

Simison: Next item is a public hearing for Linder Village, H-2023-0005. Open this public hearing for staff comments.

Allen: Good evening, Mr. Mayor, Members of the Council. Sonya Allen, Planning Division, presenting tonight. The applicant for this project is requesting continuance to August 22nd in order to reevaluate the development plan for Lots 12 and 13 due to economic factors. I believe the applicant is online tonight to respond to any questions you may have on the request. Thank you.

Simison: Thank you. Council, any questions for staff? Okay. Do you have any questions -- would you like to hear from the applicant? And if you hear from the applicant are you going to want to hear from others who are here present?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Absolutely. I would like to hear from the applicant, particularly regarding what economic factors have caused them to request a continuance and I would also encourage us to open the public hearing to members of the public that are present in light of the fact that this is the second continuance on this application.

Simison: Okay. Then with that would -- is the applicant here to -- would they like to provide testifying?

Allen: The applicant is online, Mr. Mayor.

Simison: Yes, they are raising their hand.

Brozo: Good afternoon, Mayor and Members of Council. My name is Mandie Brozo representing CSHQA Architects. Online I have Michael Salvin, who will speak to the continuance.

Simison: Okay.

Hall: Michael Salvin, can you unmute yourself?

Salvin: I have unmuted. Can everybody hear me?

Simison: Yes, we can. Just speak loudly, please.

Salvin: Okay. Let me try to get close to the microphone. And I do apologize for the -- I would say the late notice and to expand more on our reasoning for a continuance is that -- as anybody can, you know, hopefully appreciate is -- you know, we went through a pandemic. Cost of capital doubled. Interest in a couple of real estate uses we are looking at has -- I would say subsided. We were planning on working with a joint venture partner on Lots 11 and 12 -- or, sorry, 12 and 13 and so in the last round we were almost having a new site plan together. I feel we are close to having a site plan together. That combined with the fact of -- you know, some of the comments that came in in the form of letters in anticipation of this application we also realized that the site plan that was communicated at the neighborhood meeting is misleading and so we feel that it -- what we are working on is -- is, hopefully, going to be better received by the community and so for those reasons -- it was a really tough decision for us, because here is a bit of background. We were trying to tackle multiple factors with this development agreement modification. One is that we -- we have moved quite a bit --

not really moved -- we added more pedestrian pathways and so what that allows us to do is build buildings that have been planned for over a year. I know it's part of this application called the collection of the barn. In respect of your time and planning staff's time, we have tried to combine different factors in this development agreement modification, including, you know, our new plans for 2013, which are always considered to be phase two, which we were always supposed to go back to Council to get your blessing on and so as much as you can like to bifurcate the issues, we would love to get started on the barn and the collection. We don't want to have this hearing and have to reapply for a new hearing, since we are so close to having something to present for Lots 12 and 13. So, I do apologize for the delayed nature of this, but we also don't want to waste your time with the wrong plan, just to come back again to re-apply for a new plan.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just a follow-up question. I mean could you explain further the specific timing, you know, requesting this a half an hour before the public hearing is to me highly inappropriate. I just -- I want to understand, you know, did -- did your joint venture partner drop out today or, you know, what exactly, you know, kind of caused the urgency? And just a comment. I would encourage you to withdraw the application, frankly. I think that it's unfair to members of the public to expect them to appear to a third public hearing that's been scheduled on this kind of notice in the middle of the summer in light of the amount of changes that you have requested. I think it would be more appropriate for you to withdraw the application, get your financing together and get your equity together, get a site plan that's comprehensive and come back in six months. That's just me. But I -- and I'm known for being very frank. But that -- that was what I would urge you to do.

Salvin: Yes. To answer your question, there was a pretty last minute circumstance -- really I would say out of respect of a partner, not wanting to mislead us or the city -- and they put us with a site plan that we ultimately wouldn't execute on. One thing I would like to comment on in this light is that, you know, for the modification it really is modifying just two documents -- or two plans. Or one's a circulation plan, one is a use map and I feel what's also been misconstrued is that, you know, with a lot of letters that we are seeing there is pushback, which would be more of the nature of an application for a CUP and not necessarily for updating a circulation plan, as well as it --

Nary: Mr. Slavin, would you stop.

