

A Meeting of the Meridian City Council was called to order at 6:05 p.m. Tuesday, March 5, 2023, by Mayor Robert Simison.

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

Members Absent: Liz Strader.

Others Present: Chris Johnson, Bill Nary, Sonya Allen, Berle Stokes and Dean Willis.

**ROLL-CALL ATTENDANCE**

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

Simison: Council, we will call the meeting to order. For the record it is March 5th, 2024, at 6:05 p.m. We will begin tonight's regular City Council meeting agenda with roll call attendance.

**PLEDGE OF ALLEGIANCE**

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

(Pledge of Allegiance recited.)

**COMMUNITY INVOCATION**

Simison: Next up is our community invocation, which will be delivered by Pastor Connelly with StoneHill Church, if you would all, please, join us in the community invocation or take this as a moment of silence and reflection.

Connelly: Thank you, guys. Lord, we are grateful to come together tonight in just the opportunity to meet in this amazing city in this place that you have allowed us to live in and we are so grateful for that and pray you provide for each one of us, Lord. We just are thankful for the country we live in, Lord. Just the freedoms that we have. I think so often we take it for granted. We forget about what we have and so we are -- thank you for that. We thank you for this amazing and beautiful state of Idaho we live in and we are grateful for that as well and, then, finally, we are also thankful for this city -- this amazing city of Meridian with so many -- so many things, Lord, here in the city, we are -- we are very thankful and grateful for and -- and our Lord tonight as we -- as we meet and -- as the City Council, the city, as they meet about these topics, Lord, we pray that

you would just be with them. We are thankful for our leaders and our Mayor, our City Council, the city staff and so many people that give up their time and they give up their -- their talents and they serve, Lord, and we are grateful for that. They -- they do so much, oftentimes without thankfulness and gratitude and I just pray that they would know how much they are appreciated -- appreciated and we pray that you would just bless them for their work in just serving our city, Lord. I pray tonight for our city residents as well, Lord, and I ask that we as a city and as residents that we would really step -- step up as well and we would serve and we would not take this place for granted, but, Lord, we would do our part in making the city what it is and what it needs to be as it continues to just be a great place to live. I pray for tonight's discussions, Lord, as you -- as you are about and as the -- the Council and -- and the leaders tonight, Lord, as they talk about these different topics, pray that you would grant them wisdom, that you would grant them guidance, that you give them clarity. Help their decision making process tonight, Lord, to be what it needs to be and, Lord, they would be able to get things done, that ultimately would just be benefiting to the city and, again, we are grateful for you. We thank you for -- for Meridian and we are so appreciative of all that you have done, in Jesus' name, amen.

## **ADOPTION OF AGENDA**

Simison: Thank you. Next up is adoption of the agenda.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Do you want to leave the executive on there? We will remove the Executive Session that's listed here and with that edit I move that we adopt the agenda.

Cavener: Second.

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

**MOTION CARRIED: FIVE AYES. ONE ABSENT.**

## **PUBLIC FORUM – Future Meeting Topics**

Simison: Mr. Clerk, do we have anyone signed up under future meeting topics?

Johnson: Mr. Mayor, Steve Galvagno.

Simison: Good evening. You are recognized for three minutes.

Galvagno: Thank you. I'm Steve Galvagno. 2645 East Brace Drive, Meridian, and I just -- I'm not representing my community -- inasmuch as I'm representing their desires, but I'm not their representative. So, if you get mad at me don't hold it against them. An age discriminating area as defined by Webster or Wikipedia or whatever is 55. We bought our homes in East Ridge thinking that that was, in fact, the case with East Ridge Village. I was informed this afternoon after six months of asking and sending e-mails that that was no longer the case, that the city cannot or will not enforce the -- that caught us. We have e-mails going back. We have council meetings. We have development agreements. And, then, we have the intent where individual council members and staff have referenced that it's an over 55 community. Now, the developers decided that they are going to sell it to -- that they are unilaterally removing that age restriction. I would ask that before a final decision is made to not pursue them, that, congratulations, I guess you are my new council member and Council Woman Strader, she was very helpful, as was -- I disagree with him, but Mr. Nary has been helpful -- that I would like to have a meeting -- I can say this on this behalf of our community, we would request a meeting with members of the community, you, the administrator and anyone else that the Council feels should attend that meeting, because this is just flat out wrong. People spent a whole lot of money and we got clarification after clarification after clarification that what was going in above us, behind us, in a very small area, R-15, was going to be an over 55 community. That's it. I have asked if you could do that and get back to me about the feasibility of that. That -- that ends my comments. Thank you.

Simison: Yes to reply to what you need.

Little Roberts: Sorry. We are sharing a mic here. So -- so, if you and I could maybe talk offline and get some things figured out, so we are not doing it through the whole Council here, because --

Simison: And Mr. Nary has all their contact information.

Nary: The methodology in a timely manner, getting a hold of you guys, in fairness to you guys, that's why I just said, well, heck, we are having a council meeting tonight.

Galvagno: Thank you.

## **RESOLUTIONS [Action Item]**

- 1. Resolution No. 24-2442: A Resolution Establishing the Appointment of Bridget King to Seat 2 of the Meridian Arts Commission; and Providing an Effective Date**

Simison: Okay. All right. Thank you very much. So, Council, with that we will move on to Item 1, which is Resolution 24-2442 and approving the appointment of Bridget King to the Meridian Arts Commission. I did sit down with our new chair, as well as applicants for the Arts Commission, and felt like Ms. King was the appropriate person to fulfill that

new role on the commission. She's a teacher. Teaches art. And, you know, having that connection to West Ada is actually, you know, in community that's focused on family and the Arts Commission is always looking at how do you best engage, you know, that -- that was a nice complement to add. It's not the reason why, but it was a great thing. She is -- she is a teacher who appreciates all sides of the arts conversation. She's not an artist by trade, but by profession and even that profession is one that is -- that she kind of found her way into from parents who are both artists -- that's how she chose to make her living, but she definitely appreciates the arts in a full-time capacity in that context. She's more of a western contributor in the process. She kind of understands that and she -- she really likes the public art components, but she also understands, you know, people that are new to the community, like the very first thing we installed was right over here at the Under the Stars and Dreaming I believe is what it's called and it's like what is that, you know, that the new community doesn't necessarily know or has been involved or whatnot and kind of brought a fresh perspective to how do we engage our community in our public art and are there other things we need to do to make that happen. I pointed out to -- when it first got installed how people used to go put their head through the center and get pictures. It's like, well, that would be cool to bring that back. You know, kind of those -- I guess just a very different aspect, but I think she will be a great addition to the Arts Commission and so, therefore, I asked for your approval of this resolution.

