

A Meeting of the Meridian City Council was called to order at 6:00 p.m. Tuesday, April 8, 2026, by Council President John Overton.

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

Member Absent: Robert Simison.

Other Present: Chris Johnson, Bill Nary, Linda Ritter, Chris McGilvery and Dean Willis.

**ROLL-CALL ATTENDANCE**

<input checked="" type="checkbox"/> Liz Strader	<input checked="" type="checkbox"/> Brian Whitlock
<input checked="" type="checkbox"/> Anne Little Roberts	<input checked="" type="checkbox"/> John Overton
<input checked="" type="checkbox"/> Doug Taylor	<input checked="" type="checkbox"/> Luke Cavener
<input type="checkbox"/> Mayor Robert E. Simison	

Overton: Good evening, Council, and welcome to the regular meeting. We will come to order. For the record it is April 21st, 2026, at 6:00 p.m. and will begin this evening with roll call attendance.

**PLEDGE OF ALLEGIANCE**

Overton: If you would all, please, rise and join us in Pledge of Allegiance.

(Pledge of Allegiance recited.)

**COMMUNITY INVOCATION**

Overton: Up next will be our community invocation and tonight we are glad to welcome Mick Armstrong to the house.

Armstrong: Father, we just thank you for your blessing on this city and as I was reading last week King David when he finally found peace in his kingdom and he sought to build a temple for you, he -- you told him that his son Solomon would do that, but you told him that you would establish his throne forever and he went in and sat before you and he said who am I that you would do this for me, thinking as I was a shepherd boy from the smallest tribe of Israel and I'm king. God, you have grown this city and made it a great city. You have given us good leaders, great departments and people that have protected us and provided good services. We just pray for wisdom, decisions made tonight and decisions in the future and -- and, too, for the Mayor's prayer breakfast upcoming next month. It's just that it would be an opportunity to draw our community to honor you and pray this in Jesus' name, amen.

## **ADOPTION OF AGENDA**

Overton: Thank you, Mick. Up next is adoption of the agenda.

Little Roberts: Mr. President?

Overton: Council Member Little Roberts.

Little Roberts: Mr. President, I move we adopt the agenda with no changes.

Whitlock: Second.

Overton: We have a motion and a second to adopt the agenda with no changes. All those in favor say aye. Opposed nay? The ayes have it. The agenda is adopted.

MOTION CARRIED: ALL AYES.

## **PROCLAMATIONS**

### **1. Cole Valley Christian High School Boys Basketball Champions Day**

Overton: Our next item on the agenda is -- was intended to be a proclamation for Cole Valley Christian boys basketball team. We are going to just skip over that at this point and revisit it if they show up at a little later time.

## **ANNOUNCEMENTS AND RECOGNITION**

Overton: That brings us to the next item on the agenda, which is Announcements and Recognition. Council? We have no announcements and recognition tonight.

## **PUBLIC FORUM**

Overton: That brings us to the public forum. Mr. Clerk.

Johnson: Mr. President, John Forsberg.

Overton: Mr. Forsberg, if you will come up on public forum. You have three minutes, sir.

Forsberg: Thank you. John Forsberg. 2320 Cadillac Drive, Meridian. Also have a couple of properties up the street here. 1615 North Main and 1603 North Main. We are located right next door -- Mr. President, Council, sorry. We are located right next door to the Vape Shop at 35 Fairview and at least once a week, sometimes several times a week, kids get into the vape shop dumpster, take their bags of trash and they move them over to behind our dumpster and tear the sacks apart and look for any kind of material that they can find that the vape shop might be throwing away. I have videos

after videos. It's been going on for years. I have been over and talked to the vape shop to try and get him to do something about locking up their container and they have a locking container available to them, but they will not put a lock on it, so I end up dealing with their trash several times a week and it's just -- I'm at the end of my rope on this whole thing and I would like to see you guys come up with an ordinance that makes anybody that has material that is, what, age prohibited material from being available to those people in a manner that would, you know, give them access. I'm -- as I say, I'm at the end of my rope here. I have cleaned it up, my employees have cleaned it up, my partner has cleaned it up. You know, we just keep doing it and we go over and talk to them and it's like -- I might as well be, I don't know, talking to the carpet here. It just does no good. So, if I could get some help from you guys I would appreciate it. I have already sent a message to the Mayor's office and I'm -- just would really appreciate, you know, anything that you could do. Questions, anybody?

Cavener: Mr. President?

Overton: Council Member Cavener.