Slavin: Yes.

Nary: Mr. Mayor, you are really messing up -- or he is really messing up the record. See, now he's also testifying about the project. You have to confine this to just the

continuance is fine. But if you are going to hear the project, then, you have to hear the whole thing and so, Mr. Salvin, I -- you can't talk about the project.

Simison: And I thought that we were talking about the project, which is why we were going to take public testimony -- or is the public testimony only going to be allowed related to the continuance?

Nary: Well, the problem, Mr. Mayor, from the court's perspective, if appealed, and you have partial public testimony tonight and, then, a different presentation in a month, you are going to have a very muddy record for a district judge to try to figure out on what the decision was based on and when did -- was it made. Whatever they want to present they need to present it and, then, have the public comment. I recognize what Council Member Strader said is just true. It's not very fair. And there are other ways to do that. You can re-notice and other things. But I get that part of it. I'm more concerned with the record moving forward. So, either you confine to the continuance and either continue it or not or have the presentation and go forward. So, I don't think we can split it both ways.

Allen: Mr. Mayor?

Simison: Yes, Sonya.

Allen: If I may. While you may want to hear public testimony tonight, I would caution you that I'm afraid a lot of the testimony you may hear tonight may be immaterial in the future due to changes to the plan that are anticipated to be requested by the applicant. Thank you.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Continuance is the discussion and there is changes that are pretty sizable and the public needs time to review and prepare and be able to attend and participate meaningful. Why wouldn't we continue it to sometime between Halloween and St. Patrick's Day, as opposed to August? Any reason not to put this in the winter?

Slavin: Is it still open forum?

Simison: I'm sorry?

Borton: Let's get staff's comment on that.

Allen: Mr. Mayor, Members of the Council, that's certainly under your purview to do so. I -- if -- if we go that route the project will definitely need to be re-noticed. I kind of hate to personally leave the application laying out there in limbo land for that many -- for that long. However, I think the applicant does need to firm up the development plan for this

site before we go forward. They seem to think that that's adequate time to do so by the 22nd of August.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: The challenge -- and I understand that. The challenge I think for the decision makers and the public is it might not be enough time for those two pieces of the puzzle. And staff as well. So, I think that's some of the concern you are hearing that -- I don't know why August 22nd. It seems extremely fast in light of the changes that might be coming and in light of the concerns rightfully expressed about public participation and input that needs to be meaningful if it's going to happen in my opinion. So, the greater period of time for the applicant very well might help the applicant utilize that time, communicate well with the public, share the information, get buy-in. It might be a more clear path to a chance of success by going slower.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: And maybe just even to -- to dovetail on Council Member Borton's comments. I mean this is a -- part of our community where the neighbors have been really invested and really involved in how their part of Meridian looks and so maybe even if we are going to continue this out a certain point in time to give the applicant another time -- another bite of the apple with maybe a neighborhood meeting to meet with the residents, talk about what they are wanting to achieve, it sounds like from the applicant's standpoint that they feel there is maybe some misunderstanding about what they are wanting to do versus what the neighbors have perceived. Well, a neighborhood meeting where they can speak candidly with each other may be beneficial and may also warrant a little bit that longer time for a continuance, then, to the middle of August.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Question, Sonya. Is it -- the material -- if we were to continue to August 22nd is the 16th the earliest that the information will be published for residents to look over that plan?