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: Mr. Mayor, it sounds like a great addition. So, with that I would like to move that we adapt -- we accept your recommendation and adopt Resolution 24-2442 and establish the appointment of Bridget King to Seat 2 of the Meridian Arts Commission.

Cavener: Second.

Simison: Have a motion and a second to approve Resolution No. 24-2442. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it and the resolution is agreed to.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

## **ACTION ITEMS**

- 2. Public Hearing continued from February 20, 2024 for Pathways (H-2023-0061) by Mussell Construction, Inc., located at 965 E. Ustick Rd.**
  - A. Request: Annexation of 1.11 acres of land with an L-O zoning district.

- B. Request: Conditional Use Permit for an education institution that takes access from an arterial street without a safe, separate pedestrian and bikeway access between the neighborhood and the school site.

Simison: With that we will move on to Item 2, which is a public hearing continued from February 20, 2024, for Pathways, H-2023-0061. We will continue this public hearing with any comments from staff.

Allen: Thank you, Mr. Mayor, Members of the City Council. The applicant is requesting continuance of this application again to the March 12th hearing in order to allow additional time for ACHD to finalize their report. ACHD has completed the review of the TIS and the queueing addendum and started the report that is -- it is not complete yet. The applicant is online if you would like to direct any questions this way.

Simison: Okay. Thank you. Counsel, would you like to hear from the applicant or would you like staff to weigh in on why maybe this item -- the information from ACHD might be very valuable for consideration based on this application? Go ahead.

Allen: Yes. Mr. Mayor, Council, it is a state code requirement that they submit the traffic information, the TIS to ACHD for their review and in a response from them. So, that is something that's necessary that we get before you hear the application.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: So, I think we would want to be supportive of the continuance, but it's also not lost on me there is a handful of people that are here in the audience. Been reading the minutes. Have been to a handful of Planning and Zoning Commission meetings and so I guess maybe I would be looking just for a -- some nodding of heads if that March 12. proposed date would work for our residents that are in the audience tonight.

Simison: And maybe a secondary question, based on the conversation with ACHD, do we think ACHD can provide the document that's -- we are talking next week.

Allen: Yeah. Mr. Mayor, I did direct a question to them as to when they estimated that they would have their report finished. I did not get a reply. My report is technically due to the -- due to the City Council and the Clerk today for next Council's meeting next Tuesday. So, if ACHD is able to submit the report it would -- it would be separate from the staff report and I don't know when that would be. We do not have a meeting on the 19th, so the next available hearing would be the 26th and we already have quite a few applications on that night as well. So, that's what we are looking at.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Continuance is an option, but we also very well could hear your presentation, hear from the applicant, we have got the public here, if it necessitates a continuance after that it can be for the limited purpose of receipt of an ACHD staff report and -- and public testimony on that particular narrow issue. Maybe we could -- we could do that. It seems that since we have everyone here -- I mean it's a relatively small project in traffic numbers. Kind of anticipate what we might get. So, I'm comfortable doing that if Council is. The public is here. I mean unless they are going to gesture they would rather come back in three weeks again, but we are sensitive to that and Councilman Cavener brings up a good point, so --

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Is there any reason we couldn't hear testimony and presentation and consideration and, then, if we had to delay the vote until we received that TIS that we could do that? I think it's important. This is like multiple times they have been here. I think it would be nice to hear their input, feedback, take some notes and, then, if we do need to wait a few weeks to get that I would be supportive of that.

Simison: In that context would you prefer not to hear any comments -- conversations about traffic-related issues, just all non-traffic related issues? I'm just curious. What parameters you want to put on the conversation without the appropriate information?

Borton: Mr. Mayor, I would say no parameters, just -- let's just hear the application. We don't have a staff report. If we find that to be a painfully difficult omission, we will continue it to receive that information and the public can comment on that when it comes in, but let's -- let's roll with what we got and see what this is saying.

Simison: I assume the applicant was okay with this? Were they aware this was an option? Need to continue it for any reason?

Allen: You could ask the applicant if he is ready to present tonight.

Mussell: Yes, we can. I'm perfectly happy to present tonight. I am ready to do so.

Simison: Okay. All right. Then with that we will move on to comments from staff on the application.

Allen: All right. Thank you, Mr. Mayor, Members of the Council. The application requests tonight are an annexation and zoning and a conditional use permit. The site consists of .9 of an acre of land. It's zoned R-1 in Ada county and is located at 965 East Ustick Road. There have been no previous development applications on this site. The Comprehensive Plan future land use map designation is medium density residential.