Cavener: John, appreciate you being here. The challenge with this public forum is it doesn't provide an opportunity for us to engage in questions and seek --

Forsberg: Okay.

Cavener: -- additional feedback, because we haven't noticed to the public that we are going to talk about this. So, it's -- if I'm on your side I always feel like it's very frustrating, because you -- you shared a problem and we can't necessarily get into a back and forth, but I appreciate you have shared that with the Mayor and we do have a spot at the end of our meeting for future meeting topics. So, I would anticipate there may be conversation at that time at least where we have noticed to the public that we are going to maybe speak about potential future meeting topics.

Forsberg: Okay.

Cavener: Thank you for being here though.

Forsberg: Thank you.

Overton: Thank you, John.

Strader: Council President Overton?

Overton: Yes. Council Member Strader.

Strader: I -- I would recommend -- well, if you want to stick around -- the Mayor's chief of staff Kendall is here and she actually was on the Meridian Anti-Drug Coalition for a number of years. I know she cares a lot about these kinds of topics. I think she would

be a fantastic -- even though we can't go back and forth about this topic, I would recommend that you network with her for a few minutes.

Forsberg: We have spoke.

Strader: Good. Okay.

Overton: Thank you.

Forsberg: Thank you, John. Say hi to your lovely wife for me.

## **PUBLIC HEARINGS [Action Item]**

### **2. Public Hearing (continued from April 7, 2026) for Alamar (H-2026-0005) by Midas Corporation, generally located at the Northeast corner of Black Cat Rd., and Franklin Rd.**

Overton: Will do that, sir. Thank you. Council, that brings us to our public hearings and Item No. 2 is a public hearing continued from April 7th, 2026, for Alamar, H-2026-0005. And I will turn this quickly over to staff.

Ritter: Sorry. So, Alamar withdrew their application. They contacted staff and said they no longer wanted to move forward with this application, so they requested to have it withdrawn.

Overton: Thank you, Linda. For the rest of Council, because this was a continued public hearing with a withdrawn application, we need to have a motion to close that public hearing.

Cavener: Council President Overton.

Overton: Councilman Cavener.

Cavener: Move we close the public hearing on Item No. 2.

Little Roberts: Second.

Overton: We have a motion and a second to close the public hearing on Item H-2026-0005. All those in favor say aye. Opposed nay? The ayes have it. The public hearing is closed.

**MOTION CARRIED: ALL AYES.**

Overton: Council, at this point we would need a motion to accept the withdraw of the application.

Cavener: Council President Overton?

Overton: Councilman Cavener.

Cavener: I move that we accept the withdrawal request for Item No. 2.

Little Roberts: Second.

Overton: We have a motion and a second to withdraw application H-2026-0005. Mr. Clerk, roll call vote.

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

Overton: Six votes to allow application to withdraw. It is withdrawn.

MOTION CARRIED: ALL AYES.

**3. Public Hearing (Continued from April 14, 2026) for Ledges Business Park (H-2026-0008), by Sandee Transtrum, Biltmore Co., located at 4120 and 4096 N. Linder Rd.**

- A. Request: Modified Development Agreement to the existing Development Agreement (Instrument No. 106154912) for the existing 2.28 acre to allow additional uses on the parcels within this development.

Overton: The next item up is public hearing continued from April 14th, 2026, for Ledges Business Park, H-2026-0008, and we will begin this one with staff comments.

Ritter: Good evening again. This time I actually know where I'm working. So, tonight we are here for a development agreement modification is for Ledges Business Park. It is located at -- there is two lots. There is 4120 and 4096 North Linder Road. It is -- it consists of 2.28 acres of land and it's zoned L-O. A little background on this. So, in 2005 an application for annexation and zoning of this property from RUT for the county to L-O and a preliminary plat approval -- a preliminary plat was approved for Redfish Subdivision. It had a development agreement with it, which only allowed the following uses, which was professional and sales office, personal and -- personal professional services, clinics, medical, dental and optical and healthcare and social services or a daycare center with a conditional use permit. So, along -- somewhere along the line that language did not get transferred to the DA when it was modified, which was later found out because in 2022 they applied for a short plat for Ledges Business Center, which was approved. So, it has the two lots that are shown here. So, Lot 1 is developed and it has a two-story building on it and there is also an accessory building that is located on Lot 2 and the condition of approval for that was at the -- Lot 2 would be considered nonbuildable until the time of the existing storage building is removed,

converted to an office, or remains as an accessory storage building to the new office building on Lot 2 with the future CDC and design application. So, the applicant has said that it will remain a storage -- an accessory storage building and they would like to continue to utilize it as an accessory storage building and they are just requesting that you guys approve that they can retain that structure and allow the use to continue. So, this is the future plan for Lot 2 to add a building here for some type of professional use. These are some concept elevations for it. So, again, this is the DA that I was referring to. As you can see as Exhibit C, which was approved with the development agreement, has those services -- the uses that are allowed, but somehow it did not get transferred to the actual DA itself. So, it talks about this Exhibit C in the findings that it would be part of this development agreement, but somehow it did not get in the language on the development agreement. So, we feel that this should have been there. So, what the applicant is asking is to modify the development agreement to add this language to it.

Overton: Council, any questions for staff?

Strader: Council President Overton?

Overton: Council Member Strader.

Strader: Thank you. Thank you, Linda. I guess my -- my one I guess question or concern -- and if you could just clarify for me -- this is located right next to a school; right?

Ritter: It is.

Strader: Okay. And do we have any limitations or special considerations in our code already around the types of businesses that can be located next to a school that -- I -- I just kind of wanted to understand that, because -- and I will -- I will ask the applicant when they come up to explain. I just want to understand if it's like social services, for example. What would that look like? What is the potential -- what are the potential users of social services, so we could determine if that's appropriate, you know, to be located near a school?

Ritter: Absolutely. You could always add language that whatever is coming in there would have to have a conditional use permit, so that you could look at what was going in there and determine if it was actually suitable for that and so it wouldn't just be outright permitted.

Strader: That's a nice suggestion. Thank you.

Taylor: Mr. President?

Overton: Council Member Taylor.

Taylor: Linda, could you go back a couple slides to the Exhibit C and, then, the development agreement? So, Exhibit C you are looking at -- in that highlighted area where it says or a daycare center with a conditional use permit. So, that was in our findings that Council approved, but, then, the development agreement did not include that and that's what you are highlighting?

Ritter: Correct.

Taylor: Okay. And, then, as a quick follow-up question to that, in kind of in line with Council Woman Strader's question with the types of uses in this zoning area, would this -- if we are to correct the development agreement to reflect what was indicated here in the findings, it seems like maybe a conditional use permit is a proper way to go about it, but is this a significant change to the type of use allowed in this zoning area or is it depending on the -- like what the actual use is?

Ritter: It's not a significant change. There are a lot of things that are allowed in the L-O zone. Some do require conditional use permits, some are outright permitted. But because we are opening up the DA again you can make restrictions to what is and isn't allowed. If there are some things that you see on here that you don't feel are appropriate for that, because the DA has been opened up again, they would be your privy to -- to make restrictions.

Overton: Council, any further questions for staff? If not would the applicant like to come forward?

Polson: Mr. President, Council Members, my name is Jason Polson. Biltmore Company. Representing the owner of the property Rama Group, LLC.

Overton: I'm sorry, state your address for the record as well.

Polson: Yep. Address of 1580 West Cayuse Creek Drive, Meridian, Idaho. Tonight bring before you a modification to the DA of Ledges Business Park. I want to thank staff for her comments. We generally agree with all of them -- well, we agree with most of those, I guess, to help start with. Just -- we will get into a little bit of the details, but as mentioned a two parcel commercial subdivision approved and recorded in 2022 and 2023 just north of Sawtooth Middle School. 4120 North Linder Road and 4096 North Linder Road. 2.28 acres. That Lot 1 is developed. It does have a 10,000 square foot building on it. We are requesting a modification to that original development agreement. Again, like Ms. Ritter shared, this parcel came with a back story and a little bit of history that limited the types of businesses to professional and medical. The Exhibit C did not fully transfer and due to Council's recommendation because of the time of this development agreement, we stand before you today to help clarify what could have been a staff correction back at the time that it was caught, but as we talk about uses and what might come, we want to be mindful of its location. We have found that personal business usage is most desired in that area. This is not a change of business that would be any sort of retail -- as the gentleman shared earlier, provide opportunities

for trash or -- or unwanted items to be gone through by youth. This is simply to open up and -- and provide better representation of what we believe the original intent of the development agreement included at that time. Again, wording for what we are asking for that it would allow professional, personal healthcare or social services or a daycare center with a conditional use permit is verbiage that came from Exhibit C of that original Redfish development agreement in 2005. We -- we would caution and ask that a blanket conditional use permit not be added to this modification if possible. Those allowable uses in the L-O zoning limit -- and Ms. -- as Ms. Ritter verified, there are additional conditional use applications for those business types that might not be wanted located next to that school. I guess, again, to close, we -- we feel like we are trying to go back to the original intent of -- of that 2005 development agreement. We recognize concern based on location. We feel like personal use being added or the others would not be in detriment based on its location. We appreciate your time. By adding a blanket conditional use, as much as I love to come back before City Council, I -- I want to limit and -- and respect your time and don't want to be forced into that opportunity to come back before you unnecessarily. But I will leave that and stand for any questions. Thank you for your time.

Overton: Council, any questions for the applicant? Council Member Strader.

Strader: Thank you, Council President Overton. Thanks for being here. I think where I'm getting hung up and what I really want to understand that maybe with your help and staff's help -- what is the definition of some of the terms we are throwing around? So, what's the definition of personal services and healthcare services? How is that different than a medical office building and social services? Because -- I will just give you an example. So, could I see like a halfway house or a drug rehab facility here right next to a middle school? Could I see maybe something oriented toward women's healthcare? Like I can think of so many different things that could go here that I do think a CUP would be helpful for to address. So, walk me through some of your definitions. Thanks.

Polson: I will defer to staff if possible. These are not my definitions, but these are -- these are code definitions, with the caution that trying to think through every possibility can be exhausting as well, but --

Strader: Council President?

Polson: -- if possible Ms. Ritter can -- yeah.

Overton: Council Member Strader.

Strader: We will -- we will give Linda just a minute to get her definitions up, because I think it will take her a second, but I -- I just want to respond to that. You are asking us not to think through every possibility, but you have requested not to have a blanket CUP on all of your different uses. So, if we were to approve this change tonight, then, we would have no say as to what goes here as long as it fits into these categories and that's where I'm getting a little hung up is I'm just trying to anticipate -- again because

it's literally right next to a school, I just want to make sure that there is not a blind spot here.

Polson: Sure. And -- and to answer that -- I understand the -- the concern and why not a blanket. So, medical -- medical procedures, general practice doctors. This site, a Primary Health or something like that doesn't suit square footage or -- it's very limiting to a doctor or something where medical procedures are taking place. Professional accountants. We -- currently there is a real estate agent that occupies most of that 10,000 square foot building. So, light office use is intended for right -- light office. Personal use where we find the most demand is -- most of the interested parties and -- and those that we have been in conversations with, hair, nails, personal improvement that doesn't fall under the medical umbrella where procedures are taking place. Nails. Lash. Right? Haircut.

Strader: Okay.

Polson: So, if -- if I had to direct and give our preference of where -- again our -- our definition and our ask came from the original DA. Priority being professional medical and, then, personal, not trying to paint us in a corner in the future. We don't know what's going to -- interest and demand might be ten years in the future, but health services -- again, I will defer to staff to try to talk through some of the definitions and -- and read that. Do you want me to read the screen?

Ritter: No. I just put it up so they could see what the definition was.

Polson: Okay. So -- so, in -- in your specific concern of halfway house or some other type of transitional personal healthcare type service, I would defer you to the square footage of the site and it -- it is a very small footprint currently that could not change without coming back before Council again in the future. The current building envelope is a roughly 2,000 square foot structure. Two to three thousand. Neighborhood concerns being no second story. There -- we are not intending a second story on this, so --

Strader: Council President?

Overton: Council Member Strader.

Strader: Linda, I -- I -- I want to look around and make sure everyone has had an opportunity to read the definition of the healthcare and social services. If so, could we quickly go to what personal services involves. Council President Overton?

Overton: Council Member Strader.

Strader: Thank you. I think this is really helpful. I -- I'm not so concerned about personal services, like a nail salon, a lash place, I don't think that's a huge issue. Professional I think we have a better grip on -- on what's involved. Medical office is

already permitted. So, I think maybe where I'm having a little bit of heartburn is around the healthcare services and social services, just because it's such a broad definition and I get what you are saying about like there is a certain footprint that would be needed for the facility that might be of concern, but without -- I don't know. I -- I just wanted to articulate my concern would be I -- I think maybe a CUP would make sense for that type of use. I understand your request, though. So, I'm going to chew on it.

Polson: You -- you could add a conditional use just like a daycare. You could add a conditional use permit to health services if -- if needed as an additional conditional use application.

Overton: Council, any additional questions for the applicant?

Taylor: Mr. President?

Overton: Council Member Taylor.