Allen: Mr. Mayor, Members of the Council, Sonya Allen. My updated staff report would be due to the clerk on August 15. However, any updated application information would need to be submitted at least 15 days prior to that hearing date. I did look at the notice that went out for this project. I don't believe that it will require a re-notice for what the applicant's plan to propose in changes.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: For whatever we decide to continue this to, I mean that's the -- that's going to be the timeline. You know, is -- is -- when -- when that comes out. We could ask the applicant if they would be willing to -- to publish that sooner, as opposed to later and especially if we move it to say a September date to have that at least two weeks in advance for the public to give people more time to take a look at that and submit comment. Mr. Salvin, what -- what would you be willing to do on that sort of thing? Thank you so much, Council. We -- we are prepared to move quickly. And, again, all this is happening in real time. So, I would like to suggest two things if you would like to entertain it. In one sense we would be in a position to notice quickly and set up the neighborhood meeting and -- as long as the neighborhood could meet, you know, prior to August 27th -- sorry. 22nd. We would love to keep that date. I feel that we are prepared to do that. In another sense if that's untenable, it would -- we would really be working closely with -- with planning staff in trying to, you know, create less burden for all involved. We do have a large portion of the project which is associated with -- with phase one that has been contemplated. It's pre-released. We have, you know, great businesses -- a lot of local businesses that want to be a part of this development and we have tried to combine these two applications to make it more efficient for everybody and so my second suggestion is we could bifurcate the application and come back for 11 and 12 at a later time. That would be the new portion of what we have referred to as phase two and it's referred to in the development agreement as phase two. But we would hate to do -- well, the collection and barn as it's called out in the application, you know, we are so close to being done we would love to go build those.

Hoaglund: So, Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: What I understand is that the applicant would be willing to meet with the neighbors prior to the selected date. Does that raise the comfort level for those who discussed that? Let them know plans in advance.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I would be supportive of continuing the application to like November 14th or later. I think that would give everyone a breather from this that's been having multiple meetings. I think we could require the applicant to re-notice it. Meet with the neighbors again. I just -- at this point I feel like we are encouraging bad behavior with an additional continuance. We could talk about bifurcating the application. I'm open to talking about that, because I think it would make it a little easier for people to get their

arms around it. But I don't think that the next discussion should take place in August. I just don't think it's reasonable at this point.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I'm trying to guess -- maybe look at this from a resident standpoint. This is the -- you had -- you had a hearing set, there were some noticing challenges if I'm not mistaken to be continued, so family, who is in that area plans, they want to come, they want to testify, okay, it gets rescheduled. There is a logistical hiccup. I can -- I can understand that. And, then, again, circumstances beyond the applicant's control, but a last minute hearing again -- summer vacation, families are planning, need to ask them to come back again a month later is a little early. I don't know if November is the right time. It seems a little far out. But I'm also not quite sure that an August timeline is fair to residents. So, I know that's probably talking a little bit out of both sides of my mouth. I just -- I think that -- that August is too soon, but maybe November might be too late. Just my thoughts.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: So, how about trying to accommodate the public and the applicant, why don't we discuss a continuance to the first Tuesday in October. The applicant is willing and able to provide the analysis and complete staff. If -- if the representation is it could happen in August, then, let's strongly encourage it to be done by the end of August and made available to the public and staff. The public hearing being the first Tuesday in October, that affords a 30 day window. Have it re-noticed for that first Tuesday in October. That invites certainly fair vetting not only for our staff, but for the public to participate and it is a little sooner than November, but I agree with the summer concerns that Council Members have expressed, too. So, perhaps that's a middle ground that -- a path to a new hearing.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: To Councilman Borton's point, October 3rd is -- is available for scheduling that.

Allen: Mr. Mayor?

Simison: Yes, Sonya.

Allen: Excuse me. Sonya Allen. Planning. Council, please, if that's your direction, include in your motion if you want the applicant to pay renote fees on this for the city's noticing costs. Thank you.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: So, if the Council wants a specific time when the applicant needs to have it fully submitted -- I heard you say end of August, but if you would put a hard date as to your expect -- expectation is that way everybody -- if the applicant wants to be heard on October 3rd it will all be submitted by a certain date.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Can we do that by motion if our code allows a later submittal? If the hearing date is the first Tuesday of October, they normally can still submit after. We can encourage it. That's kind of what I was thinking is it's in everyone's best interest to have everything in by the end of August.