The applicant is requesting annexation of 1.11 acres of land and that land goes to the section line of Ustick Road. They are requesting an L-O zoning district in order to redevelop the site with a public education institution use. There is an existing 2,250 square foot single family dwelling on this site, which is proposed to be enlarged to 8,000 square feet and converted to a charter school. As noted the property is designated medium density residential on the future land use map, which typically only allows residential uses. However, the Comprehensive Plan does allow requests for office uses, i.e., L-O zoning, at the discretion of City Council if the property only has frontage on an arterial street or a section line road and is two acres or less in size. The property meets this criteria. Although the requested use is an office, education institutions are an allowed use in the L-O zoning district and staff deems this use is similar in terms of intensity of use and impacts to adjacent properties. City Council should determine if the proposed use and zoning is appropriate for this site. A conditional use permit is also requested for a public education institution that takes access from an arterial street, that's Ustick Road, without a safe, separate pedestrian and bike way access between the neighborhood and the school site as required by the specific use standards for such. The proposed charter school will serve high school aged students and educate students in small groups of -- of one to one support sessions, which should be low impact on adjacent residential uses. The applicant states that the school features a very low student-to-teacher ratio and no extracurricular or outdoor activities. Approximately 30 students will be there at one time, with a maximum capacity of 40 students. Student appointments are normally one to one and a half hours in length and occur twice per week. The hours of operation of the school will be from 8:00 a.m. to 4:00 p.m., year around, closed on Saturdays and Sundays. A revised site plan was submitted as shown that depicts the existing structure and expansion, area along with associated parking, drives and pedestrian walkways. A one way driveway is proposed to better facilitate traffic flow through the site and provides a safe drop-off area for students with cueing that shouldn't impact traffic on Ustick Road. Vehicles entering the site will use the east driveway and leave via the west driveway. There is queuing for approximately 18 vehicles on the site and a dedicated drop-off area on the west side of the building. Based on the square footage of the building a minimum of 20 off-street parking spaces are required. Thirty-eight are proposed, exceeding the minimum standard by 18 spaces. A drive is proposed to the abutting property to the east for future interconnectivity if that property redevelops with a nonresidential use in the future. A focused traffic study that includes a public school checklist was submitted to ACHD for the proposed development as required by Idaho State Statute 67-6519. Since that time revisions have been made to the site plan for better internal circulation, queueing and student drop off. As I mentioned previously, ACHD has completed their review of the TIS and queuing addendum, but has not yet completed their report. A 25 foot wide landscape street buffer is proposed along Ustick Road in accord with UDC standards. A 20 foot wide buffer to residential uses is required in the L-O zoning district. Residential uses abut this site on three sides. A 20 foot wide buffer is -- as required is proposed along the southern boundary of the site. The applicant is requesting Council approval of a modified buffer width of six foot eight inches, the narrowest point, along the east boundary and eight foot ten inches at its narrow -- narrowest point along the west boundary with an allowance for vehicle overhang as depicted on this landscape plan.

Such requests are allowed to be considered by City Council at a public hearing with notice to surrounding property owners. Fencing exists around the perimeter of the site. However, the applicant proposes to construct a new six foot tall aluminum frame vinyl fence around the perimeter of the site. Conceptual building elevations and a floor plan were submitted for the proposed school building as shown. Final design of the structure is required to comply with the design standards listed in the city's architectural standards manual. The Commission did recommend approval of the proposed application. Just to note that the site plan has been revised since that hearing and now includes that one way drive aisle on the east boundary of the site that wasn't there previously. Staff does feel this is a much better design, as does ACHD. I will go through a summary of the Commission public hearing. Kent Mussell, the applicant, testified in favor, along with David Leroy, the attorney for the applicant. Leslie Leonards Pathways School. Calvin Tapor, the construction manager for Mussell Construction. Several folks commented on the application. Steve Swann and Jennifer Hajjar -- excuse me if I mispronounce your name. Ms. Neighbors and Nancy Wilson. Written testimony was received. Three letters from parents of current students of Pathway Schools. Jennifer Schmerer, Oralia Rios and Cassandra Gonzalez and a letter in agreement with the staff report conditions was received from Kent Mussell, the applicant. The key issues of discussion at the hearing were as follows: Neighbor concerns pertaining to the impact of traffic related -- excuse me -- generated from the proposed school. Opinion that there shouldn't be a negligible effect on traffic based on the traffic produced in an existing Pathway school at another location and concern pertaining to safety of vehicles making left turns into and out of the site across two lanes of traffic. Danger of students and pedestrians crossing Ustick Road to get to and leave the school and question if emergency vehicles are able to access the site if needed. There were several discussion items by the Commission as follows: They had some reservations about a school in this location with a residential future land use map designation and constrained site area with access via Ustick Road, a busier arterial street. Desire to see the traffic impact study and receive comments from ACHD before making a recommendation to City Council. Some were supportive of this location for the proposed school. There was concern pertaining to internal traffic flow within the site. The Commission continued the project to the subsequent Commission hearing in order to obtain the ACHD report. They never received it. They went ahead and forwarded the application to the Council for consideration. They did have concerns pertaining to accessibility of the site if traffic is heavy on Ustick Road and, finally, they were in -- in favor of the revisions made to the site plan to better accommodate the internal circulation and queuing and safe drop off for the students on the site. The Commission did not make any changes to the staff recommendation. The only outstanding issue for Council tonight is the applicant's request for reduced buffer widths to residential uses along the east and west boundaries of the site. No written testimony has been received since the Commission hearing. Staff will stand for any questions.

Simison: Thank you, Sonya. Council, any questions for staff? Okay. Mr. Mussell.

Cavener: Mr. Mayor?



Simison: Councilman Cavener.

Cavener: Maybe real quick before we jump into hearing from the applicant, I just -- I was thinking about this as Sonya was going over the staff report. I just want to get clear for Council -- some of you know, some of you don't, I serve as a trustee for a local charter school. It's not affiliated with this application. I don't think it would have any bearing on my ability to be fair and impartial, but wanted to flag that in case anybody up here had any concerns that we would address that right from the get go and I could recuse myself, but I don't think it's going to have any bearing on this application.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: In light of that one of my clients I work with is Idaho Coalition of Charter School Families. We work to promote public policy to support charter schools. I don't know the application. I don't know the school or anyone. Consulted with Bill and disclosure thought it was good enough on this to not have to recuse myself, but wanted to make that note for the record. Thank you very much.

Simison: Mr. Mussell.

