

A Meeting of the Meridian City Council was called to order at 6:10 p.m. Tuesday, July 25, 2023, by Mayor Robert Simison.

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

Also present: Chris Johnson, Kurt Starman, Caleb Hood, Shawn Harper Kris Blume and Dean Willis.

ROLL-CALL ATTENDANCE

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

Simison: So, Council, we will call our regular City Council meeting to order. For the record it is July 25th, 2023, at 6:10 pm. We will begin this evening with roll call attendance.

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance.)

COMMUNITY INVOCATION

Simison: Next item up is our community invocation, which tonight will be delivered by Jennifer Caverness Williams. If you would all, please, join us in the community invocation or take this as a moment of silence and reflection. And thank you for your indulgence in sitting through that first meeting. Jennifer.

Williams: Oh thou compassionate Almighty One. This assemblage of souls have turned their faces unto thee in supplication with the utmost humility and submission. They look toward thy kingdom and beg thee for pardon and forgiveness. Oh, God, endear this assembly to thy self. Sanctify these souls and cast upon them the rays of thy guidance. Illumine their hearts and clad in their spirits with thy glad tidings. Receive all of them in thy holy kingdom. Confer upon them by an inexhaustible bounty. Make them happy in this world and in the world to come.

Simison: Thank you.

ADOPTION OF AGENDA Adopted as Amended (addition of Item 2)

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Mayor. For our agenda tonight, as we just discussed, we will be adding in Item No. 2 two under Action Items and that will be the Community Development discussion, Black Cat at McMillan cost shares and design and options there. We also just note that the applicant is requesting a withdrawal on Item No. 1 and we do have an executive session that is on the schedule. So I move adoption of the agenda as amended.

Borton: Second.

Simison: Have a motion and a second to adopt the agenda as amended. Is there any discussion?

Starman: Mr. Mayor, I'm sorry to interject there.

Simison: Yes, Kurt.

Starman: For the maker of the motion, there is a requirement in state law that when we add an item after the meeting has been opened we have to give a reason why -- briefly explain why we are adding the item to this agenda and why we weren't able to do so just, you know, prior to the publication.

Hoaglund: Yes. Mr. Mayor and Mr. Starman, happy to do that. We were not able to -- why -- the reason we are adding this to the agenda is we were not able to finish our business in the work session and we had one item to go and that was -- and it is an important discussion for this landscaping and -- and cost share item and that's why we want to add it to the agenda this evening now and --

Seal: Second concur with that rationale? Second concurs. Any further discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the agenda is agreed to with the amendment.

MOTION CARRIED: ALL AYES.

PUBLIC FORUM – Future Meeting Topics

Simison: There were -- Mr. Clerk, do we have anyone signed up under public forum? Mr. Mayor, we did not.

ACTION ITEMS

1. Public Hearing for Fourth Street Books - Pearl House Collective (H-2023-0010), by EV Studio, located at 909 NE 4th St.

Simison: Okay. So, we will go on to Action Items. Our first item public hearing for South Fourth Street Books, which was continued from June 27th. We do have a request for this item to be withdrawal. Is there any discussion? Do we need to have a motion to have a withdraw officially?

Starman: Yeah. I would recommend that the -- the Council do -- does make a motion to accept the withdrawal. That will make a clean record.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: With that I move that we accept the request to withdraw from the applicant for H-2023-0010.

Cavener: Second.

Simison: Have a motion and a second to accept the request to withdraw. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the item is withdrawn.

MOTION CARRIED: ALL AYES.

2. [AMENDED ON TO AGENDA] Community Development: Linder, Franklin to Overland and Black Cat at McMillan Cost Shares

Simison: With that we will go on to newly item added Item 2, which takes us back to the community development regarding the Black Cat-McMillan cost share and turn this over to Mr. Hood.