Nary: I think you are probably right, Mr. Borton. I was probably being a little too -- too precise to try and do that. I think you are correct.

Borton: I would hope -- it sounds like the applicant can certainly comply -- if we could have been ready for an August 22nd, shouldn't be any issue being fully submitted by the end of August and we will be all ready to roll that October 3rd date, so -- Mr. Mayor?

Simison: Councilman Borton.

Borton: As to H-2023-0005, I move that we grant a continuance of this application to October 3rd, 2023, and that the applicant re-notice this application and that the applicant is strongly encouraged to submit the complete application and any necessary revisions to staff by the end of August 2023 and the applicant has to pay for the re-noticing fee.

Perreault: Second.

Simison: I have a motion and a second. Before we get into discussion, does Council want to hear from any of the public on the continuance issue before we move forward? Okay. So, shall we withdraw the -- the motion at this time?

Cavener: There wasn't a second.

Seal: There was a second. Yeah.

Strader: Second withdraws for second.

Simison: Okay. So, we will -- is there anybody in the public that would like to be heard on the continuance request? If you would like to come forward. And if you are online and would like to be heard, please, use the raise your user -- raise your hand for the Zoom. So, if you can state your name and address for the record.

Eastman: My name is David Eastman. I live at 1192 West Bacall Street, Meridian, Idaho. I think it would be entirely appropriate to reschedule the continuance request for the next city council meeting. There was a numerous group of people -- or a group of numerous people here and the city clerk sent them all home, letting them know that they would not be able to speak on this issue and so they all left. So, they have been basically -- any right that they had or any opportunity they had to give public testimony on this issue on the continuance has been forfeited. So, I think it would be entirely appropriate to schedule the request -- or the motion for the continuance for the next meeting where people would have that opportunity.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: As counsel plan -- or legal counsel pointed out, the only argument they can make is whether or not to continue or not.

Eastman: Exactly.

Hoaglun: They cannot speak to the issue.

Eastman: Exactly.

Hoaglun: So, they --

Eastman: They were told that they would not be up to give any public testimony --

Hoaglun: Correct.

Eastman: -- whatsoever on this.

Hoaglun: Correct.

Eastman: So, that was not -- yeah. So, that was not accurate.

Hoaglun: So, if I might ask, sir, then, what is your opinion about continuing this to October 3rd?

Eastman: I think it should be rescheduled to the next day council meeting where there would be adequate public testimony and it would be a public hearing. The continuance request.

Hoaglund: And -- Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I guess I'm asking you should we continue or not?

Eastman: Well, we will figure that out once we have adequate public testimony. But we don't at this point.

Simison: Okay. Council, any further questions?

Hall: Mr. Mayor, if I can add, they were not sent home, they were advised of what was going on and some options that they had.

Eastman: I was -- I asked specifically, Mr. Mayor, if they would have an opportunity to testify -- to offer public testimony and they were told no.

Hall: That is correct.

Simison: Okay.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Nary, I might be misunderstanding something here, but they could not testify to the project, just to -- we have never had a request to have a public hearing to continue something, because it's either yes or no and no is -- anyway, that is interesting.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Mr. Eastman, I appreciate you sticking around to provide this feedback to the Council and so I want to make sure that I'm hearing what you are recommending to us is -- is what you are recommending. You would want to have all the neighbors that went home tonight, because they were told they -- they believed they could not testify about the continuance -- to have them come back next week to give an opinion about when or if we should continue this.

Eastman: Yes. I mean they -- they should have had the opportunity to do what I'm doing and give an opinion on the continuance. They were -- that -- that didn't -- did not exist.

Simison: Okay.

Eastman: The applicant has had their opportunity. The public has their opportunity and they were sent home. Well, they weren't sent home, but they were told they would not have that opportunity inaccurately.