Mussell: Thank you. My name is Kent Mussell and my address is 3516 South Bartlett Road here in Meridian and I represent Mussell Construction. We are the developer for this project. Our proposal involves transforming a one acre parcel, currently has a 1970 split level home, into an educational space for Pathways in Education. We intend to renovate and expand this building resulting in a total area of 8,000 square feet. Our aim is to be operational for the 2024 fall school year. Pathways in Education has an existing campus in Nampa, which we remodeled in 2017. They are a unique charter school model in that they seek to complement the existing public school choices in the area. That's because they offer alternative education for students who need to catch up on credits. Here are some of the highlights of their operation, which I think you will find helpful. Students complete their work at home and come to campus twice per week for testing and tutoring. The length of a student's session varies. It can be anywhere from 45 minutes, maybe an hour if they are there just to complete testing and they don't wish to seek tutoring and they might be up there -- there for up to an hour and 45 minutes for the students who use all of the services that Pathways is offering. Given the nature of the program I think it's helpful to think of the program as a tutoring center or -- or assisted homeschooling for students that need a different educational environment, either to graduate or to be able to return to traditional schools. Pathways primarily serves students who have fallen behind due to mental health issues, like anxiety, ADHD or depression and this program is vital for our community and for students who require this specific kind of support. With our application we provided three letters from families who have sent their kids to the existing Pathways campus in Nampa. If you read those I think you will find the information helpful about how important Pathways work is. One of the letters describes one of the student's situation. She was homeschooled by her

mother when her father died during COVID. When her mother returned to work she had to switch from homeschooling to public school. The student is grieving the loss of her father and struggling with anxiety and depression and entering public school was not a good fit for that transition. The girl ended up enrolling at Pathways and the letter reports amazing things about the support that she has received there and how it has helped her to thrive. This highlights the need for institutions like Pathways. Our traditional -- our traditional schools need the assistance of programs like this for students who find themselves in similar situations like the one just mentioned. We are seeking three approvals, annexation into Meridian under the limited office zone, a conditional use permit for Pathways and a reduced landscape buffer due to spatial constraints. This property is in a residential area and is under the medium density residential overlay in Meridian's Comprehensive Plan. So, let me explain why we chose to seek an office use for this parcel. The short answer is that we think that an office use is the only way for this property to be developed consistently with Meridian's Comprehensive Plan. Because the property is only accessible from Ustick Road and is one acre, the Comprehensive Plan permits our request. However, I want to add that we found the parcel to be unsuitable for residential development. As a residential development the Comprehensive Plan seeks three to eight dwelling units per acre here. We first -- when we first acquired the property we conducted various pre-application meetings with City Planning and Zoning staff to explore two different residential developments. The main challenge is that when Ustick Road was widened the surrounding neighborhood was -- and the surrounding neighborhood was developed, mainline water and sewer were not provided to this parcel. Any residential development would require significant construction in Ustick Road, which can only work with higher density development that is not permitted by the Comprehensive Plan. To address the project's impact on traffic Pathways accommodates a maximum of 40 students at a time for approximately two hour sessions. There are three sessions per day and six sessions per week. At the existing Pathways locations half of the students are dropped off by a parent, 40 percent carpool and the remaining arrived by other modes of transportation, like biking or walking. With that we have calculated that the maximum number of vehicle trips per day would be 170 vehicle trips. That's similar to other light office uses. The 170 vehicle trips per day is the load that ACHD has used on a number of other light office use projects for what -- or 170 vehicle trips per acre per day. I don't know if Sonya has the queueing analysis. I think it would be helpful to show it. Do you have that, Sonya?

Allen: I do not.

Mussell: Okay. Am I able to share my screen?

Allen: Yes. Let me stop sharing. Here we go.

Mussell: Okay. So, this is the queueing analysis we had completed. This was the primary hold up with ACHD. We had a traffic engineer do a fairly straightforward traffic study for this parcel and because it's a school ACHD wanted us to do more sophisticated modeling of the queueing on a site. We made a few rounds of revision on -- on our traffic study and ultimately we ended up hiring another -- another traffic

engineer who has worked closely on public school projects with ACHD. That's -- despite that we sent them -- despite we had that delay, the most recent round was submitted to them over a month ago. So, I still think they have had adequate time to look at this application, but the results of their revisions over the last few months have been really positive. The graphs on the screen show you the results of the statistical modeling that were done on the site. It's split into the two kind of most important periods of time over the site.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Kent, I don't mean to interrupt you. Is there any way you can maximize your screen? I'm sure it looks quite large on your computer --

Mussell: Oh. Okay.

Cavener: -- it's a little more challenging for us to see it. Thank you.

Mussell: Let's see. Is this better? I can easily zoom in.

Cavener: That's much more helpful. Thank you.

Mussell: Okay. Yeah. So, these graphs represent three different things. They represent the drop-off profile, students arriving to the campus at 8:00 a.m. and, then, they also represent the drop-off profile and the pick-up profile and the overlapping time when students are being dropped off for the 10:00 a.m. session and students are being picked up for the 9:45 session. To read this graph the -- the purple line represents the -- or I'm trying to actually remember here, but -- yeah. So, the red line -- okay. So, as you see the green line stays below the red line during that entire period. What that shows is that shows that at no point during the 8:00 a.m. period of time is there a need for a queue. Cars are processed as they arrive to the site. That changes a little bit once you have the increased load on the -- on the site where you have students being dropped off and picked up between, you know, 9:45 and 10:00 a.m. and this shows that during a ten minute interval around 9:40 there will be a queue of cars about ten vehicles long. That is -- the actual numbers are listed -- are listed here. So, yeah, this shows the -- the expected queue in the worst case scenario. So, you can see here we have three cars dropping students off and the remainder of cars shown are queuing waiting to enter the drop-off zone for the school. So, I wanted to share that with you guys. You guys can ask more questions about that as we get into the -- to the question period. I want to -- about that -- the queueing analysis, I do want to mention that it's a conservative analysis. It represents the queueing profile at a traditional school where students are dropped off abruptly or they all end their sessions abruptly at the same time and it also assumes that we are going to be at full capacity of 40 students per session per -- yeah, 40 students per session. So, those are both conservative assumptions made in the queueing analysis. The last thing I want to highlight before closing is one of our projects

biggest use. It is a very compatible use with the surrounding residence uses and here is why. The school is open from 8:00 to 4:00 Monday through Thursday and is closed on evenings and weekends. It has no impact on the evening rush hour. More than two-thirds of the students arrive or leave at nonpeak traffic hours and all student activities are indoors and for short durations. Thank you for giving me this time and I'm excited about the prospect of bettering our community through this project. I hope you have seen that Pathways in Education is doing important work and that they are a good fit for the area. West Ada School District approved this charter because it -- it fills a need in vacancy in our area's educational offerings. Wherever they end up Pathways will need a conditional use permit from Meridian city in a location that is accessible and close to students. The only code exception is if the school has a separate protect -- protected pedestrian access from an adjacent neighborhood. With that in mind I think this project is the best pairing for this parcel and the school's needs. Thank you again and I will now take your questions.