Hood: Thank you, Mr. Mayor and Members of Council. I appreciate you letting us finish that earlier this afternoon. I am working with ACHD as they are in the design phase for the project at McMillan and Black Cat of a multi-lane roundabout. Includes curb, gutter and sidewalk and a ten foot multi-use pathway. Just in the initial draft of the integrated five year work plan you guys talked about earlier in the work session that Miranda mentioned, that the Linder overpass is slated for construction in 2026. This project is slated for 2028. Again, that's draft. Just, by the way, we will be back here mid-August to share with you that plan that ACHD has in their integrated five year work plan and see if there is a letter we want to send in support or ask them to change any of the projects. But that was just released late yesterday and we are still trying to kind of wrap our -- our heads around what's in there. But we will be back on your agenda here within a couple three weeks after we talk to the Transportation Commission about that. This project is in the public outreach phase and, again, part of the design phase. You do

have until tomorrow. So, this meeting should go pretty quick. If you want to jump on tonight, though, what I can show you is the website real quick that you should see when you go to the project website. So, here is the -- the project website and, again, you can take a survey that they have through tomorrow. So, if you are so inclined I am looking for more general feedback from the city perspective. You have individual comments you want to share with them after reviewing the -- the proposed design in more detail that is available for you. So, I did submit, as you will see in the packet for this afternoon, a cost share application was submitted with some interim requested improvements. I wanted to kind of supplement that initial request to ACHD and talk to you about some potential more long lasting improvements at this intersection, particularly in the center of the roundabout. So, that came up a little bit on that Eagle project. We talked about doing some low no maintenance type of improvements that look still classy, if you will. So, it's not just rock mulch, there is some Improvements that are representative of our community. So, that's one of the elements I want to talk to you a little bit about is the -- the center of the roundabout island and, then, the same thing that -- that Miranda kind of talked about that -- it's largely a four -- only a four foot buffer that ACHD has on the Linder road project. Just, by the way, ACHD it's ever evolving, but just this last week they are going from their minimum being a four foot in that strip to five. We actually -- and -- and this corresponds with their policy -- those areas need to be at least six foot to put trees in. Four and five is too narrow and you start to break the concrete curbs and -- and it's not good for the trees. So, the minimum we even think about putting any trees in is six feet. So, the matrix that was alluded to -- and we will come -- Brian McClure is actually leading that -- that effort. We are getting close. Certainly by the end of this year we will -- we will bring to you kind of that matrix, but there are options within it that are kind of a low no maintenance, yet but there is some level of partnership to a higher level to a -- all in gold plated type of it's not. But it's a higher level of investment. A lot of those elements are both in the short term for installation and in long term for maintenance. So, some considerations. That really should help streamline some of these future conversations on these projects when we look to partner with ACHD and we can get that feedback from you. Hey, this corridor -- this intersection we think is very prevalent. Let's step it up to a higher level of investment on the city side versus a -- we are good with a minimum kind of level of an of investment. And it also helps expedite that discussion, then, with ACHD. It's not a case by case in every project we are negotiating those things, it's a -- you have pre-approved these elements, whether they be rocks or trees or whatever in a project and off we go. So, it really does help streamline the design even through the construction project. So, just a little bit on that matrix development and, again, you will hear -- hear more about that here in the coming months or so. It's really starting to take shape there. But, again, we are -- today I'm -- I'm asking you to consider some level of partnership with Ada County Highway District that is above the standard, which would be a stamped hardscape just everywhere. I will also note ACHD kind of try it again -- it's kind of sort of ever evolving -- a rock mulch in some of these areas. It just doesn't work for them or us. It ends up being all over the roadways and a maintenance concern for them and our Parks Department. So, really, that's off the table with them. They won't really put in the rock mulch anymore. They are going to put in concrete or work with us to put in some version of a concrete boulder, tree, shrub type of a setting., So just FYI you shouldn't see any more of the

projects that have a rock in -- in those areas or in the center medians for that matter. So, they are going to either hardscape them with stamping or work with us to do another element there, so --

Simison: Caleb, on that item is there any chance to go back and fix those areas?

Hood: Yeah. So -- so, Mr. Mayor, so the idea with the landscape rock is an interim treatment until those properties develop in the city, at which time, then, they annex and our city code, then, requires that rock mulch to be pulled out and be replaced with -- and this is maybe where -- some sod. We require the developers to put in and, then, maintain through the HOAs or DOAs that landscape material. So, ACHD still does allow sod to be put down when there is a maintenance provision and the city usually doesn't like to do that, because of the maintenance costs, you know, a lot of times on an interim level with county projects, so --

Simison: I guess I'm looking like Eagle Road when they put that in on -- between Victory and -- they put rock in the corner sections. They -- so, it's all annexed, but that was the treatment that was ultimately done. So, we have got little tiny river rock and I know there is other places in the city, not just that project, where that was what occurred.

Hood: Mr. Mayor, I can look into that some more and see if there is an ability. But, yeah, if -- if there are little bits of that places, I -- I can explore that with ACHD.

Simison: Thank you.

Hood: -- for those older projects.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I like -- I like where we are going with it, which is there should be a level of consistency that -- that's really I think to me what matters is getting to a level of consistency with how we treat these, you know, and ideally that's with, you know, whatever drought tolerant plants that are low maintenance, rocks, et cetera, but -- and, then, trying to replicate that. What I -- I'm a little concerned about this idea that we have -- some areas of the city where we have a greater level of investment and we are really going overboard on some kind of a roundabout aesthetic and, then, we have some areas where we are just going to put, you know, mulch or whatever. I'm really uncomfortable with that. I would -- I would like us to try to find something that set, you know, a standard for Meridian that's consistent and maybe even going back through if we have some that are a disaster with rocks flying everywhere, figure that out to -- so, I appreciate that we are trying to go that direction. If they have to have the feedback it sounds like very soon, I -- if the types of plantings that we are putting in the other roundabout are working out, which I'm not super clear. He is kind of nodding his head --

I -- I think that's a way to go is stick with those native drought tolerant plants that are not going to require a lot of water or maintenance. That's what I would advocate for is sticking with that.

Hood: So, Mr. Mayor, I -- I do appreciate that -- those comments and that feedback and we are looking for consistency. I will say, though, what can vary on project to project and, really, where we look to elevate the level of partnership if you will is those areas where there is robust right of way available to improve. So, a lot of times you get these constrained corridors that don't have a lot of opportunity for us to dress them up. We will take McMillan, for an example. It's going to be a narrow corridor. There is not going to be a whole lot of ability for us to put in trees and other things, just because it's so constrained. So, you are going to end up with some areas on some roads that really just are a stamped concrete hardscaping minimum and, then, others that have, through preservation efforts, do have an ultimate area that we can really improve to make them look nicer and I will also tie that into a comment that is -- I think Miranda mentioned it's also in -- in the packet. Like it or not, there are some arterial roadways that carry more volume and have more traffic and more eyes on them than others. So, a Ustick Road, an old highway -- you know, that has an entryway and eventually State Highway 16 -- an interchange is going to have more volume -- more eyes on it, maybe there is an opportunity to invest -- not that there is winners and losers necessarily, but that is sort of the nature of some of these corridors. There is a higher traffic volume than others. It will -- those two projects will both come back to you and say if you want to have the same level of effort that's fine, but we are, again, trying to come up with generally some standards, even though it won't be totally same across all projects.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I -- I view it more actually through the lens of branding than -- than investment but -- right? So, if -- if we decide that the aesthetic from Meridian and kind of Meridian's brand is, you know, whatever it is, certain set of, you know, native drought tolerant plants or maybe it's like a certain type of sunflower. I have no idea. I don't know if I care that much, but it's like picking some consistency I think with the plantings and I -- I would hate to have one that's just stamped concrete. I think we could do better than that, even if it's narrow. I would think that -- that we have the ability to put something in there -- may not be a tree, right, but just like maybe for small ones here is what we do. For medium size here is what we do. But I think it's just the consistency of if we have enough space these are the types of plants that we put, if we have enough -- you know. And just the consistency I think is the important thing more than anything. For this one I mean do you feel like we need to provide a level of -- of detail to ACHD by tomorrow or is it just saying, hey, we are interested in cost share and that's the decision tonight?

Hood: Mr. Mayor, Council Woman Strader, so no pressure tonight. I think we do have some time on this one, although I will mention we -- I already submitted on the city's

behalf some level of interest in a cost share application said, hey, we are interested in doing something out here. I needed to talk to you, but I -- I did want to at least say, again, for consistency -- and at that time they were thinking perma bark, rock and we are like please don't do that. We don't know what yet, but please don't do that. So, we kind of put them on notice that way. But, again, no pressure for the feedback that maybe Linder Road is on a faster track than this one is. So, I appreciate you giving Miranda that feedback. If -- if you want to think about this some more and maybe we even punt it to the matrix discussion. Mike is part of that just by the way. So, it's -- it's Brian and Mike and, then, our consultant working with ACHD and I think we are on the same page with some of this. Again, the -- maybe some of the elements you don't like, but we even talked about flagpoles, you know, that can be at some of these things that you could change out banners on or something that -- so, there are some -- some consistency elements that we are looking at, even in the four foot planter areas. So, again, if you wanted to punt some of the direction you give me tonight, I -- I did just want to make sure -- at least I got out there that you have a short opportunity, the next 24 hours or so, to go and review this at your leisure in depth if you want. I will just generally quickly, if you don't mind, kind of orient you to the project and where the opportunity lies as far as I see them on this project. So, this is the -- the roundabout -- the subject roundabout at McMillan. So, north is up on this. When you get there on the website they have turned it 90 degrees. But one of the -- the opportunities -- so, let me just -- sorry. The city projects there will be green. So, again, that's sod, because these are developing in the city. There is a requirement that those areas be improved with a green element. Let the landscape buffer requires such. This is the ACHD storm drain pond and they will retrofit -- those areas are patched back -- some of those areas that -- that they are impacting. Really where there is opportunity is on the southeast corner and the northwest corner basically of this project. It's kind of hard to see at this level, but because this really hasn't developed yet it's -- you can even kind of read it all sideways -- stamped concrete buffer area, final treatment to be determined, and same on this side, you kind of have that final treatment to be determined. So, the match for that consistency that you were talking about, I am to some degree going to advocate for -- not necessarily all sod, but some green that ties in the -- all four corners of that together. And, again, that's part of kind of maybe that medium level of effort in the matrix where there is some sod as an element. Not that we would put down grass throughout the whole thing. I think it is still a combination of rocks and trees and shrubs and other things. But something that considers all four corners that -- yeah, just jives together. So, that is one of the requests. And, then, again, something to -- to improve the center of the media, kind of TBD and, again, this matrix. We will bring you some options that we can get some feedback on. Some elements -- some vertical elements in there, whether they be landscape materials -- Canyon county is doing some pretty cool things with some of their roundabouts. You have probably driven through some of those with just some vertical obstructions that try to keep motorists from, you know, looking too far straight ahead and really look at who they are yielding to more to direct your eyesight. So, I guess the last point, then, I will -- if we want to continue this for a few weeks or whatever. You touched about -- on it before. At this point in time, though, I think -- although the costs are to be determined at that point in time -- so, 2028, 2029 when this gets constructed and we start to put in landscaping -- I really do envision it

being essentially a wash. The credit we get from ACHD should cover -- because concrete is not cheap -- should cover some of the -- now, you have long term -- although be it low maintenance. You will have the maintenance obligation though. So, I don't want to mislead you. Initially it will be essentially, to ballpark, a wash, but there will be an annual maintenance expectation that even if it's trees -- now, if you go to just rocks and hardscaping. Yeah. You are looking at no maintenance. But many of the matrix options have some level of maintenance -- that that is the responsibility of the city.

Simison: Rocks have maintenance when they have weeds from that standpoint. To kind of go back to the consistency question, because really where I see the current challenge is where private development is putting in higher level expectation roundabouts. So, I don't know -- I mean I think those are done primarily with ACHD. I don't know if the city has any say in -- that's why I thought. So, I don't -- trying to get consistency in the city where we don't have control, unless ACHD will hold the line and put in what our standard is, compared to what the private sector puts in and I -- I'm still not sure who ultimately is going to be responsible for maintaining those at some point in time, if that's always going to be -- is there a trust established for every one of those roundabouts in case the companies, you know, don't go under or eventually is the Parks Department taking care of Pine 43 roundabout.

Hood: Now, Mr. Mayor, I will admit I have not read the agreement, but it is an agreement between ACHD and the other one I can think of is Brighton has put in some roundabouts in south Meridian and I was going to pull up an arrow if you haven't seen some of those, but they even put -- they even put their logo in the middle of them; right? So, at Ten Mile and even down south further their Apex or Pinnacle project, there is that roundabout there at Lake Hazel and Locust Grove, too. So -- but that is an agreement that they have in perpetuity. So, we haven't entered into -- if they fall off the face of the earth we aren't obligated to do any of it. It's between the highway district and -- but, again, I haven't actually read all the terms of that, but both of those parties are satisfied with the -- it goes on indefinitely and the city is not on the hook for any of that. To your first point or comment -- question, I don't know -- I mean that's maybe a -- a joint meeting type of discussion with ACHD. Yes, it's our community. As we talked about before, even with Idaho Power it's not our right of way though. So, I don't know how we would prevent or stop -- and if we really are opposed to the development community upping their game when they own three or four sides of an intersection, to really make it outstanding on their dime, I can -- I can try to set up a meeting or have further conversations about that. I don't know, though, if the veto authority or -- or want to say, nope, in every situation use our standard. It's something to think about. I hadn't thought about that.

Simison: Or -- or does Council want to meet the development standards. I think that's a question. If you want consistency of that feel, then, frankly, I think we would have to update what we really want to see or our -- our vision. But that's not what we are about tonight, but I just felt like it was necessary to at least point out based on the consistency concept.

Hood: Can I just -- my two cents if you don't mind, Mayor, on this. I do like the consistency. I do like a standard. I will also say, though, different parts of our community have a different feel, a different vibe and what fits south Meridian may not fit downtown Meridian. So, just something to think about a little bit. As we move towards standardizing this -- I like that thought. I also like some individual identity of some of these neighborhoods as well. So, I think as -- as well as -- as long as it's done nicely or -- or it's well and meets the intent, I think having a Meridian Road that looks different than a Ten Mile Road is fine. I think some consistency in that is also fine. But I don't want to see it repeated over and over again. I -- I think we -- we lose something there. We lose our identity if we just standardize everything, in my opinion. But it's a good -- good comment. Something to think about a little bit. We could have some consistency in the trees we use or the -- the actual stamp we use. But I don't know that it has to be just a repeatable, you know, it's every single time pick this up and drop it there and you build the exact same thing everywhere. So, just something to think about.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Caleb, it sounds like we do have some time on this. Is there a reason for this not to go back to the -- the group and have them not only look at this, but to have that discussion and kind of get ideas that can kind of help guide us in our discussions -- future discussion?

Hood: Yeah, Mr. Mayor, Councilman President -- or Council President Hoaglund, there is not really a group. There is staff on this one. The last one you did has a task force that really looked at the different aesthetics and options and all that. This one is, you know, staff. Parks. Planning. Legal to a lesser extent, but they are -- they are at the table. As we come up with these options and make these recommendations to you I can certainly come back and we can talk about it with staff. And, again, what I guess I would propose kind of in line with your -- your question or almost request, is let's have this line up with the matrix that we are developing and bring that to you simultaneously and we can say here is the menu we have developed. This will be one of the first projects we look at implementing our newly adopted standard with ACHD and you can kind of pick and choose and we can get some feedback from you then. Again, that's probably about a month out or so, maybe six weeks. I know we have to do it this fiscal year. We didn't ask to carry that project forward. So, it will be -- you know, again, within the next couple of months anyways.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I have a maintenance question that, in my opinion, will or does affect design. Obviously in this roundabout there is -- there -- it's three lanes and we anticipate it's not really going to expand. So, we don't know that that roundabout will ever get bigger. But

how -- how are those round -- they are just -- they take a beating when they are smaller I think. Less room to maneuver when you have two vehicles in a lane. What about street sweepers, snow plows, are -- are we seeing those types of large trucks, vehicles, damaging the edges of the roundabouts, damaging what's in the center, damaging the -- the green space and do we need to -- like how important is that to the design piece. Some of the roundabouts just have a regular curb, you know, they -- they are not raised any higher like -- on Eagle Road they are not raised any higher than curb height, where other roundabouts are raised up such that -- like I have seen hardscape roundabouts where you kind of have the curb height and, then, you have a second level that, then, is raised where they are rock and the rock doesn't get down into the road, because it's kind of set up a little bit. So, there is a lot of hardscape options that -- I'm in agreement with that just from the philosophy of maintenance and cost, but also I think really just durability, frankly. And I think the smaller the roundabout the more important that is, because there is not space to maneuver.

Hood: Yeah. Mr. Mayor, Council Woman Perreault. So, probably a better question for ACHD on the maintenance -- and not like we are seeing it, because we don't maintain that. But, again, some of what ACHD has experienced is -- in other projects where they put that rock mulch close to where some of these larger vehicles -- or just vehicles going off the road, it is a maintenance concern. And even in the middle of a roundabout you do have the truck apron. So, you really shouldn't have anybody -- unless there is an accident or crash or something like that, there is plenty of room and the radius to get those vehicle -- larger design vehicles even through these using the truck apron, so -- and to your other comment the kind of inside circular does create a vertical barrier. So, you really aren't getting into that material on the other side of that vertical barrier. So, you have got a -- I can't remember the exact width. Six, seven foot kind of truck apron there and, then, a vertical barrier. So, really, whatever is on the inside of that is protected. You do run into a little bit of a concern, again, with the maintenance and tracking some of those materials onto the roadway or repairing them if someone hits a tree or whatever. We have had some of that. So, Mike may be able to speak to that. I don't think it's overly concerning, but I know it does happen. It's not to the level, again, where we are saying don't put them in, because it's such a high cost to repair and replace. But it does happen from time to time where shrubs get run over -- I mean I think on the split corridor we get some of those things where someone takes a corner too soon and, you know, we have to repair or replace some shrubs or whatever, but -- oh, Mike's up there, so --

Barton: Mr. Mayor, Council Woman Perreault, there is -- if it's going to happen it's going to happen out in the street. I mean we -- I think there is Zaldia roundabout was in -- finished for less than six months and somebody ran into the big concrete wall there or the keystone. So, it's going to -- it's going to happen. But the roundabouts -- they feel a lot safer for maintenance crews than medians do, because there is the truck apron. In fact, the design of the -- the two roundabouts on Eagle Road that have the wall offer a space that you can pull in there and -- and actually pull a pickup truck out. You don't have to cross traffic, you don't have to actually, you know, sit and look over your shoulder. So, from that standpoint those are -- those are easier to maintain than

medians are. Strips are easier than medians, because at least you can kind of work from the sidewalk out. So, that helps.

Simison: Council, any additional questions or comments or, Caleb, anything more that you need at this point in time?

Hood: No. I -- I do appreciate the feedback tonight and I think unless I hear something otherwise I will just sort of wait until we are ready to come back with the matrix. I can share this feedback today with the project manager at ACHD that we have talked about it. There is still some level of interest, we just don't have -- know exactly what those design elements are until we look at more standardizing some of those things through our matrix. So, I appreciate the -- again, I really appreciate you not continuing this for two weeks and giving me some of that feedback today, but I will see you in about two months.

ORDINANCES [Action Item]

- 3. Ordinance No. 23-2023: An ordinance in accordance with Idaho Code Sections 50-328, 50-329 and 50-329A granting a franchise to Idaho Power Company, a corporation, and to its successors and assigns, to construct, maintain and operate in and upon the present and future streets, highways and other public places within the corporate limits of the City of Meridian, Idaho, electric utility property and facilities for supplying electricity and electric service to the City, the inhabitants thereof, and others for a term of 25 10 years, including the nonexclusive right to physically locate and maintain telephone, cable, fiber optics or other communications facilities; setting forth an agreement not to compete, but reserving the power of eminent domain; providing for the payment of franchise fees; specifying other limitations, terms and conditions governing the exercise of said franchise; and establishing an effective date of November 1, 2023.**

Simison: Thank you, Caleb. So, Council, we will move on to our ordinance this evening. First up is Item 3, Ordinance No. 23-2023.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Just to speak to this real quick, this is the franchise agreement with Idaho Power. Our legal counsel has gone through the document and has noted all the locations where the term 25 years appears and can change that to ten. So, it's just a matter of do we wish to do that and go ahead and proceed with adopting this ordinance tonight and, then, having that 30 day process start kick off or do you want to wait two weeks and bring it back with it fully changed?

Cavener: Mr. President?

Simison: Councilman Cavener.

Cavener: Mr. Mayor. Sorry.

Simison: You are good.

Cavener: At Council President's question. I'm -- I'm supportive of -- of the change and if legal counsel thinks that that is -- works and sufficient from an efficiency standpoint, I see no reason why we wouldn't want to move forward tonight.

Simison: Okay.

Starman: To Council's benefit let me just highlight where those changes will occur and the maker of the motion can incorporate those thoughts. They only really show up in two places in the ordinance and, then, in the summary. So, first is in the caption of the ordinance on page one it is -- let me count the lines for you. One, two, three, four -- it's line eight that starts off -- and others for a term of 25 years. That would -- the 25 would be stricken and we would add ten and, then, in section one of the ordinance, also on page one, on line four that starts off -- and franchise for a period of 25 years -- we would modify that to say ten years. And, then, the last change is really for the city attorney's office, but in the summary of the ordinance, which is the last -- the last page in your packet, we would change line -- line six of the summary where it starts off of 25 years, we would say of ten years. Those are the three changes that were required. If the Council wishes to proceed tonight and offer the ordinance for first reading with those modifications that would be perfectly acceptable and I would just ask that the maker of the motion incorporate those changes.

Simison: Okay. Thank you very much. Then with that ask the Clerk to read this ordinance by title.

Johnson: Mr. Mayor, I have a clarifying question for the City attorney if I may. Is the title being changed to ten years as well in the reading?

Starman: I'm sorry, Mr. Clerk, say one more time.

Johnson: In the reading of the title that should be changed to ten years during the reading/.

Starman: Yes, please.

Johnson: Thank you. Okay. So, an ordinance in accordance with Idaho Code Sections 50-328, 50-329 and 50-329A granting a franchise to Idaho Power Company, a corporation, and to its successors and assigns, to construct, maintain and operate in and upon the present and future streets, highways and other public places within the

corporate limits of the City of Meridian, Idaho, electric utility property and facilities for supplying electricity and electric service to the City, the inhabitants thereof, and others for a term of ten years, including the nonexclusive right to physically locate and maintain telephone, cable, fiber optics or other communications facilities; setting forth an agreement not to compete, but reserving the power of eminent domain; providing for the payment of franchise fees; specifying other limitations, terms and conditions governing the exercise of said franchise; and establishing an effective date of November 1, 2023.

Simison: Thank you. Council, you have heard this ordinance read by title. Is there anybody that would like it read in its entirety? If not, do I have a motion?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I would move that we approve Ordinance No. 23-2023 for first reading with the following changes: That in the caption on page one, line eight, the second -- the wording be changed from 25 years to ten years, as well as section one, page one, in line four from 25 years to ten years and in the summary on the last page, line six, the change be made from 25 years to ten years.

Cavener: Second.

Simison: I have a motion and a second. Is there 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 the item is agreed to.

MOTION CARRIED: ALL AYES.

4. First Reading of Ordinance 23-2024: An Ordinance Amending Title 1, Chapter 7, Section 9 of the Meridian City Code, Regarding City Councilmembers' Compensation; Providing a Savings Clause; and Providing an Effective Date

Simison: Next item up is Item 4, which is the first reading of Ordinance No. 23-2024. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance amending Title 1, Chapter 7, Section 9 of the Meridian City Code, regarding City Council members compensation; providing a savings clause and providing an effective date.

Simison: Thank you. Is there anybody that would like this ordinance read in its entirety? Okay.

- 5. Ordinance No. 23-2025: An ordinance (Ten Mile Public Storage – H-2022-0016) annexing the northeast quarter of Section 34, Township 4 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described in Exhibit “A”; rezoning 5.023 acres of such real property from RUT (Rural Urban Transition) to the I-L (Light Industrial) Zoning District; directing city staff to alter all applicable use and area maps as well as the official zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; repealing conflicting ordinances; and providing an effective date.**

Simison: And with that we will move on to Item 5, which is Ordinance No. 23-2025. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance related the Ten Mile Public Storage, H-2022-0016, annexing the northeast quarter of Section 34, Township 4 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described in Exhibit “A”; rezoning 5.023 acres of such real property from RUT to the I-L, zoning District; directing city staff to alter all applicable use and area maps as well as the official zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; repealing conflicting ordinances; and providing an effective date.

Simison: Thank you. Council, you have heard this ordinance read by title. Is there anybody that would like it read in its entirety? If not, do I have a motion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 23-2025.

Cavener: Second.

Simison: I have a motion and a second to approve Ordinance No. 23-2025. Is there 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 the item is agreed to.

MOTION CARRIED: ALL AYES.

6. First Reading of Ordinance No. 23-2026: An Ordinance Amending Title 1, Chapter 6, Section 5 of the Meridian City Code Regarding Mayor's Compensation; Providing a Savings Clause; and Providing an Effective Date

Simison: Next up is Item 6, which is the first reading of -- first reading of Ordinance No. 23-2026. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance amending Title 1, Chapter 6, Section 5 of Meridian City Code regarding Mayor's compensation, providing a savings clause and providing an effective date.

Simison: Thank you. Is there anybody who would like this ordinance read in its entirety? Okay. Thank you very much.

FUTURE MEETING TOPICS

Simison: 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 under Item 7?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

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

Borton: Second.

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

Roll Call: 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: (6:47 p.m. to 7:42 p.m.)

(Motion to come out of Executive Session: Hoaglund. Second: Borton)

MOTION CARRIED: ALL AYES.

(Motion to adjourn by Hoaglund).

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 7:43 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

_____ MAYOR ROBERT SIMISON	_____ DATE APPROVED
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ATTEST:

CHRIS JOHNSON - CITY CLERK