Hoaglund: Mr. Mayor?

Simison: Councilman Borton.

Borton: Very unusual scenario, but to legal counsel is this a due process issue that we need to make sure we remedy or --

Nary: Mr. Mayor, in my opinion it is not. A decision on continuing the hearing is solely at the Council's discretion. Whether a member of the public is in favor of it or not -- it's not really decided -- a decision point. It's the discretion of this Council on when you want to hear it. So, they only could comment on whether or not a different day would be okay. Or, again, the other option is don't continue it. Okay. Then you are going to hear it. But as they -- as you said what he's considering proposing isn't the same as what's already in the packet. So, it makes really little sense from a legal standpoint, but there is no due process to have a right to speak on whether or not you should continue something.

Borton: Okay.

Nary: That's your discretion.

Borton: Okay. Mr. Mayor?

Simison: Councilman Borton.

Borton: I appreciate that and being lawful is rule number one and I think some of the -- the purpose behind this discussion is to try and address what variable we anticipate public members might express, even without -- we have just never had anyone testify or provide comment on a continuance. But I think we are all being sensitive to what the impact of a continuance is. So, trying to forecast that, provide additional time, provide public noticing at the applicant's expense, provide some -- some amplified deadlines to get information out and available to the public that matches what's actually going to be proposed seems to be, you know, every step possible to address -- encourage public involvement.

Eastman: Councilman Borton, the applicant testified on the continuance. Right? We are in a public hearing. I assume. Right?

Borton: They made a request for a continuance.

Eastman: And they gave public testimony and details regarding as to why they think a continuance is appropriate. The public has the right to do the same thing.

Simison: Technically they don't in that regards. Council, one or two -- for those that were still here an opportunity to weigh in, which is what you are doing. But there is not a public -- a public right, as Mr. Nary stated, that they would be offered that same opportunity to provide testimony. So, right versus right I think are two questions, but I can't speak for your neighbors if they all want to come back next week at your suggestion.

Eastman: Thank you. So, in regards to the continuance itself, I would say -- I would ask the Council not to continue this by virtue of the fact that there has been so much confusion, there have been people that showed up to give testimony numerous times and I think Council Woman Strader -- Strader has it correct. Have them withdraw the application. Get their ducks in a row. I have -- you know, in looking at this in my professional capacity I have worked on hundreds of millions of dollars of real estate development. I have testified before City Council's, county commissioners all over the country. I have asked for one development agreement modification. It was like something miniscule, to reduce parking spaces. I treated it very seriously, because the development agreement existed and it was something that both parties in good faith had acted on. I don't know how to put -- I didn't jerk anybody around. I don't -- I'm trying to put that into a more diplomatic term. But I think it's appropriate in this context is just to ask them to withdraw the application, get everything put together and come back with something concrete. I mean it -- as evidenced by tonight where people were not given the chance to say the same thing that I'm saying, I think it's appropriate to just have them start over.

Simison: Thank you. Council, any additional questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Question for Legal. But I'm pretty sure we can't compel an applicant to withdrawn an application; right?

Nary: No, you cannot.

Strader: Yeah. I strongly urge them to, but it is not within our control.

Simison: Okay. Thank you. Is there any other person that would like to be heard on the request for a continuance?