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

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: Mr. Mayor. Kent, thank you so much for the information. Could we go back -- is it easy to see where the queue -- where you have the cars? I live really close to a school that kind of impacts the around -- surrounding areas. Excuse me. Because I was just curious when you have got the queue -- when people are dropping off it looks like there is -- the cars are going into a dead end. Where do the cars -- how did they complete their cycle to drop the student off and, then, go to where?

Mussell: Sure. So, this is one of the major improvements that we made on the plan over -- over the iterations that we have had. So, we are now proposing a one way circle through the drive. I also -- cars enter on the east. It's a one-way drive. It goes in a U shape and, then, cars exit on the west side of the property.

Little Roberts: Thank you. I appreciate that.

Simison: So, Kent, kind of relate it to that, everyone -- is it a perfect system? Is there room for people to get around the other parked cars especially -- I understand when you come in on the one side, but on the other side as you are waiting not everyone is going to come out in the exact same time. People get by. Is there enough room with that parking? Just trying to figure that out.

Mussell: Yeah. So, we actually have -- so, this was tighter originally and this is the old plan. I would have the updated one, but I wasn't totally expecting to present today. The updated plan -- on the west side we have changed to 90 degree parking, which requires a 25 foot two-way drive aisle. Even though it needs to be wide enough for two way, it is still proposed to be one way. But with that change to the site plan it really improves that

feature of the plan as well, because now we have 25 feet of maneuvering around the queue.

Simison: Thank you.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: On this slide here it seemed like the angled parking on that west side made sense to discourage access into the property from that western drive aisle, but the -- the updated change seemed to make accessing it on that west side possible, which wasn't the intent. So, can you comment on that?

Mussell: I can. I mean I understand that that is something that we might want to deal with. I think we can resolve it in some ways. You know, we can continue to restrict the width of the exit there and I think that would be a positive site change for us to make. So, instead of having the full 25 feet coming in, I think it would be wise for us to narrow that.

Borton: Can you put your pointer around where you are talking?

Mussell: Yeah. Right -- right here. So, it has to be 20 feet wide for the fire department there, but, yeah, I'm -- I'm envisioning that we would add a planter in this and, then, use the shape of that planter to discourage entry into the site. We will also have proper sign posting for one-way access.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I have seen other similar charter schools, they have got operation plans that have literally -- whether it's volunteers or staff out there -- just to -- to encourage or prohibit, I guess, anyone from turning in there. You get one car facing the wrong direction and it looks like your plan falls apart. Is that part of what Pathways anticipates doing, especially in the mornings?

Mussell: So, Pathways isn't here because we were anticipating the hearing to be continued. So, I would have to ask them in terms of what they are planning to do, but I will say the right -- the east side of the drive aisle is only usable as a one-way drive aisle and so, you know, as cars are coming in and dropping -- all -- all it takes is that the cars that are using the drive aisle to be going the right direction. I -- you know, these students and parents are going to be coming to the school on a -- on a daily basis or a twice per week basis, so I think the system ought to work out pretty well I would think. You know, they might get messed up here and there, but, you know, they will get -- they -- I would imagine that if there is a problem it will get remedied very quickly.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I agree with you. I -- it -- it happens once and people get the correct habits in how to access it, so it's a concern. It's probably a relatively minor one that gets resolved. You know, one mistake and they get it figured out and understand the pattern to properly access it. So, thanks for the explanation.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Kent, I have a question and maybe it would be better for a representative of Pathways to answer it, but my question is in terms of the consistency of the times when students are coming to be dropped off or leaving, one thing I wasn't clear about is kind of like they would come at different times during the day for their hour, hour and a half period where they are at the school. Is that schedule changing depending on the student and the situation or is the schedule pretty consistent every day in terms of when students arrive and when they leave?

Mussell: Yeah. So, the schedule is consistent in a one way and, then, also up to the student in another way. So, the sessions start at 8:00 a.m., 10:00 a.m. and 1:00 p.m. and -- but as I had mentioned earlier, the students have some self-determination in this. So, some students will show up, take their tests and, then, leave and, then, some students will engage in more education while they are there in the form of, you know, one-on-one tutoring with their students -- or with our teachers. So, they can be there -- when they leave is much less determined than when they arrive. So, the start times are set. The students need to be there at 8:00 and 1:00 and, then, when they leave varies.

Cavener: Mr. President?

Simison: Mr. Cavener.

Cavener: Kent, a couple of questions for you. I want to start first with the conditional use permit to prohibit the pedestrian and bike access. Can you maybe explain to Council the basis for that. In -- in one sense you talk about having a -- you know, a big chunk of the students travel by means other than vehicle or carpooling. On the other side I could imagine me if I lived in that neighborhood not wanting to create a secondary staging area, but can you help fill in Council as to the rationale behind that request?

Mussell: So -- so, as I understand the specific use standards for -- for schools in Meridian's code specifically requires a conditional use permit when there is no separate protected pedestrian access through an adjacent neighborhood and Sonya can clarify on that. This parcel also needs it, because we are seeking an L-O zone for the parcel. But I just can't imagine this particular school finding a parcel that meets that criteria.

Now there is -- there is a sidewalk and a bike lane on Ustick Road, but it doesn't go through an adjacent neighborhood, which is the requirement in code.

Cavener: Mr. President, additional question. So -- so, Kent, in your -- your testimony you talked about kind of the staging time kind of correlating with kind of module times for the students. You know, as Council we look at what is being presented before us, but it also sits in the back of our mind that not everything is always permanent. Would you and the applicant that you are representing be supportive of a development agreement that put sideboards into the operational time for this facility?

Mussell: Can you clarify what you mean by sideboards?

Cavener: Yeah. So, I think a development agreement that would dictate the hours of operation to correlate with the times that you provide -- provided your testimony today.

Mussell: Oh, yeah. Absolutely. Pathways has -- like this will be their second location in Idaho. But, yeah, these are very standard operational hours for all of their locations. They have them in other states as well. So, I mean I can't officially speak for them, but I don't anticipate that being a problem.

Cavener: Thanks, Mr. President. That's all my questions for now.

Borton: Council, we have got members of the public here. Let's go ahead and turn it over to the public testimony and see if we have got any folks in the audience who have signed up to testify. Mr. Clerk.

Johnson: Mr. President, first is Steve Swann.

Borton: Thanks for joining us, Steve. For your patience again.

Swann: Steve Swann. 1042 East Ustick Road, Meridian. We are the driveway directly across from this house and I will tell you that there is no such thing as a nonpeak time traffic on Ustick Road anymore. Actually, there is about 10:00 o'clock is about 15 minutes. But as evidenced by Mr. Mussell's employees with his trailer to try to get in and out of the school, they have -- we have clocked it. They are almost there ten minutes sometimes before they are making that left turn into their driveway and we can't make left turns, because that's blocking us and they are blocking traffic when they are pulling that trailer in. So, this is one vehicle with one trailer and it's making a problem already. So, the other thing that's interesting is we are going to take the -- the community's least experienced drivers and we are going to have them crossing two lanes of traffic on Ustick Road and I had a young lady hit me the other day up there by D&B and attending police officer with that said he has got teenage drivers and there is no way he tells his kids they can ever make a left turn across two lanes of traffic. I guess another question I have got is this is a school zone. Is this going to be a lighted school zone with a 20 mile an hour speed restriction and this is going to be four days a week, 12 months out of the year. Ustick Road is one of the few roads that doesn't have

a school along there for a couple of miles. There is one over at Cloverdale and Ustick, but there isn't another one until you get clear to Canyon county. So, we are going to be bottlenecking everything right there. Have you guys been down Locust Grove from Ustick going north during school times? We are going to put another school in another place to do more of this. The other thing is how are you going to get kids across the street? Because kids are going to go across Ustick Road. Are you going to put in a crosswalk? Are you going to put a crosswalk light there in our driveway? How is that all going to work? We can't make left turns now. We have got a traffic pattern that it flows fairly well. As Nancy said when she testified at the Planning and Zoning, Ustick Road is a raceway. We have watched people on motorcycles doing 60 to 70 miles an hour through there. It's crazy. You think there is a bike path along Ustick? There is no way I put my kid on it. It's way too dangerous to have a bike anywhere near that -- near that road. So, I think there is some common sense things here that our construction friend is missing. I don't think anybody's going to argue that we need charter schools. I think we need a bigger charter school than a one acre charter school. It's just not there. And there are other places to build in Meridian. There really are. I'm a pilot. You know, you can fly around and see it. It looks like my time is up.

Borton: Thank you, Steve. Council, any questions?

Cavener: Mr. President?

Borton: Mr. Cavener.

Cavener: Steve, do you mind a question. One, to Council President Borton's comments, thanks for your participation to the process. I think sometimes local government's effort to be complete isn't always efficient for the public standpoint. So, I appreciate you coming today and Planning and Zoning Commission meetings and being with us tonight. Your comment about you are not able to turn left out of your home really resonated with me and so it got me thinking again in terms of -- if this facility were to be built do you think a -- a right-in, right-out access should be required to help eliminate those left-hand turns, either exiting the property or turning left into the property?

Swann: That might, Councilman. The other thing, though, is by the ingress on the east side and, then, people egressing off the property in front of our driveway will help us with left turns, but that will put us in conflict with other people wanting to make left turns and we are making left turns across a five lane road. So, you are going to put two sets of traffic at odds with each other right directly across from each other.

Cavener: All right. Thank you. I appreciate your perspective this evening.

Taylor: Mr. President?

Borton: Ms. Little Roberts. Or Taylor.



Taylor: Steve, I just want to know how long it takes you to mow your lawn. I have seen it. Okay. I hope you get paid really well.

Johnson: Mr. President, next is Nancy Wilson.

Borton: Welcome. Thanks for joining us tonight.

Wilson: Thank you. My name is Nancy Wilson and I live at 3299 North Boulder Creek Avenue in Meridian. I'm very much in -- in favor of charter schools in the right place. Aside from the increase in traffic on Ustick Road, it's already busy. Speed is poorly controlled. But I think that there is other safety concerns as well. One being there is no crosswalk and I know that there was a student from Meridian Middle School that was hit and killed by a car running across the street. They put in -- there is this stoplight that has a crosswalk and they also put in a lighted crosswalk at the library and those kids are still running across the road. I go over there all the time and there is always some kids running across the road and I think that with -- especially if there is not going to be a school zone, that's just an accident waiting to happen. The other thing is that I know I have driven by where Compass Charter School used to be and the cars would stack up in traffic waiting to turn in and what happens I have noticed from some of the other schools is that, then, parents -- they don't want to wait, so they start -- well, let's just drop junior off on the sidewalk. So, then, they are stopping in the middle of the road, dropping their kid off, stopping in the middle of the road picking their kid up, because -- or their kid is running across the street for them to pick up and I just -- I think that's another problem, too. I think that there is going to be stalking of traffic and I just think that that's just -- traffic is already too busy and I also wanted to point out -- I think they -- Mr. Mussell talked about the charter school in Nampa. The charter school that they did in Nampa -- I believe what used to be a grocery store. So, that parcel was designed for traffic to come in and out of and this to me just does not seem to be a good fit. Thank you.

Borton: Thank you.

Cavener: Mr. President?

Borton: Councilman Cavener.

Cavener: Can I ask you a question real quick? Sorry. Hi. Thank you for being here tonight. I followed the Planning and Zoning Commission meeting in preparation for tonight and it does appear that the applicant has made some changes to how traffic flows through their property and I think it's important to note your feedback about Compass is well heard. My son goes to Compass and even in their new location cars stack up even on Black Cat. In fact, it was a topic of conversation amongst our Council during our 4:30 work session and so I'm just curious -- because you have been an active participant, do you see improvement from what was initially proposed in the Planning and Zoning Commission versus what's before us now or do you think it -- it's not going to continue to solve the problem or do you feel it will make it worse?

Wilson: I do think that it -- it is better, that they don't have -- because before when there was not an egress, yeah, I mean that was an impossible situation. People would get in there, they would get blocked in, they couldn't get out, but now you have got -- you know, in between two sessions a day you have got a 15 minute period. Are they really going to be able to get all those kids out into cars, out of there before the next ones start coming in and --

Cavener: Thank you. That's an exceptional point. I appreciate that. Thank you.

Wilson: All right. Thanks.

Johnson: Mr. President, next -- I apologize if I butcher the name. Jack Dawn Bush. Maybe it's Jack and Dawn.

Borton: Good evening. Thanks for joining us.

Brook: Dawn Brook. 964 East Ustick Road. We live to the west of the Swanns, so we are directly across the road. Really, everything I was going to say it's already been stated by our neighbors. I just thought that because we had come that maybe I should just come and say that I was a teacher in Meridian School District for 14 years and I was in middle school and, then, elementary, but I just know how traffic can backup and how kids can be impulsive and we have just such a traffic pattern there that I can see the potential for real problems and I just strongly recommend that unless you guys can have some kind of a crosswalk zone that's going to slow traffic down that we just reconsider granting this annexation. Thank you.

Borton: Thank you, Dawn.

Johnson: Mr. President, those were all the sign-ins.

Borton: That's everybody who has signed up. Is there anybody in the room who didn't sign up who wishes to come forward and provide any testimony? Going once. Going twice. Anybody signed up online, Mr. Clerk?

Johnson: Mr. President, no.

Borton: Okay. That is all the public testimony as of right now. Does the applicant wish to provide any wrap-up comments?

Mussell: Yeah. I will add a couple of things. Thank you. I think that the -- some of the comments that were brought up from the public -- ACHD's report would be helpful, because that would kind of answer some of these questions about what's going to be required in terms of crosswalk, whether they would want a school zone or anything like that. I am -- I would just defer to them on that. I did realize I didn't state some things about this school in my original testimony. So, these are high school aged kids. That's something I didn't mention as we were talking about it. It may have been evident from

context from Mr. Swann's testimony, that these are driving age kids. In terms of the queuing capacity, we have quite a lot of distance to be able to queue students with the U shape on the site and our -- you know, our -- we have two different traffic engineers who have looked at this project at this point and I think we have a lot of leeway. So, if queuing ends up being more substantial than anticipated, we have -- we are using less than half of what we have available on paper. And, then, I also wanted to address the comment that we should -- that we might -- that it would be better to find a larger parcel -- or, you know, to have a larger school even. This Pathways is importantly a small operation. They -- you know, they have eight students to one teacher and so it's by design that there is a small number of students and a large number of staff present at this facility and that is -- it is intentional that they -- this is about as big as a Pathways operation gets, 8,000 square feet. So, one acre parcel is just the kind of thing that they need and I do hope this ends up being the place for them to go.

Borton: Thank you, Mr. Mussell. One question that -- that comes up from the public comments that is very relevant, regardless of size of the population are those left-ins on Ustick and I'm wondering if in any part of the design it was contemplated in light of the direction of traffic where the access would be on the east side -- or on the west side and you might have a right-in only on the west side and, then, a right-out only on Ustick to eliminate even the opportunity to make a left-hand turn. Was that contemplated in any of the design?

Mussell: It was. Actually, we had drawn it that way to begin with. ACHD had asked us to switch the direction of -- of the traffic flow and the main reason why is when the vehicles travel clockwise through the property the drop offs are on the sidewalk side of the vehicles. So, it's safer for the students during drop off to go clockwise.

Borton: So, it seems to be a little bit outside the wheelhouse of ACHD. If -- if -- yeah. If your applicant thought that -- that they had a way to mitigate the risk on their property to safely shepherd students into their school, it just seems like that risk on Ustick Road is much greater, so -- let me ask you this. If -- if ACHD hadn't made the comment does your client have a preference or are they opposed to having a right-in, right-out heading eastward on Ustick and design it in such a way that you can't make lefts -- left-ins into it?

Mussell: I -- I don't have an objection to that and our client I'm sure also does not. Yeah. I wasn't terribly concerned about -- you know, because students aren't always necessarily on the passenger side of the vehicle and they are being dropped off in parked cars. So, I think it's -- it's a relatively simple matter for them to exit on -- opposite the building. But, yeah, if that was something that Council wanted us to change we would be happy to do that. I don't know if staff has any comment on that particular suggestion.

Borton: Thank you. There may be other questions here from Council.

Taylor: Mr. President?

Borton: Councilman Taylor.

Taylor: I do have a question. I don't know who the right person is to answer that. It hadn't occurred to me -- are we required to have a school zone on the roadways if there is a charter school? I don't know if that's something the applicant knows or if that is something that is required.

Mussell: I don't know what's required. It would be an ACHD thing if it were required and I know we do a lot of charter schools, so I do know that very often charter schools don't have a school zone next to them and it is important to keep in mind there is a relatively small number of students attending this campus at any given time. I'm sure there is some sort of math that goes into it, but I am not the expert to be able to answer that question.