Taylor: Thank you, Jason. You know, I -- I want to make sure we are trying to follow the original attempt as much as we can. I think that's a reasonable and appropriate ask. I do think the proximity to -- to a school, though, causes a little extra level of discretion that we want to have. I agree with Council Member Strader's thoughts. I -- looking at the social services one, it -- there is a lot of different uses that could go there that I would be very opposed to potentially if my children were there based on what is there. So, I -- I think -- I don't think your ask is unreasonable in any way to try to follow the original intent of Council with correcting the development agreement, but also we are opening it and I do think that the definitions that we have in our -- our code here are pretty broad and I -- I would be -- I would want probably a CUP if it was a social services application. The other ones I think are reasonable and would be fine. I would be happy to kind of see it corrected as you are requesting, but I would probably only feel comfortable if we had another shot to make sure, well, what's the -- the actual use type of that facility then. So, my thoughts.

Overton: Council, any additional comments?

Cavener: President Overton?

Overton: Council Member Cavener.

Cavener: Jason, I -- thanks for being here. I know these are kind of wonky things to kind of walk through, so I appreciate your patience and grace with us. I -- I have some similar concerns as -- that my two colleagues have raised, but maybe one additional one and, you know, it -- it certainly has to do with the -- with the use around these residential areas; right? And the -- the hope is that the use is large enough that it benefits those that surround the area, but not so successful, right, that it has a negative impact, right, on our traffic network particularly around Linder Road and so right when I start to think about, you know, like medical services where there is procedures that are

being done, is this the case that cars are coming in at 7:00, 8:00, 9:00 in the morning when traffic is at its highest, so you want to find those complimentary uses where that traffic is kind of spread out throughout the day. So, I'm going to stand kind of what are -- what are the current hours of your current building? What -- what is your anticipated hours that this facility would be -- would be open and -- and I know that you are trying to keep things very open-ended about to what the specific use could be, but I'm sure you have got -- there is a reason I think that you are here is there is probably an anticipated user that you are hoping to be able to work with and I appreciate confidentiality on that, but it would -- it would help me have some good understanding about kind of what is planning to go there and the impact particularly on traffic.

Polson: Mr. President, Council Member Cavener, in the L-O zone businesses are able to operate -- I believe it's 6:00 a.m. to 10:00 p.m., you know. Yeah. That's -- that's Meridian standard L-O zoning. Current businesses in that business park do not operate at those hours. So, that -- that is a concern to speak forward thinking with interested parties. Salon and -- and personal services, nails and such, their hours of operation -- I, again, would guess, but fall between 8:00 a.m. to a 5:00 to 6:00 p.m. type window. I don't know a lot of salons that are open late or -- but, again, they are confined by code and I can't see a lot of interference taking place with the surrounding neighbors or super highly successful, we -- we can all hope and -- and have tax dollars come into the Meridian coffers, but the parking is existing. There is a shared parking agreement there. We have no existing stubs for utilities needed, so we are simply opening up again now with new concern with Council what additional businesses can fit that small envelope and window without interfering with the surrounding.

Cavener: Council President Overton, maybe one additional one.

Overton: Councilman Cavener.

Cavener: Is a daycare an anticipated use?

Polson: Not in my foreseeable future.

Cavener: Okay. Thank you. Appreciate that.

Polson: The -- the -- yeah.

Overton: Council, any additional questions for the applicant? Councilman Whitlock.

Whitlock: Jason, just looking at the property it looks like there is sufficient parking for the existing business that's there. The 10,000 square feet. It looks like you have well exceeded what would be required for that facility and I would imagine the carryover would help serve this new project if -- if and when you bring in a new project; is that correct?

Polson: Correct. Yes.

Overton: Council, if there is no further questions -- thank you, Jason.

Polson: Thank you. Mr. Clerk, do we anybody signed up on this application?

Johnson: Mr. President, we did not.

Overton: Is there anyone in the room that wishes to comment on this application or is there anyone online that would like to speak? If so, if you could state your name and address for the record, please.

Amar: Mr. President, Council Members, Jeremy Amar. 1580 West Cayuse Creek Boulevard here in Meridian. I work for Biltmore. I'm here with the developer as well and just wanted to touch on kind of the CUP thought, similar to how the -- the daycare has a specific CUP, because it is a more strenuous use than typical office use. We -- we would absolutely be in support -- in support of having a CUP condition for social services or some of those other kind of higher use or higher I guess maybe more worrisome types of businesses next to the middle school. Again, there is -- it is a very broad definition. I mean a dentist or a general practitioner office -- maybe that doesn't need it, but, yeah, social service or -- or different kinds of -- of healthcare we would fully support a CUP like that. Thank you all. I'm happy to answer any questions. I think Jason covered everything.

Overton: Council, any questions?

Amar: Thank you.

Overton: Is there anyone else that would like to comment on this application? I don't think we have seen anybody online raise their hand. Would the applicant like to have any final comments? The applicant is waiving final comments. Council, this is a continued public hearing.

Taylor: Mr. President?

Overton: Council Member Taylor.

Taylor: Linda, could you scroll back to the definition for the healthcare and social services, so we could look at that? Just thinking of what Jeremy said about, you know, if there are any other uses in here that would be considered a high intensity use at certain times that might be challenging with the traffic flow at certain times of the day with the middle school, like a daycare. I like to be careful about not being overly burdensome in terms of what our -- where we want to layer on top of a development, but I just wanted to take a look at that to see if there were any other types of uses that would maybe warrant that. I -- again, I will just be consistent with what I said before. I think for social services for sure I would -- would want a CUP just considering the types of uses that could fall under that and the appropriateness for that to be located next to a middle school. I'm not -- my understanding would be -- and maybe, Linda, you can

correct me -- I guess healthcare and social services -- these definitions apply -- well, let me just -- oh, there it is. Okay. Thank you. I'm slow at reading. Yeah. Mr. -- Mr. President, I would -- I would be -- I would want my personal opinion just in discussion here that a CUP would be required for both healthcare and social services, but not for personal services.

Overton: Council Member Cavener.

Cavener: Thank you, Council President. I hadn't quite chimed in yet, but I -- I appreciate that. I -- I tend to agree with Council Member Taylor, but I would maybe -- want one additional requirement as part of the DA mod, which is anything that we are assigning a CUP that it would also come with an additional traffic analysis study before Council makes any decisions. I tried to think of what are going to be those high impact users on a widely used road right now that may become even more popular as the interchange begins and I just want to make sure that future councils had the opportunity to really look at the totality of the impact of the use before they are asked to make a decision.

Whitlock: Mr. President?

Overton: Councilman Whitlock.

Whitlock: Maybe a question for Bill in terms of how this originally appeared and included healthcare services and social services in the original language that was taken out in the -- in the DA, but when we look at our Meridian code again this title is healthcare and social services. It defines healthcare in the first part of that paragraph. Period. And, then, it defines social services in the second part of that paragraph. Can we bifurcate that in a -- in whatever we prescribe tonight for a conditional use? And, again, I will just -- I'm more comfortable with a dentist office not having to come back for a CUP. I'm more comfortable with, you know, some of those healthcare services that would be -- that would fit in this square footage are not going to be high use. I hear the concerns about the social services and so I would like to see that. Can we bifurcate the healthcare and social services paragraph?

Nary: So, Mr. President, Members of the Council, Council Member Whitlock, I mean that's a great question. I mean I -- I guess my only concern is that by code we have chosen to lump them together and by creating and separating them I -- I -- I would hate to open the -- this Council or a future council up to an argument that we were simply being arbitrarily splitting our own code in -- in -- in two without some specific reasons why we don't think the code is adequate. To require it as -- it -- and this definition, since we have chosen as a code to make it one, I would be more hesitant to simply split it in two. I agree with you, the way it's crafted seems logical, but I would be concerned a court might consider it to be somewhat arbitrary, since, again, we don't normally split the code by sentence, we normally split it by section. So, I -- I would be more hesitant to -- to recommend that. Mr. President, if you don't mind, the other comment -- and I don't know where the Council is going to go -- on the traffic that Council Member Cavener just

raised, I would suggest you would maybe put some discretionary language, because, again, it's hard to know today what is going to be sought in the future and what the needs are going to be and what the roadway system is going to bear or not bear. So, I don't know that you want to put that it's required on every request of CUP, but it certainly may be -- it may be required on every -- on the CUP, because, again, I don't know what the circumstances are going to be and what they are asking for. So, I would leave it at least a little discretion. But you are putting the applicant -- future applicants on notice that that may be a consideration, but, then, you may have different standards that may exist at that point in time that we don't know about today.

Overton: Thank you, Mr. Mayor.

Strader: Council President Overton?

Overton: Council Member Strader.

Strader: Question for Bill. What would you recommend in terms of -- like at whose discretion would be my question with the CUP. Like would that be a -- a director in planning would make that call that -- okay. In this case, hey, you know what, a dentist's office is one thing, but you are talking about a huge -- you know, a facility we didn't anticipate, like is that who should have the discretion or what would you recommend?

Nary: Yeah. Mr. President, Members of Council, Council Member Strader, no, I do think it would be a staff level director determination on that is appropriate. I mean we have some other sections in the code, depending on things that are within the code it gives the discretion of the -- of the department or the director to direct additional information. So, I wouldn't leave that to an outside entity or someone else. I do think it's an internal discussion. But I do think it just puts the future applicant on notice that that is a consideration we might consider and, again, it's really going to be very dependent on the use that's being requested and what's the current situation at the time. I mean there may not be any change to this area for ten years and a dentist office may not really trigger that, but a daycare ten years from now might. So, I think you want to leave yourself to the discretion, but I think that's an internal decision, not an external.

Strader: Follow up?

Overton: Council Member Strader.

Strader: Thank you. Would you recommend that that language be included within the DA agreement itself that a traffic impact study may be required at the discretion of the city planning department?

Nary: Yes. I would say -- the only thing I would suggest is maybe not say impact study. I know those are very particular items of art, but a traffic study or traffic analysis may be required, something to that effect, so that there is at least, again, language that's a --

letting the future applicant know that we may be looking at that and it really depends on what you are asking for.

Strader: Got it. Okay.

Overton: Council, any additional comments? I will throw my final comments in myself. I think you have done a fantastic job in pushing this out to where it came from to where it could go. I mean we have heard the applicant talk about this could happen in the next ten years and, yet, we are looking at something that was originally brought in in 2005. So, I mean we are talking a big time stamp of Meridian history and not knowing where the next ten years are going, become very supportive right now of the comments that have been made on how this would be approved and where it would require future approvals and whether that would also be -- some of those approvals be at the director's level. Council, with that do we have a --

Taylor: Mr. President?

Overton: Yes, Council Member Taylor.

Taylor: I would make a motion that we close the public hearing on Item H-2026-0008.

Cavener: Second.

Overton: Council, we have a motion and a second to close the public hearing on H-2026-0008. All those in favor say aye. Opposed nay? Ayes have it. The public hearing is closed.

MOTION CARRIED: ALL AYES.

Taylor: Mr. President?

Overton: Councilman Taylor.

Taylor: I would like to make a motion -- and I do want to -- before I make the motion, just to clarify, I agree with -- including language that says that we -- if a -- if it requires a conditional use permit that a traffic analysis may be required at the discretion of the department. Is that how we would say --

Nary: Yes.

Taylor: Okay. I would move that after considering all staff, applicant and public testimony, I move to approve File No. H-2026-0008 as presented in the staff report and specifically change the language to read as follows: That uses within the subdivision will be limited to professional services, personal services or healthcare or social services or a daycare -- okay. I'm going to start over again. I think I'm getting the language. Make sure I'm getting this right. I got my notes here. Scratching. Uses

within the subdivision be limited to professional services and personal services or healthcare and social services and daycare centers with a conditional use permit and that if a conditional use permit is required that a traffic analysis may be required at discretion of staff.

Strader: Council President Overton?

Overton: Council Member Strader.

Strader: A suggestion.

Taylor: I'm open. Yeah.

Strader: Perhaps just to clarify saying uses within the subdivision will be limited to professional services and personal services. Period. Healthcare or social services or a daycare center will be allowed with an approval of a conditional use permit. Period. The -- the conditional use permit may require a traffic analysis at the discretion of the City of Meridian. That would be my suggestion.

Taylor: That was a great suggestion. It's hard to do it on the fly. Would you like me to restate that or could we just say -- she just clarified it the way I was hoping to articulate it.

Overton: Would the original maker of the motion like to allow Council Member Strader to be the new original maker of the motion?

Taylor: Yes. I will second that.

Overton: So, we have a motion and a second.

Taylor: That's probably not appropriate, is it? Okay. Since there was not a second on the motion -- if I might re -- re-offer that motion to get it clear, because it -- as I was thinking and talking at the same time I clearly cannot chew and walk at the same time. So, Mr. President, I will withdraw that motion.

Overton: Motion withdrawn.

Taylor: And I would move that we -- after considering all staff, applicant and public testimony, I move to approve File No. H-2026-0008 as presented in the staff report for the hearing date of April 21, 2026, and that we approve the language as follows: Uses -- uses within the subdivision will be limited to professional and personal services. Period. Healthcare social services or daycare center will be approved with a conditional use permit. Period. If a conditional use permit is required a traffic analysis may be required at the discretion of staff. Period.

Strader: Council President Overton?

Overton: Council Member Strader.

Strader: I would second for discussion. With the -- with one suggestion, that in the second sentence that it would read -- would be allowed with the approval of a conditional use permit.

Taylor: Mr. President?

Overton: Councilman Taylor.

Taylor: Maybe some -- I mean my understanding would be that that's implied. I would agree with that, unless we need to restate it for the motion. I'm just not sure if I have to restate that. Okay.

Overton: So, the original motion is -- is good? Council Member Strader, we have a second? Is there any other discussion on the motion? If not, clerk call roll.

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

Overton: All ayes. Motion is passed.

MOTION CARRIED: ALL AYES.

#### **ORDINANCES [Action Item]**

- 4. Ordinance No. 26-2123: An Ordinance of the City of Meridian, Idaho, Granting to Intermountain Gas Company a Twenty (20) Year Extension to its Franchise to Construct, Maintain and Operate a Gas Transmission and Distribution System; Providing for the Use of Streets and Alleys, and Rules Governing the Same, Subjecting the Grantee to All Powers of the City; Setting Forth the Rules of the Franchise and Grant; Providing for the Right of Inspection by the City of Grantee's Plans, Accounts, and Books; Requiring Grantee to Furnish Certain Maps; Setting Forth the Annual Payment to the City, and the Filing of Annual Reports with the City; Requiring Grantee to Indemnify City, and File Evidence of Insurance; Requiring Compliance with Safety Regulations; Setting Forth an Agreement Not to Compete, Reserving Power of Eminent Domain; Providing for Surrender of Franchise; Granting Right to Salvage; Requiring Written Acceptance; Providing for Consent to Sale, Assignment or Lease; Providing for Payment of Publication Cost; Setting Forth Penalties and Forfeitures, Separability and Repeal**

Overton: Brings us to Ordinances. Mr. Clerk, if you could read Ordinance No. 26-2123 by title only.

Johnson: Thank you. Mr. President. An ordinance of the City of Meridian, Idaho, granting to Intermountain Gas Company a Twenty Year Extension to its Franchise to Construct, Maintain and Operate a Gas Transmission and Distribution System; Providing for the Use of Streets and Alleys, and Rules Governing the Same, Subjecting the Grantee to All Powers of the City; Setting Forth the Rules of the Franchise and Grant; Providing for the Right of Inspection by the City of Grantee's Plans, Accounts, and Books; Requiring Grantee to Furnish Certain Maps; Setting Forth the Annual Payment to the City, and the Filing of Annual Reports with the City; Requiring Grantee to Indemnify City, and File Evidence of Insurance; Requiring Compliance with Safety Regulations; Setting Forth an Agreement Not to Compete, Reserving Power of Eminent Domain; Providing for Surrender of Franchise; Granting Right to Salvage; Requiring Written Acceptance; Providing for Consent to Sale, Assignment or Lease; Providing for Payment of Publication Cost; Setting Forth Penalties and Forfeitures, Separability and Repeal.

Overton: Council, you have heard this Ordinance read by title only. Is there anybody who wishes to hear this ordinance read in entirety? Seeing none.

Taylor: Mr. President?

Overton: Councilman Taylor.

Taylor: I move that we approve Ordinance No. 26-2123.

Whitlock: Second.

Overton: We have a motion and a second to approve Ordinance No. 26-2123. Clerk call roll.

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

MOTION CARRIED: ALL AYES.

## **FUTURE MEETING TOPICS**

Overton: Council, which moves us to future meeting topics.

Cavener: Council President Overton?

Overton: Councilman Cavener.

Cavener: We heard from a member of the public tonight with some concerns about trash being transported from one dumpster to another. I know that president had some suggestions. It's great that he was able to connect with the Mayor's chief of staff. I

guess just a request to follow up with the chief of staff and if this does need to become a -- a future meeting topic that we get it scheduled at a time that makes the most sense.

Overton: Absolutely, Councilman Cavener. It's a great idea. Any other future meeting topics? If not, I would entertain a motion to adjourn.

Little Roberts: Mr. President?

Overton: Council Member Little Roberts.

Little Roberts: Mr. President, I move we adjourn.

Whitlock: Second.

Overton: We have a motion and a second to adjourn. All in favor say aye. Ayes have it. We are adjourned.

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 6:50 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

\_\_\_\_\_  
COUNCIL PRESIDENT JOHN OVERTON        /  /    
DATE APPROVED

ATTEST:

\_\_\_\_\_  
CHRIS JOHNSON - CITY CLERK