Reynolds: Mr. Mayor, Members of City Council, Sally Reynolds. 1166 West Bacall Street. I appreciate the conversation that just happened. I learned quite a bit. So, I do think that Mr. Nary -- you know, while this isn't our right, like you pointed out, Mr. Mayor, there is right and, then, there is right. So, I appreciate you giving me an opportunity to give my thoughts, even though it's not necessarily my right. The one -- the one comments I would have -- and I think it is appropriate, since it's a public hearing, that you do hear from the public and I think that we -- on a continuum it could provide some valuable information about how and when to continue, especially when an application has been so -- I guess high interest to the neighbors and we are -- the developer has really been working with the neighbors very closely and so to have this come out at 5:30 today, yeah, it was a complete shock for us and as a person who kind of was helping coordinate things it was really really difficult to have to e-mail and text and everything the -- I would say over a hundred people. So, who are interested in this application right now. Many of who showed up and it happened to be the summer. So, that just shows you how many people are actually interested in this application. So, with that said -- I mean overall I would like to see the application withdrawn, just because I don't understand how there couldn't be a material change that they could have ready so quickly. So, that's my first concern is if there is such big of a change why is it able to be rescheduled so quickly. So, November, December would be much more appropriate in my opinion. But I -- my first request would be to completely have them -- either reschedule the continuance, so that you can hear or reschedule it as it is right now and deny the application, so that they have to come back. I personally would be strongly in favor of bifurcating the application, if that is what you choose to do. I was actually going to suggest that as well. So, since the application -- applicant said that they are willing to do that, I think that there are things in the application that are kind of far apart from each other and I think it could be more clearly heard if it was two separate applications. With that said I will -- I would like to just speak to Council Member Cavener's comment. I really appreciate you looking at the residents' point of view. Mr. Eastman just flew in on a plane today. I got back on a plane on Sunday night and I had company last night and I have my daughter's 16th birthday tomorrow and so I spent the greater part of today preparing remarks for tonight and so while I understand that there are always things that are out of an applicant's control, I do think that what the Council does here tonight will send a message as to the behavior and the timing and the form that the city expects from its applicants. And I will stand for any questions.

Simison: Thank you, Sally. Council, any questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Sally, I think you always have been a good standard bearer for neighborly conversations. It's one of the reasons why I probably asked you hard questions,

because I appreciate the cordial nature in which we engage with each other. So, Mr. Eastman testified in favor of us essentially continue this application for one week to give your neighbors the opportunity to come back and testify -- not on the application, but on the continuance request and looking at it from the neighbors, if I -- if I came back in a week just to say my feelings about a continuance, that may frustrate me. I would rather have a date certain of which this was going to be heard. Again, no offense to Mr. Eastman. I appreciate your perspective. But I guess I'm asking you the same question, Sally, is -- is that really what you -- because you have been such a standard bearer for your neighbors and you have been a very vocal voice in your part of Meridian. Is that really what your neighbors want?

Reynolds: So, without asking them I'm not sure. I can tell you that when I sent out the noticing that it was going to be continued I got some very very strong responses and so due to that I think there might be some people who would like to testify about the continuance, understanding that it's not necessarily a right that their public -- the things they say publicly would just be taken into consideration of the Council when they decide on that continuance date, which I think is a huge thing for the residents to know, because it's, okay, are we -- are we going to be able to have a neighborhood meeting? You know, is it going to be re-noticed? Because with this being the third continuance I think that's entirely appropriate. And, then, as far as -- I mean I stood here and said, you know, I am -- I am fine with them bifurcating the application and, then, maybe continuing one part -- you know, going ahead with one and two, but there might be some people who say, no, they should keep it together and you should just decide to continue all or none. So, what the applicant is giving some different options, maybe hearing those options from people who have been really involved would also be a fair thing next week. Now, maybe we will notice -- or maybe we send out something and say, hey, City Council decided that it is going to be continued to this date as one big application. Please write into City Council in the next week if you have any comments, concerns -- I don't know. But, then, once the decision is made I don't know that can be changed, if that makes sense. And next week we come and you say we are voting on the continuance for August 22nd. We have received public testimony that they prefer until October, that type of thing. But I do know there was strong reaction.

Cavener: Sure. Thank, Sally.

Reynolds: Uh-huh.

Cavener: Good seeing you.

Reynolds: Thank you.

Simison: Thank you. Is there anybody else who would like to be heard on the continuance?

Brownlee: Mr. Mayor and City Council, I'm Tony Brownlee. 797 Barrymore. Tony Brownlee. 797 Barrymore. I would urge you to deny the application --

Simison: If we can just get to the continuance only, not the merits of the application.