Borton: Council, any other questions of the applicant?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Not so much a -- maybe a question, but something I think for -- for probably the applicant to -- to discuss. I think we are headed towards a continuance at some point -- is, first, I guess I want to start -- I appreciate what the school is trying to do. I have a child who learns differently than a lot of other kids and having resources like this are important and I think that you have made probably the best engineering decision to move vehicles through this property as you can, but my concern is probably dealing not so much with the traffic moving in, it's -- it is those conflict points of when students are leaving and when more vehicles are being dropped off. At least -- and I can appreciate there is an engineering perspective and I'm not smart enough to be an engineer, so this is a parent perspective who is in a carpool lane on a fairly regular basis that gets stacked up is as congestion and stacking occurs, parents try to mitigate that by coming early, which only will exacerbate I think the problem that you are proposing. So, I would -- I would encourage you to meet with your client between now and the continuance to talk maybe a little bit more about operational hours to reduce that and -- and my focus is really the last thing that anybody wants is a vehicle stacking up on Ustick. Too much of the testimony from the public tonight that is not an appropriate location to be an auxiliary stacking lot and I really think that there is probably some added work needed to address that before I could be supportive of this application. Secondly, the CUP without the pedestrian and the bike lane elements are a little troubling to me. To be frank, I didn't get a -- I think a response from you as to the why behind that and so if that's something that you want to either reiterate now, I'm happy to hear that or to bring that to your testimony on the continuance.

Mussell: So, yeah, I do want to address just the comment. So, is the question why we are seeking -- what is it about the -- like titling of the agenda item for the conditional use permit?

Cavener: Mr. President. Yeah, you are -- you are seeking a CUP because you don't have a safe and separate pedestrian and bike way access and I -- I think my question was help me understand the why and maybe you addressed it, I just didn't hear it. It was -- I just didn't know if you would answer that question as to why you don't feel those are necessary.

Mussell: Oh. Right. Why we don't feel it's necessary to have the -- I see. So, I understood the question as being why is it that we are seeking the conditional use permit with -- with that particular condition applied. The condition was added to the agenda by staff because of the way that code is written, but in terms of why we think it's okay to have it at this particular school in a location that doesn't have a separate pedestrian access to an adjacent neighborhood, I -- my answer to that is that I think it will be -- that seems to be written with in mind large schools that tend to be built next to neighborhoods and it's kind of by design that these -- that the code seems to want schools to be built next to neighborhoods. We are next to a neighborhood and we do have a bike lane that connects the neighborhood to our campus, but I just -- I think that that particular element of the code is intended for larger schools and it's intended to give Council the opportunity to -- to kind of make sure that they review the safety of any school that's put in Meridian, especially schools with little kids. This -- this is different in a number of ways -- in a number of ways and I think just because of the size of it, the age of the students that kind of one-on-one nature of it and this comparatively small number of students who are going to be arriving on foot, I think mitigate any concerns. But it is up to Council to determine what they think the risk is, I suppose.

Borton: Council Woman Little Roberts? Okay. Council, any other questions for the applicant? It sounds like there is some inertia to continue at least for the limited purpose of receiving ACHD's report, allowing our staff and the public an opportunity to review it. That does not seem realistic to happen in seven days. Hopeful, but not really. Which would make it otherwise March 26th. I know the applicant wants to do things that might give them a chance to be open this fall, which we are sensitive to that as well, but we certainly have had a habit of rather than do it right now, we stress it's better to do it right. So, my inclination is to continue it a little longer and I will tell you in your discussions with the applicant what you do with your client, Mr. Mussell, I think any component of left turn in may be a fatal flaw from my perspective and the fact that they are older kids and the fact that it's a lower population number, all of that definitely tilts in your favor and mitigates the risk to a large degree, but it doesn't eliminate it and we have seen all too often -- and we know Ustick is purposely designed to be fast. Forty is the low speed and we -- I mean it's an arterial. It's supposed to move lots of people. So, that's one of the challenges. There is nothing you could do about it. I don't expect ACHD to have any solutions on how to make that safe by any stretch. So, maybe one of the only design elements -- the reason why the CUP. Maybe, a right-in, right-out. And there is a few -- if you -- so, if you have time to discuss that and see there is probably -- that's a -- that's a big one for me. That's -- I struggle with any left-in opportunity here. So, I look forward to what you guys come up with on that topic and I think Councilman Cavener's idea that a DA that could incorporate that, it could limit the hours of operation, so we know that this property isn't going to be, you know, expanded

with a different educational user to evening hours and things like that to ensure that it's harmonious with the -- with the neighborhood as much as it can be. Mr. Mayor, we were doing -- the applicant provided their final comments. Council's provided some direction if there is going to be a continuance, things that we want the applicant and ACHD to focus on with our staff to -- the public hearing would remain open. The idea being -- or the intent would be it would remain open for the purpose of traffic and transportation elements of the application. A little more narrow. So, that's kind of where we are at.

Simison: And even though I just came back in at the very last minute, the thing -- if you are considering right-in, right-out, you need to change the traffic flow through this --

Borton: He's already testified that --

Simison: Okay. I will shut up. All right. So, Council, with that in mind do we have a motion?

Borton: March 26th would be the realistic day to give everyone ample time to do good work.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: To Council President Borton's point, I think particularly with the patience of our public to not continue this to a time we would have to re-continue it again, I would move that we continue Item H-2023-0061 to March the 26th.

Borton: Second.

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

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, I heard earlier before you started testimony about limiting it for your second one. I didn't hear that in your motion. So, is it still just open for any comment?

Borton: Mr. Mayor?

Simison: The motion maker --

Cavener: And this -- I appreciate I think where Council Member Borton's comments are and appreciate he is trying to flag that. My preference always is that if we are going to continue a public hearing and somebody else hears about this and they would want to

provide some information, that I want to create that opportunity to do that. So, I was not looking in my motion to limit public testimony or anything. Certainly Council's got some sideboards about the things we are going to want to focus on, but I don't want anyone to feel that they couldn't come and provide some added testimony.

Simison: Thank you. Further discussion on the motion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is continued until March 26th. Thank you all. See you at the end of the month.

### **FUTURE MEETING TOPICS**

Simison: Council, we vacated the executive session, so any future meeting topics or do I have a motion to adjourn?

Borton: Mr. Mayor, I move we adjourn.

Simison: Motion to adjourn. All in favor signify by saying aye. Oppose nay? We are adjourned.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 7:21 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

\_\_\_\_\_  
MAYOR ROBERT SIMISON

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
DATE APPROVED

ATTEST:

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