

A Meeting of the Meridian City Council was called to order at 6:00 p.m. Tuesday, October 3, 2023, by Mayor Robert Simison.

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

Members Absent: John Overton

Other Present: Chris Johnson, Bill Nary, Linda Ritter, Laurelei McVey, Clint Dolsby, Berle Stokes, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

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

Simison: Council, we will call the meeting to order. For the record it's October 3rd, 2023. It's 6:00 p.m. We will begin this evening's regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: We had no one signed up for the community invocation.

ADOPTION OF AGENDA

Simison: So, we will move right on to adoption of the agenda.

Hoaglund: Mr. Mayor, no changes on this evening's agenda, so I move approval of the agenda as published.

Strader: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

PUBLIC FORUM – Future Meeting Topics

Simison: Mr. Clerk, anyone signed up under public forum?

Johnson: Mr. Mayor, there is none.

PROCLAMATIONS [Action Item]

1. Fire Prevention Month

Simison: Okay. Then we will move right on to Item 1, which is proclamation for Fire Prevention Month. Herb, if you would like to join me at the podium or -- we want the public to see your good side in that regard. So, as mentioned, we are here for Fire Prevention Month and, Herb, thank you for being here to accept this proclamation on behalf of myself and City Council. So, we will go with that and say a few words and let you say a few words as well. Whereas the City of Meridian is committed to ensuring the safety and security of all those living in and visiting their city and whereas fire is a serious public safety concern, both nationally and locally, and homes are the locations where people are at the greatest risk from fire and whereas Meridian's first responders are dedicated to reduce the occurrence of home fires and related injuries through prevention education and whereas Meridian residents are responsive to public education measures and are able to take personal steps to increase their safety from fire and whereas this year's theme, Cooking Safety Starts With You. Pay Attention to Fire Prevention, effectively reminds us that cooking is still the leading cause of residential fires in the United States. The Meridian Fire Department asks everyone to stay in the kitchen whenever you are cooking and not to leave your cooking unattended. Therefore, I, Mayor Robert E. Simison, proclaim the month of October 23rd -- October 2023 as Fire Prevention Month in the City of Meridian and call upon the community to heed the important safety message of Fire Prevention Month and stay in the kitchen and avoid any distractions that remove your focus from what is on the stove to keep our community safe, dated this 3rd day of October 2023. So, on behalf of myself and Council please accept this proclamation and thank you for being here to help support Fire Prevention Month.

Griffin: Thank you very much. Thank you, Council. We want to thank the public also for coming out on Saturday. We had a wonderful turnout despite the weather at our Public Safety Day and we are just real happy to be able to get this safety message out to the public and keep everybody as safe as possible. Thank you.

ACTION ITEMS

2. Public Hearing for Fiscal Year 2024 Public Works Fee Updates

Simison: With that, Council, we will move on to tonight's Action Items. First item up is a public hearing for fiscal year 2020 for Public Works fee updates. We will open this public hearing with staff comments from Director McVey.

McVey: Good evening, Mayor and Council. We don't have any additional presentation, but we did not receive any public feedback on this one. Again, this is just our pass-through costs for fees for when damage occurs, like hitting streetlights or fire hydrants. So, they are just direct pass-through costs.

Simison: Thank you. Council, any questions? Okay. Thank you very much. So, this is a public hearing. Mr. Clerk, did we have anyone sign up?

Johnson: Mr. Mayor, we did not.

Simison: Okay. Is there anybody present or online who would like to provide testimony on this item? Seeing none, do I have a motion to close the public hearing?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I move that we close the public hearing.

Perreault: Second.

Simison: Have a motion and a second to close the public hearing. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is closed.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

3. Resolution 23-2417: A Resolution Adopting new fees of the Meridian Public Works Department; Authorizing City Staff to Collect Such Fees; and Providing an Effective Date

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: If we are okay with moving to the next item, I move that we approve Resolution 23-2417, a resolution adopting new fees of the Meridian Public Works Department, authorizing city staff to collect such fees and providing an effective date. I would just

note that, you know, these fees are pure pass-through costs and I think we have had a couple of different discussions on it already.

Simison: Have a motion. Do I have a second?

Perreault: Mr. Mayor, did you get a second? I second that motion.

Simison: Have a motion and a second. Do I have discussion? If not, Clerk will call the roll.

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

Simison: All ayes. Motion carries and the item is agreed to. Thank you.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

4. Public Hearing for Boise Regional Realtors (H-2023-0046) by Jackson Bidwell, EV Studio, located at 1911 S. Wells Ave.

- A. Request: Vacation to vacate a 20-foot by 20-foot City of Meridian Water Easement.

Simison: Next item up is Item 4, a public hearing for Boise Regional Realtors, H-2023-0046. We will open this public hearing with staff comments.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: While the staff is preparing just like to make it known that I am a member of the Boise Regional Realtors and I discussed that membership with our legal team, who has cleared me to be involved in the voting this evening. I have no decision making capacity on behalf of the realtors in any way, so I just wanted to put that out there for the public.

Simison: Thank you.

Ritter: Good evening, Mayor and Council. I'm Linda Ritter, associate planner for the City of Meridian. So, tonight we are talking about the Boise Regional Realtors vacation request, Item No. H-2023-0046. This site consists of 1.236 acres of land, zoned C-Z, located at 1911 South Wells Avenue. Again this request is to vacate a 20-by-20 foot City of Meridian water easement located along the northeast corner of Lot 5, Block 3, of Gramercy Subdivision No. 1. A certificate of zoning certification and design review application, A-2022-0030, has been approved for construction of a one story 8,470 square foot office building at this location. It has been constructed, so the eight inch

water stub that was located within this easement has been abandoned and/or removed. The property is, instead, served by a water stub at the southeast corner of site. A relinquish letter was received from the City of Meridian for the easement proposed to be vacated. Since this is only a city water easement, no other relinquish letters from the various other utilities providers are required. So, staff is recommending approval of this. We had no public written testimony and at this time I will stand for any questions that the Council has.

Simison: Thank you, Linda. Council, any questions for staff? Okay. Were we expecting the applicant to be here this evening?

Ritter: I thought he was sitting at the back of the room there. I'm not having much luck with these, am I?

Simison: Okay.

Ritter: But we do have someone from Public Works who can verify that the easement is not in use.

Simison: Mr. Dolsby, would you like to do -- say those words officially?

Dolsby: Mr. Mayor, Members of the Council, yes, that easement is not in use and we do not need the easement. We are in favor of the application.

Simison: Thank you. Seeing no applicant, is there anybody else present that would like to provide testimony, even though there is nobody else in the room or online that's not a city staff, just so Council who is not here is aware. How would you like to proceed?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I will just provide some perspective so you know where I'm coming from. This is a pretty cut and dry application. However, a number of weeks ago I think we had another very cut and dry application where the applicant wasn't there. During that meeting I said I wouldn't feel comfortable voting on any type of application without at least hearing from the applicant. Certainly we don't have anybody from the public that's here. Should there have been somebody here I think the applicant has an obligation to be here as well. So, I will either be abstaining tonight or voting no on this application or being supportive of a continuance to allow the applicant to be here for a precedent to be set.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I have a similar thought. I think I have expressed this in the past before. It's important for people to show up. I just am concerned that it sort of promotes bad behavior if we continue to let people come forward and they don't show up and it is important, because if there was a member of the public and they are not here. But I would also be in support of a continuance or a nay vote on it tonight or at least abstain from it as well. I just -- I think maybe it would be good for the Community Development Department to just communicate to all applicants on -- on these matters going forward -- and I'm sure we do, but just to like kind of let them know that it's important that they show up to their public hearing.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. Just regarding this, you know, the last situation that happened it was a deal where they apologized profusely and one of those things where they thought someone within their organization was covering, the other folks in the organization thought the other one was covering and they weren't able to make it. It was pretty straightforward. I have no idea what -- what this is about. We certainly do prefer that they -- they show up, but being that it's a city only type of easement, we know that it's not there, there is no situation to that. Maybe if a letter is sent to them expressing their displeasure that they didn't show, but we took action just to move forward with this, get it done. I don't know if there is major repercussions if we don't do it now, if we delay it, but I think just letting them know that the ex -- what the expectation is and have Linda pass on to the superiors in her department that they can pass that along as well, that we expect to hear from them and we have an online system now, it's a lot easier, you don't have to actually physically show up, but we do have that expectation. So, if -- if we want to just move this forward I'm fine with doing that, so --

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I agree with Council President Hoaglun, because the City of Meridian is a party to this and it is a water easement that belongs to the city. I don't have any hesitation in moving forward. If that wasn't the case I -- I would be inclined to agree with my -- my other Council Members, but I myself don't have an issue with -- with proceeding. With that said, did -- did we close the public hearing?

Simison: We have not yet.

Perreault: Are we ready -- we are ready -- do we feel like we have asked appropriately for any testimony that might be taken?

Simison: Yes. There is nobody online that's not a city staff member and no one in the room who is here. If you want to take a five minute recess, I bet you we could get a representative from BRR to Zoom in. We can try to do that if you prefer.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah, let's take a five minute recess, try to -- try to get someone on and let's be here and have everyone on the same page with this, so -- that will be good thing.

Simison: Okay. We will recess for five minutes.

(Recess: 6:15 p.m. to 6:20 p.m.)

Simison: So, we will go ahead and come back from recess. I understand the applicant is -- a representative of the applicant is with us this evening. Cameron, are you there?

Kinzer: Yes, I'm here.

Simison: Okay. Do you have any comments regarding the application on behalf of the applicant -- applicant?

Kinzer: I do not. I reviewed the documents and I think everything was in order. So, I don't have any comments to add from the BRR.

Simison: We will take that as in -- in agreement with the staff report and conditions. Yeah. And, Cameron, can you state your name and address for the record?

Kinzer: Yeah. Cameron Kinzer. I live at 4344 North Vera Street in Boise, Idaho. 83704.

Simison: Thank you. Council, any questions for the applicant? Okay. Would the applicant like to make any final comments?

Kinzer: No, thank you.

Simison: Okay. Then do I have a motion to close the public hearing?

Perreault: Mr. Mayor, I move that we close the public hearing for h-2023-0046.

Hoaglund: Second the motion.

Simison: Have a motion and a second to close the public hearing. All in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is closed.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: After considering all staff, applicant and public testimony, I move to approve File No. H-2023-0046 as presented in the staff report for the hearing date of October 3rd, 2023.

Hoaglund: Second the motion.

Simison: Have a motion and a second to approve Item H-2023-0046. Is there discussion? If not, Clerk will call the roll.

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

Simison: All ayes. Motion carries. The item is agreed to.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

ORDINANCES [Action Item]

5. **Ordinance No. 23-2037: An Ordinance amending Unified Development Code Section 11-2A-2, Table 11-2A-2, concerning allowed uses in residential districts; amending Unified Development Code section 11-3A-3(A) concerning access to streets; amending Unified Development Code section 11-3C-6, Table 11-3C-6, concerning required parking spaces for residential use; amending Unified Development Code section 11-4-3-2 concerning arts, entertainment or recreation facility specific use standards; amending Unified Development Code section 11-4-3-10 concerning drinking establishment specific use standards; amending Unified Development Code section 11-4-3-27(B) concerning site design requirements for multi-family developments; amending Unified Development Code section 11-4-3-27(C) concerning alternative compliance to open space standards for multifamily developments; amending Unified Development Code section 11-4-3-41 concerning vertically integrated residential project specific use standards; amending Unified Development Code section 11-5A-3(F) concerning request for City Council review; amending Unified Development Code Section 11-5A-4 concerning administrative process; amending Unified Development Code section 11-5A-6 concerning public hearing process; amending Unified Development Code section 11-5A-7 concerning City Council review process; amending Unified**

Development Code section 11-5B-5, Table 11-5B-5, concerning alternative compliance; amending Unified Development Code section 11-5B-5(E) concerning alternative compliance required findings; amending Unified Development Code section 11-5B-6(E) concerning conditional use findings; amending Unified Development Code Section 11-6C-3(D) concerning common driveways standards; and providing an effective date.

Simison: With that we will move on to Item 5, which is Ordinance No. 23-2037. Ask the clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance amending Unified Development Code Section 11-2A-2, Table 11-2A-2, concerning allowed uses in residential districts; amending Unified Development Code Section 11-3A-3(A) concerning access to streets; amending Unified Development Code Section 11-3C-6, Table 11-3C-6, concerning required parking spaces for residential use; amending Unified Development Code Section 11-4-3-2 concerning arts, entertainment or recreation facility specific use standards; amending Unified Development Code Section 11-4-3-10 concerning drinking establishment specific use standards; amending Unified Development Code Section 11-4-3-27(B) concerning site design requirements for multi-family developments; amending Unified Development Code Section 11-4-3-27(C) concerning alternative compliance to open space standards for multifamily developments; amending Unified Development Code Section 11-4-3-41 concerning vertically integrated residential project specific use standards; amending Unified Development Code Section 11-5A-3(F) concerning request for City Council review; amending Unified Development Code Section 11-5A-4 concerning administrative process; amending Unified Development Code Section 11-5A-6 concerning public hearing process; amending Unified Development Code Section 11-5A-7 concerning City Council review process; amending Unified Development Code Section 11-5B-5, Table 11-5B-5, concerning alternative compliance; amending Unified Development Code Section 11-5B-5(E) concerning alternative compliance required findings; amending Unified Development Code Section 11-5B-6(E) concerning conditional use findings; amending Unified Development Code Section 11-6C-3(D) concerning common driveways standards; and providing an effective date.

Simison: Thank you. Council, you have heard this ordinance read by title. Is there anybody that would like it read in its entirety? Seeing none, do I have a motion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: That was just the title? I move -- I move that we approve Ordinance No. 23-2037.

Strader: Second.

Seal: Have a motion and a second to approve Ordinance No. 23-2037. Is there discussion? If not, Clerk will call the roll.

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

Simison: All ayes. Motion carries and the item is agreed to.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

FUTURE MEETING TOPICS

Simison: Council, anything under future meeting topics?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: In light of this ordinance, one of the items that Planning has presented to us a couple of times is conversation regarding adding additional locations in the city where buildings up to a hundred feet can be built and I would like to request that we have the Fire Department bring some more information to us to how those buildings would be responded to and so I know we had talked about possibly putting that on a work session agenda sometime in October, but I don't know what the plan is, so --

Simison: It's on for October 17.

Perreault: Wonderful. Okay. Thank you very much.

Simison: Okay. Anything else under future main topics? And if not, do I have a motion to adjourn?

Hoaglund: Mr. Mayor, I move we adjourn.

Simison: Motion to adjourn. All in favor signify by saying aye. Opposed nay? The ayes have it. We are adjourned.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 6:26 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

ATTEST:

DATE APPROVED

CHRIS JOHNSON - CITY CLERK