Brownlee: Then deny the continuance. Make them come back again. If -- I can't imagine personally going to have a major business meeting and canceling that 30 minutes beforehand. I can't imagine that. I know I wouldn't have a job if I did that. But I can't imagine you are giving them another bite at the apple and another bite at the apple and another bite at the apple. The death of a thousand cuts. It defies logic to me.

Simison: Thank you. Well, Council, the only thing I will say is the one thing we cannot do is hear this tonight, because it's clear that people were sent home. You know, that -- that is the one worst case scenario of any action. If you want to give the developer an appeal on a decision -- or residents, you know is going to -- that's where it will end up. So, the question becomes how -- what -- to when and how it's best to do that and if you want to hear again from the applicant based upon what they have heard or are you ready for to re-make a motion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, how would that work? We would just put them on the next available opportunity -- the next agenda that has time? That they would just have to -- they would have to present what they intended on presenting on this evening? How would -- how does that work if we -- we say no to continue, does that mean they have to, then, come and present what they intended on presenting this evening or what happens then?

Simison: If you deny the continuance request I think you hear the project from the applicant at that point in time and -- yeah.

Perreault: I mean my assumption would be if they don't want to present what they intended on presenting tonight, which they have stated, then, they would withdraw? I don't know -- I don't know -- I don't know that I have ever come across that since I have been here.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Yeah. This is very atypical. This is like sausage government; right? So, I think here is the two choices. The -- the public's comments now say continue this one week. In a week we are probably going to hear the applicant say I want to continue this and at that point we would have the public say don't continue it and we would make a decision like we are trying to do tonight. Or tonight we continue it to a date beyond that. So, the reason -- I think -- I totally get what you are saying. I think -- I don't see a lot of net progress if an applicant -- let's say they withdraw the application today and refile it and they -- they pay for and do notice and neighborhood meetings and have a public

hearing in October, which is kind of what we are trying to -- to find some compromise I -- with the motion that I was proposing was to kind of get you to the same net result. So, withdrawing the application and refile it and have an October hearing on the new plan, whatever it is, or the adjustments, seems to be the same spot that we are getting in now. So, I still think -- I understand the concerns. I still think that continuance to October 3rd, the deadline for submittals, the neighborhood meetings, the applicant provides the public noticing, kind of gets you to the same spot, as clumsy as this is, to ensure the public can participate in a meaningful manner on the substance of the application. I don't see us moving the ball very far if we just bumped it a week, because there is nothing of substance to really discuss in a week and this is clumsy and I think that does -- I don't disagree with Council Members and the public. I think it has an impact on the flavor of the application as a whole. A clunky process to get you to the ultimate substantive discussion is not the best way to have an application presented. I think it does have an impact. It does raise questions and the applicant on October 3rd would probably get many more questions about why does it have to be so clunky to get here? But, nonetheless, that's not -- that's for a later date. So, I'm open to -- I'm open to how Council -- if they want to do something else, but all things considered I still think the October 3rd continuance with all of the terms and conditions outlined still makes the most sense.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: At what point is the application -- I know -- I know when we are doing an initial -- when there is an initial presentation for land use, but within -- with an MDA what point is different enough for the -- for us to, then, say this is too different and this is not the same application, so, therefore we don't -- do you know what I'm saying? Where does that -- where is that line drawn?

Nary: Mr. Mayor, Members of the Council, so a modified development agreement is simply a contract with the city. So, however you modify it, whether it's -- again, whatever -- there is no one to remand it to. So, you are going to either approve it or deny it. Right? With a land use application -- if it was changed significantly you would remand it back to the Planning and Zoning Commission. They don't hear development agreement modifications. You are the only ones that hear it. So, it is completely your discretion on whether to grant the request or not. Whether it's changed -- it's changed radically, that's your call.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: I wasn't sure I was going to say this, but I spent three full days at Dairy Days and I dealt with probably 15 to 20 people that came up to the booth to talk to me about this project, wanting to know what they could do and I directed every one of them to

come here tonight. And I need to tell you why. Because before I sat here I sat in the chair you were sitting in and I spoke for my subdivision for ten years on projects and I had projects reset and was frustrated and was our HOA president and had to tell them it's off for tonight, we are coming back in a few weeks. It's not a part of the system I like, but it's the way the system works and as I sit here now with a different view I understand everything you are saying. But from the outset what's the fairest thing going forward it gives you as the residents the most time to take all the new information and be prepared. I think what Councilman Borton proposed where the applicant must have everything in by the end of August and it's set for October 3rd, gives a great amount of time for everyone to get a chance to look it over, not mess with everyone's summer schedules and, hopefully, everyone's prepared for that October 3rd timeline moving forward. I would be supportive of that motion.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just a clarification of Councilman Borton's motion. I think the idea of a deadline for all materials to be in is a good one, but I wasn't clear on whether that was an actual requirement of the motion or if that was just a guidance to the applicant. It feels like something -- maybe two weeks or a month out of the hearing date would be more typical for us as a deadline.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Mr. Mayor. That was a strong recommendation. It sounded like from legal we couldn't make it a binding requirement that prohibited them from submitting stuff in September, but it would most definitely be in their best interest to have it complete.

Simison: And you could say something to the fact, just on the record, if not in by such date you will automatically reconsider it for one month later for -- in the hearing again. I mean you could do a lot of things if he wants to. But that's about all you can do.

Borton: Mr. Mayor?

Simison: Councilman Borton. Sorry.

Borton: I wouldn't -- I know you're -- you're in jest a little bit, but I -- I think the applicant has heard the message crystal clear that everything is October 31. I think we certainly don't want to hear from the public that stuff came in late, things changed in September and -- that's not in the applicant's best interest. We want to have the public side by side in this discussion.

Simison: August.

Hoaglund: Oh, August 31st fully submitted for an eyes wide open discussion October 3rd.

Perreault: I will second the motion if it's --

Simison: You want to go back and restate the motion?

Hoaglund: Mr. Mayor?

Simison: Councilman Borton.

Borton: I move that we continue H-2023-0005 to October 3rd, 2023. That the applicant -- at the applicant's expense re-notice that public hearing. That the applicant is strongly encouraged to have all submittals to the city staff no later than August 31st, 2023, allowing all of that to be viewed and discussed by the neighbors -- or the public I should say and that all in another neighborhood meeting. That public posting. This application in whatever form it is will be heard October 3rd.

Strader: Mr. Mayor?

Simison: And looking for a second for discussion.

Strader: Second for discussion.

Simison: Have a second for discussion. Council Woman Strader.

Strader: I would just urge the applicant once again -- I mean I think it just leaves a bad taste in everybody's mouth, but -- with the processes like this and if you don't have your ducks in a row by the end of August I really think you need to withdraw the application. I would have encouraged you to do that in this meeting. I think that would have actually been better for you. But, you know, if you are not willing to do that, then, I think just make sure it's all ready to go by the end of August or, please, withdraw it.

Simison: Is there further discussion on the motion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the item is continued. Thank you.

MOTION CARRIED: ALL AYES.

FUTURE MEETING TOPICS

Simison: Council, anything under future meeting topics?

EXECUTIVE SESSION

7. Per Idaho Code 74-206A (1)(a): To Deliberate on a labor contract offer or to formulate a counteroffer.

Simison: Or do I have a motion?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we go into Executive Session per Idaho Code 74-206A(1)(a).

Borton: Second.

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

Roll Call: Hoaglund, yea; Borton, yea; Cavener, yea; Perreault, yea; Strader, yea; Overton, yea.

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

MOTION CARRIED: ALL AYES.

EXECUTIVE SESSION: (7:15 p.m. to 9:05 p.m.)

(Motion and Second made to come out of Executive Session.)

Motion to adjourn.)

MEETING ADJOURNED AT 9:05 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK