

A Meeting of the Meridian City Council was called to order at 6:01 p.m., Tuesday, February 23, 2021, by Mayor Robert Simison.

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

Also present: Chris Johnson, Bill Nary, Bill Parsons, Sonya Allen, Alan Tiefenbach, Crystal Campbell, Mark Ford, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Liz Strader	<input checked="" type="checkbox"/> Joe Borton
<input checked="" type="checkbox"/> Brad Hoaglund	<input checked="" type="checkbox"/> Treg Bernt
<input checked="" type="checkbox"/> Jessica Perreault	<input checked="" type="checkbox"/> Luke Cavener
<input checked="" type="checkbox"/> Mayor Robert E. Simison	

Simison: Council, we will call this meeting to order. For the record it is February 23rd, 2021, at 6:01 p.m. We will begin this evening's regular City Council meeting 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 led by Pastor David Snyder of Twenty Six Eight Church. Pastor Snyder, if you wouldn't mind come forward and for those of us in the room if you wouldn't mind joining us in the invocation or take this as a moment of silence.

Snyder: Thank you. Appreciate it. 1st Timothy says: First of all, I urge that supplications, prayers, intercessions and thanksgivings be made for all people, for kings and all who are in high positions, that we may lead a quiet and peaceful life, godly and dignified in every way. Father, we pray today to you, because you are the God who gives us peace and a quiet life. Who brings peace over cities and nations and you have granted us that favor in this city. We pray tonight that you would give wisdom to all who sit in positions with influence and authority. For Mayor Simison, for the Council Members. We pray for our police, for our firemen, especially, Lord, and ushering in a new fire chief tonight. We believe, Lord, that you have granted these people these positions for our good. So, we pray that you would give them wisdom and strength to execute their office well. We pray

that this city would continue to grow and it would be a place people want to come because of the righteousness and the peace that is present here and we bless you for this, in the name of your son Jesus, amen.

Simison: Thank you. Mr. Clerk, do we have anybody signed up under the public forum?

Johnson: Mr. Mayor, we did not.

ADOPTION OF AGENDA

Simison: Okay. Oh, I skipped. Sorry. Next up is adoption of the agenda anyways.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I would like to add an item to the agenda this evening. Item 3. Other than Item 3, everything looks good to go. With that I move that we adopt the agenda as amended.

Hoaglund: Mr. Mayor, I second the motion to adopt the agenda as amended.

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Sorry. Just I guess from a process standpoint, do we need to identify what that amended item is going to be now?

Simison: I believe it was on the posted amended agenda, so it should already be there. Okay. So, Councilman Bernt, if you just want to share the title.

Bernt: Sure. So, that -- that item, Item 3, that -- that we are -- that we have added to the agenda is a potential annexation impact due to property taxes -- proposed property tax changes.

Cavener: Thank you.

Bernt: You're welcome.

Simison: Okay. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it. The motion is agreed to and the agenda is adopted.

MOTION CARRIED: ALL AYES.

PUBLIC FORUM – Future Meeting Topics

Simison: There is nothing in the public forum.

DEPARTMENT / COMMISSION REPORTS [Action Item]

1. Appointment and Swearing in of Kristopher Blume as Chief of the Meridian Fire Department

Simison: So, we will move on to Item 1 under Department/Commission Reports, which is the appointment and swearing in of Kristopher Blume as the chief of Meridian Fire Department. With that I will go down to the podium. So, they have given me some nice words to say, so I don't go too long or don't screw things up. So, we will try to be expeditious in tonight's activity, so none of you miss out in case a call comes in. But welcome to everyone. Thank you for the wonderful turnout for tonight's activities of swearing in Kristopher Blume as the next fire chief for the City of Meridian. The only real things I want to say before I just get to the bio and get to the -- the point is I'm excited for today and I hope the men and women of the Meridian Fire Department are also excited today. With -- with new leadership comes new opportunities, new challenges, and, trust me, we have got plenty of challenges as a city, but I see nothing but opportunities here at our Fire Department as we move forward. So, very excited for today and, hopefully, you will be, too. So, with that let me just do a quick reading of the bio, so it's in the record, so if everyone hears from that standpoint. Kris Blume, originally from Idaho, comes to the City of Meridian and the Meridian Fire Department with 21 years experience with Tucson Fire. He will leave his role as battalion chief of the Special Operations Division, one of the Tucson Fire Department's highest ranking leadership positions, to lead the Meridian Fire Department. Chief Blume's experience includes administrative and operational assignments, as well as leadership roles in wildland fire, emergency management, paramedicine, hazardous materials, technical rescue and community risk reduction. Kris is a current instructor for the National Fire Academy. He is an expert in ground and emergency management. Chief Blume has also been an instructor for Firefighters Beyond Borders, an organization that connects firefighters in Arizona with the firefighting community in Israel to support one another in times of need. Kris is a consecutive fire officer graduate, author and speaker focused on values, driven, mission focus and leadership for the fire service. We welcome Chief Kris Blume to the Meridian Fire Department and the City of Meridian. We look forward to his leadership and working together to serve the great community of Meridian. With that, Chief -- or Kris Blume. Almost. If you would come forward to take the oath of office. With that if you would like to raise your right hand.

(Oath given by Mayor Simison, repeated by Kris Blume.)

Blume: I, Kris Blume, do hereby declare that I will support the Constitution of the United States and the state of Idaho and that I will faithfully discharge my duties as fire chief for the Meridian Fire Department and for the citizens of Meridian, to the best of my ability. I promise to protect and enhance our community through professionalism and compassion

in accordance with the Meridian Fire Department's guiding principles and policies.

Simison: Congratulations.

Blume: Thank you, sir.

Simison: I would now like to invite Chief Blume's wife Katherine and son Wyatt to come forward for the pinning of the badge. Well, technically, there is a technicality that we are going to have to do. I will go ahead and offer Chief Blume to say a few words to address Council, prior to their appointment officially.

Blume: Well, thank you to the Meridian -- Meridian City Council, Mayor Simison, the Meridian Fire Department, the City of Meridian and my family that was able to be here this evening. My family and I could not be more happy to be home. While my face is new to the community, it is not new to the fire service. In my 21 years in this profession I have learned the value of public service and more specifically that of public safety. It truly is a calling and, in my opinion, it's the highest of callings. Those in the fire service understand the mantle of responsibility that is associated with sending men and women into harm's way to save, serve, and protect others. As fire chief I believe that it is my responsibility to protect those that protect all of us. As to the men and women of the Meridian Fire Department, your safety, their safety, and their well being is at the forefront of the decisions I intend to make and support. They will also expect and be given honest, transparent communication internally, as well as externally with our partners in -- in the Treasure Valley. To the Meridian community and the Treasure Valley partners, Meridian Fire Department exists to serve the community. My vision for Meridian Fire Department is to continue to provide exceptional service. We will continue to be a progressive fire service organization that seeks best practices to meet the evolving needs of the community in a safe and fiscally responsible manner. The opportunity to lead and serve this incredible organization is inspiring and I could not be more proud. As I leave here this evening I am honored, I'm humbled, and I am excited to get to work. Thank you.

Strader: Mr. Mayor?

Simison: Councilman Strader, I think we -- if we can take care of some business first real quick. Okay. If you are there to make a motion, absolutely.

Strader: Super. I am. Mr. Mayor, I move that we confirm Kristopher Blume as the new chief of the Meridian Fire Department.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I second that motion.

Simison: I have a motion and a second. Is there any discussion on the motion? Seeing

none, I will ask the clerk to call the roll.

Roll call: Bernt, yea; Borton, yea; Cavener, yea; Hoaglun, yea; Strader, yea; Perreault, yea.

Simison: All ayes. Motion carries.

MOTION CARRIED: ALL AYES.

Simison: You are officially appointed. And I almost like doing it better this way. To make the speech and make your case. So, congratulations once again. Council, with that I'm going to call a five minute recess just allow us to reset. There are some refreshments in the lobby for those that are here, but -- so, we can do a couple of pictures and administrative duties. We will reconvene and try to be back at 6:20. Thank you.

(Recess: 6:14 p.m. to 6:22 p.m.)

2. Collective Labor Agreement Between the City of Meridian and the Meridian Fire Fighters I.A.F.F. Local 4627

Simison: All right. Council, we go ahead and come on back from recess. Next item on the agenda is Item 2, the collective labor agreement between the City of Meridian and the Meridian Firefighters IAFF, Local 4627, and I will turn this over to Mr. Rountree.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, as Tyler is coming up, I do want to point out that we had a couple of little errors that were not substantive error -- or not errors. A couple of tweaks -- words got left off -- you know, a few minor things. I have sent you that version. That is the version Chris had. I did speak with the union's counsel today. We both are in agreement these are necessary, but not substantive, so we can move forward with this agreement as it's being presented.

Simison: Okay. Thank you. Mr. Rountree.

Rountree: Mr. Mayor, Members of Council, super glad to be here tonight to be in front of you with a contract that is finished. So, I'm always been -- or always have been reminded that hard work sometimes takes some time and I think this document is a good representation of that -- that theory. We did take the bait early on when the Mayor asked us to have the contract done in 30 days. This crazy thing of COVID came into play and we kind of adapted and overcame that. And, then, even more crazy was our chief being hired away by Boise. So, it was a lot of work. Publicly I would like to thank Committee Chair Captain Brock Clapp, Captain Tony Chance, Captain Scott Warren and working out of class Captain Jarin Jones. Those guys stuck through this from start to finish. As a

local we have been working on it over a year. But, again, the end product is very good. I'm always impressed that as a group we always work together and we always find resolve. That doesn't mean that sometimes the meetings don't get a little spicy, but we do find common ground. We walk away and everybody has good things to say about one another when it's all over. So, I'm excited to report at our virtual meeting last night out of 69 people that attended that meeting, out of the 78 members that I represent, it was unanimous that it be passed and I can speak on behalf of our counsel that's pretty rare and she was elated to see that the membership was very happy. So, I could stand here a long time and thank the people on the city side that have been involved in this process. Every single person in HR, Finance, payroll, city legal -- there has been a lot of work and it is greatly appreciated by this local. We very much valued the relationship that we have with each and -- each and every one of you and as we do this we tend to lose sight of the big picture and the big picture is the day like today, bringing a chief in and having a good turnout in a COVID time, to be very supportive of this department. We don't get to come in here every week and tell you thank you for what you do, not only for us, but the city as a whole. We certainly appreciate your dedication to us and we appreciate the dedication that each of you have to the City of Meridian. And with that I would stand for any questions.

Simison: Thank you. Council, any questions?

Bernt: Mr. Rountree -- or Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Mr. Rountree. Tyler, I -- you know, you nailed the hammer on the head. I completely agree one hundred percent with what you just said. During these discussions especially, you know, these negotiations, it got -- it got hairy once or twice, maybe three times max. Sometimes we left scratching our heads wondering what the other party was doing or what their approach was. But the good thing about what we do here at the City of Meridian -- and that includes the Fire Department and the union -- is that we do find common ground and at the end of the day there is a level of trust that we both want the same thing. The end result is the same and I want to thank you, I want to thank your leadership. Captain Chance is here in the audience. Mr. Winkler. I want to thank your -- your -- your -- your -- your local and know that we appreciate all that you guys do. So, thank you so much and -- and two or three more years we will have this discussion again.

Rountree: So, we did go for a three year, which is -- is big. So, for me that will be a year from my rule of 80. So, that's always good. But, yeah, it's good. Certainly I think we listened to a few of the things that -- that the city and City Council wanted to see and we were able to find that common ground and get it into a contract. It's great.

Hoaglun: Mr. Mayor?

Bernt: One last thing. I don't mean to cut in -- I -- I want to thank -- I don't mean to cut off Councilman Hoaglun, but I want to thank Councilman Hoaglun, honestly, because so

much time went into this with you and -- and vacation time and I don't know how many different times I went to you and asked for a little -- we needed a little help and -- and you were adamant that you wanted to take care of business and so negotiations are -- especially this set of negotiation was -- was long and you were there from the beginning to the end and I just want to say thank you and at the end Council Woman Strader came in and helped out as well. Staff and -- thank you so much, Bill, and your team. So, I wanted to say thank you to Councilman Hoaglund, because all the time you put into this was a big deal.

Simison: Councilman Hoaglund.

Hoaglund: Mr. Mayor. Well, thank you for that -- those kind words, Councilman Bernt. I appreciate that. And -- and I just appreciate the work of the firefighters local leadership. Tyler, you and your team, your engagement, how diligent you were in that, the back and forth and seeing this through, I'm sure there was more than one time -- I know on both sides we probably thought is this really worth it. You know, building this STEP plan that I think is going to be very good for firefighters as they choose this as their career path and for the city and the taxpayers having the financial certainty being able to see and build to -- to what is coming down the road. I think it's -- it's going to be a very good thing for -- for all parties and, you know, some people think union contract negotiations are confrontational and -- and -- and for our community that is not the case. We have got people on both sides who live in this community, want the very best for this community, you know, it's a time that we look at processes and procedures and how they are handled. We look at what are the equipment needs. Do changes need to be made? What's the fair market value for the work? And, then, we just have to work through there. There is comparisons. There is research. And in the end we finally come to that -- that agreement that's workable for both sides and we appreciate that. I think the fun thing about this is -- is that there is trust that the word is good, that what your -- your leadership team was saying was true and the only thing that we had to do was -- because the lawyers made us write it down. So, we -- we -- but that's -- that's how great relationships work and -- because we are all invested in Meridian making it a better place. We know our firefighters are here to serve the citizens in this great community and, besides, you just never know when you sit down in a barber shop chair the union president might be right next to you. So, that's -- you know, that's how it works and we really appreciate the diligence that you guys put into it and I look forward to the next three years and I think it's great that here we are tonight ratifying this contract and Chief Blume is on board and we look forward to some great things for our firefighting team out there.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I echo the same comments and I know I came in kind of at the end, but I really appreciate Council Member Hoaglund as well for a special thank you on behalf of City Council for the many months that he stuck with this and thank you to the local, the legal team, the finance team. Any good agreement -- I think there is a level of compromise.

No one is going to get everything that they want. But I think this is fair and I think that it will hopefully stand the test of time for a few years. So, congratulations to Tyler on getting to this point and to everybody else.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: A couple of comments if I may. First this -- this is a great day to be in Meridian. It's great to have a new fire chief. It's great to have this contract before us. I do want to echo the thanks to our city employees, our finance employees, our HR employees and most importantly our fire employees. I recognize this is a contract. One that I heard at times while the conversations may have got a little squirrely, it's all because we are all passionate. I know that our fire employees are passionate for each other and for serving in our community, just like our finance, our HR, the City Council. Council Member Hoaglun hit the nail on the head, is that I really believe that when City Council and city attorney or whoever sitting across from members of the local, there is -- there is respect that -- that the information they are sharing to us is straightforward, that you are honest brokers, and I don't think that that type of a culture happens by accident. That's been built by previous city council's, previous union representatives, and I just want to thank all the parties who came together to continue that. I think it's important that we get three years that we continue to converse about the issues, not confront each other about the issues, and continue to work together for our employees and for our citizens and I think that's something really remarkable that makes me very proud to serve this city and I wanted to thank all of you for helping to make this a reality.

Simison: Any other Council Members? Okay. Well, I will just say thank you and congratulations on -- on both sides of it and to the point -- I mean not only -- this -- we can really focus on moving forward at this point in time. Think about a gift to your new chief, quite frankly. You come in, you don't have to worry about this, you can focus on what we need to now do as a department for the -- for the long term, for the next three years, where this doesn't have to become the focus of the conversation. So, thank you for that gift to him. Appreciate everyone's commitment for getting to this point in time and thank you for all the time that everyone did and for allowing me to on occasion pop in and sit in when I had those hours on the Zoom call. I enjoyed the conversation. I enjoyed listening to it. I did think was productive, even sometimes when it maybe got squirrely, but I really valued that. So, with that do I have a motion?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I will make a motion and dedicate it to Councilman Hoaglun. I move that we approve that collective labor agreement between the City of Meridian and the Meridian Firefighters Local 4627.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I second the motion.

Simison: I have a motion and a second. Is there any discussion on the motion? If not, Clerk will call the roll.

Roll call: Bernt, yea; Borton, yea; Cavener, yea; Hoaglun, yea; Strader, yea; Perreault, yea.

Simison: And as Councilman Borton liked to remind me during the negotiations I don't have a vote, but I do have a voice. Aye. So, it's all ayes. Motion carries. The agreement is agreed once I sign it, so thank you.

MOTION CARRIED: ALL AYES.

Rountree: Thank you.

ACTION ITEMS

3. Council Discussion: Potential Annexation Impacts Due to Proposed Property Tax Changes

Simison: With that, Council, we will move on to Action Items. Item 3, which was added to the agenda, is a proposed amended -- or the potential annexation impacts due to proposed property tax changes and I will turn this over to Councilman Bernt.

Bernt: Thank you, Mr. Mayor. I would like to raise an issue for consideration before Council and the Mayor before we hear from the applicants this evening. As we all know, the Idaho state legislature is considering a variety of different options of tax reform that will impact the City of Meridian directly and how we provide future services with growth or with changes to the growth that has already been approved. Recently the City of Meridian sent a letter to Chairman Rice in the senate local government and taxation committee in opposition to Senate Bill 1108. For those who are listening this evening I would like to highlight some of the important talking points in that letter. Senate Bill 1108 will substantially impact our service levels and limit our ability to keep up with growth needs. Meridian has done well by proactively saving before we spend for critical services and large scale projects. This type of planning has allowed us to remain a debt free city, completing multi-million dollar projects like building and opening Meridian Fire Station 6 this past year. Through these practices we have maintained the service levels our community expects and deserves. We have identified the need of 13 police officers, 24 firefighters, and we have plans for two fire stations and two police precincts for our community in the next four years. These two proposed fire stations and police precincts will be located in the northwest and southeast areas of our city. These arbitrary budget

caps proposed by Senate Bill 1108 have an anticipated impact of nearly 17 million dollars over the next eight years, which will impact our ability to provide these -- these needed services. The result would be longer response times due to the location of services and increase calls of service. By only allowing arbitrary percentage to be collected this bill would transfer the cost of service -- services to existing homeowners or would -- or would require a reduction to the level of service to a residence. Most importantly, when Idahoans were asked objectively about the issue of property taxes in the recently released 2021 Idaho public policy survey conducted by Boise State University, respondents were not concerned about the cost of their taxes from local government, what they were concerned about is unpredictability of taxes due to increasing home values. Senate Bill 1108 does nothing to address this issue. With that said I propose that we caution applicants that we will -- excuse me. With that said I propose that we caution applicants that we will likely delay and/or continue hearings for the next six weeks until we have further information from the legislature and have time to analyze any impacts that legislation may have on our ability to provide services. This proposed delay would exclude any in-fill development of five acres or less. Because of the unknowns going forward regarding Senate Bill 1108 and how it could dramatically affect our city and our city levels, I believe the only prudent action is to take a pause. To those that represent Meridian in the state legislature, please, know that the City of Meridian and this body desire to be part of the solution. I would like to turn the time over to Mayor Simison for his thoughts. After I would like to open it up for discussion amongst Council Members, so that we can provide direction to staff and to the development community going forward. Mayor Simison.

Simison: Thank you, Councilman Bernt. I appreciate you bringing this up for our conversation today and I agree that it's necessary to consider the impacts of current legislative actions and continue annexation requests for our community until we know the full impacts of these legislative efforts. You know, when we approve annexation we are making a contract with the property owner that we will provide services to them when that time comes. As a city we also have service expectations. If funding changes and we are not able to provide the services at these low levels or those levels that our future residents expect, is it even fair to enter into the agreements for annexation. Our residents have said that growth should pay for growth, not that growth should pay 75 percent of their costs and let the existing taxpayers pick up the rest of the cost. I believe if enacted ultimately this bill will require the city to look at growth differently, as certain types of development traditionally don't have as much impact on our services. Unfortunately, when you take that into consideration this can create winners and losers in development, rather than providing for a mix of development to meet the variety of needs of our residents. To me it's imperative that the approval of growth provide the revenue necessary for servicing that growth. Taking away necessary revenues, which covers service costs, just shifts the burden into other taxing categories. Ultimately, as Council President Bernt said, we want to be working with our legislators to find long lasting improvements to the taxing -- taxing system, not picking and choosing specific areas that suffer to the benefit of other taxing revenues. Representative John Boehner touched on the need to understand the broad tax system and how changes impact the whole system during the November 19th, 2020, working group on property tax when we said until we can look at -- and compare the numbers, we really can't make good legislation in regard

to how property tax is spent. Well, to me the same can be said for our processes here. Until we can understand the numbers, we really can't make good land use decisions in regards to how services will be performed. So, I am in support of making sure we have a clear understanding of what our current situation is. I mean that the end -- the unfortunate part of this is this -- if this legislation gets enacted it really impacts the last five years of development, which has been approved. You know, it's -- it's -- that's -- that's -- we are going to -- we are going to see that from what we expected, but for us in good -- in all good conscious to move forward with the same assumptions when approving new things, which we -- it could have similar impacts, I think that we just need to make sure we have a clear understanding to the best of our ability and when there is an active conversation going on at the legislature, until that is resolved is it really prudent for us to move forward. So, I will turn my time back over to you, Councilman Bernt.

Bernt: Thank you. I have spoke a little bit this evening about this and so I might chime in toward the end. I would like to listen to what this body has to say in regard to this proposal and the good, the bad, the ugly. I think it's important that we get it all out. Most importantly I believe it's important that we are fair partners with our -- with our stakeholders and that -- that they know what to expect going forward as well. With that said I will just open it up to the body to have a discussion.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I -- I view this as an unfortunate -- talk about coming off the great night we have been having. It's an unfortunate, but I -- I am convinced necessary for us to take this pause, because I think we all have the philosophy, you know, new growth should pay for itself and under this bill I believe that new growth will not be paying its fair share. Any kind of new construction or annexation, only getting a partial percentage of those property taxes, makes it so that every penny that existing residents have paid now is going to be diluted. The existing residents of Meridian are going to have a diluted level of city services because of growth and that to me is not acceptable. So, I couldn't agree more that this makes sense to take a pause for six weeks while we work with our legislative partners and try to really understand what this would mean for the city.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Mr. Mayor, Council President Bernt, I thank you so much for helping to facilitate this -- this good conversation. Council Member Strader was correct. Like, boy, we started tonight's meeting on a real high with a lot to celebrate and this is a challenging conversation. I would like to offer at least a contrarian view for consideration. I guess I believe that we have -- we have an obligation as a City Council to hear each annexation on its own individual merits and I think you look at -- at tonight's agenda as a really great example. We have got like a three quarter of an acre annexation where an individual is

trying to connect to city services and a 125 acre annexation project that we are bringing significant amount of new homes to kind of our westerly border. They each have their own merits and they need to be judged as -- as such. I'm -- I'm a little hesitant -- in fact, I'm very gun shy to move forward with a blanket we aren't going to discuss -- or we are going to continue any new annexation for six weeks for -- for one simple reason. What happens if this legislation passes and we find ourselves in this scenario six weeks from now? Are we, then, going to make the decision that we are going just to blanketly deny all annexations? I don't think that's the case. At least I hope that's not the case. So, I would offer I guess a modified point of view that I think is worth considering, which is that we continue to take every application on its own merits, recognizing that the decision that the legislature that are playing out right now, that may have an impact and it may have an impact on one application over another. I fear that we are setting bad precedent by drawing a line in the sand and saying we aren't going to discuss any annexations for the next six weeks. So, I -- I greatly appreciate the intent and really thank our Mayor and our Council President for starting this conversation. I think that we have got a really good opportunity to communicate to our customers about where the City of Meridian is in terms of annexation, so that they go into this eyes wide open, but I'm not sold that we need to put the -- the closed sign up outside.

Simison: Thank you, Councilman Cavener. And just -- I think for a little bit of perspective, people will still be able to apply and they will still be able to schedule their hearings and they will still be able to move things forward to the best of their ability. You know, they have a right to do that and we are not infringing upon anybody's right to do that and as far as how applications would be processed or what the will of the Council is, that -- that's what this conversation is for. But we would not be telling anybody they do not have the right to submit and try to move forward their application.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I have a question for Councilman Bernt if you would yield. Mr. Mayor, Councilman Bernt, I think when you opened up this conversation I heard you say that in-fill property less than five acres would be exempt from -- from this.

Bernt: Yes, sir.

Hoaglun: So, that would -- for the one application that's up tonight that's an acre, which -- which makes sense, because they are already typically receiving city services or are in the area that city services are already there. They don't have to be extended. They are already receiving police and fire protection services. Now they are just coming onto the tax rolls and being part of the city and -- and being counted that way. So, I like that approach in particular.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I have been closely tracking what's happening with the legislature, being a member of our residential real estate community, significantly involved in -- as a profession in residential real estate and the decisions that are made at the -- at the legislative level -- level not only affect us as decision makers in the city, but significantly affect all the residents of our community current and new and those who are hoping to come in the future and so this has been heavy on my mind for a while now and I -- I'm disheartened that we have to be here making this decision at all. Truly makes me emotional. However -- and -- and the points made by my fellow Council Members are taken very well. I appreciate both Council Woman Strader and Council -- Councilman Cavener representing the two sides of this conversation, because I think that those -- those are both very significant pieces of this and I would say it's my understanding of the intention of this suggestion by Council -- Council President Bernt is that we would have some more indication of actual numbers. We might be able to run some actual numbers once a decision is made based on what we know in the City of Meridian and what our expenses would be and that's where the difference would be, Councilman Cavener, would be that we could, then, at that point make a decision about how we proceed, because we will -- we will actually know what the bill's affects will be if it gets passed. At this point everything is conjecture as far as -- you know, there has been three revisions of the -- these property tax bills just this legislative session, not including what was discussed last year. So, I think the intention is -- with this pause, which, you know, still -- still is -- is a bit uncomfortable for me, but I -- I understand the purpose behind it and truly six weeks is not that significant of a time if it means that we get an opportunity to better prepare for the bigger decisions that are -- that are potentially ahead.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I see this unfortunately simple in the sense that -- that we have got an unwavering conviction to these core service levels. If you have got a bill as proposed, if this thing passes, we know the fiscal impact now. Council Member Bernt said it squarely, that it's a seven figure compounding impact and if you ever wanted to understand ground zero of when the city's fiscal stability and public safety levels of service -- when they begin to decay, looking back at 2035, you will look at 2021 and the decisions being made. If this thing passes as proposed, it is crystal clear the monumental impact and the only thing missing is the discipline to at least take pause and see what happens. Hopefully, it doesn't pass. But if it does it is crystal clear that there is no way we can maintain existing levels of service the way we have with the diminished revenue sources. Just -- it's simple math. Council President Bernt, I appreciate you and the Mayor working to bring this forward. Extremely unfortunate that we are here having this conversation, but it's -- it to me is really easy to focus on being fiscally responsible. I think that's our responsibility. It's why this conversation has been brought up and we have to make difficult decisions that are right for the long term. Even in the short term it's -- it's challenging and that's some of the -- the thought process that I have had about this is -- is avoiding that tragic pivot where we

fail to recognize what the most responsible decision is. Nobody likes it, but we need to react and be able to pivot should our funding source be altered as proposed by this bill. So, I know we have been -- most all of you have been in touch with our local legislators. I appreciate everyone's efforts to contact them, continually educate them, provide information, as Council President Bernt had described. The real impact and the compounding impact in light of how these funds are expended and the public safety commitments we have and the planning we have undergone. So, while a pause is extremely difficult to stomach, it is certainly the -- the fiscally prudent and responsible thing that I believe we have to do. I think as proposed that suggestion is the right way to go and I don't think there is any way to understate the -- or overstate the importance of the magnitude of what Meridian is facing and cities around the state are facing with this -- with this particular bill. So, a pause is far and away the most prudent and appropriate action that we can take.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Mr. Mayor, you know, I agree, this -- this is a decision that we don't take lightly. It's a very serious decision. It has financial ramifications for people. But -- but for the folks that tuned in to our Council workshop earlier this evening and listened to the quarterly financial report, they would see that we plan ahead. We are looking out ten years to determine what is needed, the financial impacts, what it will cost and how do we get there in the most efficient manner possible, utilizing tax dollars. This is a community -- and when I previously served on Council it was a different time. It was during the recession. But what hasn't changed, going from a recession to whether it's rapid growth, is that we live within our means and that is important and I agree with what's been said about new growth bears a responsibility for paying its fair share. It is not fair for current existing taxpayers to pay even more because of new growth coming in and we are going to continue to grow and what does that do to property values? We reduce the supply if we don't approve things and the demand is still there. A supply and demand takes effect and prices go up. And how does that help people with reduced property taxes? It doesn't. This is not a solution. I found it ironic -- I was -- I was -- it was on a -- on a news story and they were talking about a debate on a particular bill in the house and the legislator in making their case quoted Thomas Jefferson and said government closest to the people serves the people best. That was their quote in support of their legislation and I was struck by the irony of that. That here we are, the government closest to the people have no say and we are the ones responsible and we want to deliver in a responsible way an efficient government utilizing the least amount of taxes to make that a reality and when you think about the constituents we represent, when we think about older folks on fixed income, like my parents, raising property taxes don't help them. My kids starting out in their careers and a young family and just bought their first house, we don't want to have overly high property taxes. It doesn't help. So, here we are as elected officials working to find the most efficient means to deliver the services -- police, fire, parks, water, sewer -- the very means needed -- means of survival in some ways to people at the most efficient method and yet now they are going to be taking away funding for us to do that. Like I

said, this -- this is a serious issue that I don't take lightly, but it is one that we have to step back, see what the impacts are, see what happens and, then, plan accordingly and I think, Councilman Bernt, your -- your are very timely and -- and wise in -- in coming forward with this and I think that is something I can certainly support.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I know -- I saw Bill earlier -- and I think Alan's in the room. Do we have a -- a ballpark of how many annexation requests that would fall within the threshold created by Council Member Bernt over the next six weeks?

Johnson: Mr. Mayor?

Parsons: Mr. Mayor, if -- if I may.

Simison: Mr. Parsons.

Parsons: Thank you, Mayor, Members of the Council. I anticipated that question as this discussion started this evening, so I thought ahead. So, thank you for that. So, look -- I do track all the projects that come in through the door into our office just to make sure -- see what we are working on and I counted approximately five annexations that we are currently processing and they are various stages. So, some are scheduled, some haven't been scheduled. So, you can anticipate at least that uptick in applications. None of them appear to be too controversial, but maybe one in the southeast corner of Meridian may be something -- may fall into some of that category. But all the other ones seem to be more in-fill or conditional use permits -- or like back to your point, they are smaller size developments where -- in-fill type developments where they make a lot of sense. Shouldn't impact anything. But, like I said, on the books right now I'm showing five annexations that we are currently processing.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I had a follow-up question for the body to consider for those. Those annexation requests that have already been noticed to the public, what would our response be to communicating to the public about what sounds like an intention to continue those out, which would, then, require a subsequent renoticing. It says something, then, that the cost the city is going to pick up? Are we going to ask the applicant to pick it up? Any -- any thought? I know -- I know that's somewhat in the weeds, but I think if we are going to be having this conversation let's make sure that we are all on the same page and -- and flush this out, so that we can be consistent in our message.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I think -- I think it's important to note that the -- the -- the -- the current applications that are on the books -- I don't think anyone has -- I don't think this body would -- would ever say -- especially since they have been noticed, you know, tonight or future dates as public hearings that we would deny their request to have a public hearing. If they feel like they want to have a public hearing, there is no one that's going to tell them not to. They can bear that risk and if they feel like it's in their -- it's in their best interest to continue with public hearings that have been scheduled, then, I welcome that -- that discussion. As far as who bears the burden of cost of -- that's -- that's -- that's a discussion that we need to have. I don't have an answer to that right now at this very second.

Simison: And I think we were kind of somewhat dependent on when they came through the process and how far out. If you hear them and, then, you just want to continue to make a final decision -- if that's a two week continuance versus a six weeks continuance, depending upon which project and where it is, I think those are all somewhat individualistic questions to be answered.

Cavener: So, Mr. -- Mr. Mayor, apologies. Additional question.

Simison: Councilman Cavener.

Cavener: And this helps me, because I -- as I understand it, it is not the case that we are not going to hear these annexations, we will go through the public process, but, then, we will continued it before we deliberate and make a decision for six weeks. Is that as I'm understanding things?

Simison: That -- that's what my recommendation would be. Yes.

Cavener: Okay.

Simison: And, then, if there is -- at the point in time Council does want to take action on any one, you -- you have that right and that responsibility, but people can be aware that you may choose not to make a decision until one, two, three, four, five weeks later until we know more outcomes. It may -- this could be put to bed in two weeks for all we know. Could be.

Cavener: Yeah. Mr. Mayor, with that I think I can be supportive of that. I may have misunderstood that it was the case that we were just going to continue these applications out without allowing the public to come in and testify at a time that's been noticed. Again, appreciate the intent. I may have just got hung up on the process.

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of Council, so we have had some internal discussions about this and kind of where -- where does this land for staff, for the Commission, for all that

and -- and our recommendation would be to simply continue the process. I mean you can still apply. Obviously the size of the project may be relevant for the planner to communicate that to the applicant, that the City Council has directed some of these may not be decided on your hearing night, it will depend on a lot of factors, but that they can still go through the process. The only issue that I was suggesting is like for tonight's hearing, many times if the decision isn't likely to be made tonight, sometimes the applicant would prefer to do it closer to when a decision is going to be made, because they feel it somewhat gets stale in between. Other times they are prepared. They have already prepared their documents. They have already prepared their presentation and they would like to make that and you may have questions about the project anyway that need to be answered. I think just being up front with -- with our applicants to say we may not be making a decision on this and we may be continuing it out for a month to six weeks depending on these other factors, I think provides them the opportunity -- if they say, hey, we would rather just wait and hear it at all at once, that's their call. If they would rather say, well, we will present it in case you have questions or concerns, maybe in the interim we can answer those questions, so it doesn't take even longer than that.

Parsons: Mayor, if I may just kind of chime in on some timelines here looking at the spreadsheet. So, a lot of the projects that I referenced start before Planning and Zoning in mid March and potentially even starting in the beginning of April, so by the time it got to this body we are talking some time end of April, beginning of April, which would be right around that six week time frame if you were to give us that direction as of this evening. So, I think that may give you guys enough time to kind of have this pause as you are discussing this evening and, then, as we start coming towards you and presenting these projects to you I think -- I think this body would probably have -- know what that direction would be by that point.

Johnson: Mr. Mayor?

Simison: Mr. Clerk.

Johnson: For noticing I just want to point out for City Council we have noticed five hearings in the next several weeks that have annexation components to them. So, they have come out of Planning and Zoning and are coming to Council and we have noticed those. So, it's just five.

Simison: So -- so, Council, there is -- there is no action that needs to be taken at this point in time. This was just discussion purposes, but I think it does -- for those in the development community or those seeking action, it gives them a heads up and I think that as we move forward -- as things come forward the Council will have to make that decision whether or not to continue. If they think it has enough of an impact either from the parameters that have been established or otherwise -- you know, you could have a pretty significant -- I'm not going to say we do, but you could have a two acre in-fill project that's 24 stories and, you know, that can have a severe impact. So, I think to that point you have to look at everything even within the -- the lens of what's out there. Any final comments, Councilman Bernt?

Bernt: No, Mr. Mayor. I appreciate this deliberation this evening. I appreciate this body and the thought that's gone into this discussion. I was lucky enough to be invited to go to the legislature -- or the committee meeting that was held by -- by Chairman Rice and the Senate Local Government Taxation Committee last Thursday and I heard time and time again asking local governments to do more with less and I have -- I'm not an old pro, you know, sitting in the seat. There -- there are definitely others who have been sitting in these seats far longer than myself. But I can -- I can reassure each and every citizen in Meridian that we have been doing more with less for decades. This isn't something that just -- I think Councilman Hoaglund said this isn't anything new to us. We are old pros at doing -- doing more with less. We are -- we could teach books on it. So, if there are any legislators out there who have questions about what we do, my door is always open. There is not a member of this body that would love to sit down and educate and inform how we do things here in the City of Meridian. So, sometimes as -- as elected officials we are the ones that pontificate the most. But at the end of the day it's our city staff that step up and do the job. So, legislators, more than welcome to reach out to our city staff as well. We would love to talk to you. So -- and we are lucky to have you legislators honestly. I just hope that we can do this together and be partners at the table. So, does -- does staff have any questions for us this evening?

Parsons: Mayor, Members of the Council, I just -- we just ask for clear direction and certainly I have heard you this evening. We will have those conversations with our partners -- community partners as we pre-app with them, just let them know what's occurring and -- and we will go -- again we will accept applications just like Mr. Nary had testified and let them know that things -- there is a potential that things could get delayed at some date, but don't know if that's going to happen or not. So, if that's okay with the Council that's -- if I heard you correctly this evening we will proceed with that direction.

Bernt: Okay. Any -- any questions -- anymore questions from the body? Mr. Mayor.

**4. Public Hearing for Community Development Block Grant (CDBG)
Program: Program Year 2019 Consolidated Annual Performance and
Evaluation Report (CAPER)**

Simison: Thank you very much. With that we will move on to tonight's agenda. Next item on the agenda is the public hearing for the Community Development Block Grant Program, program year 2019 CAPER. I will open this public hearing with staff comments and turn it over to Crystal.

Campbell: Thank you, Mr. Mayor, Members of the Council. I'm here on behalf of the Community Development Block Grant program and I'm going to share my screen really quick with my presentation. I'm here presenting our year in review for program year '19. So, our program year in review, called a CAPER, which stands for Consolidated Annual Performance and Evaluation Report. The purpose of this is to provide our annual accomplishments, as well as an evaluation of our progress towards our five year goals, as we also definitely want to provide transparency to the public. That's one of the biggest things with this. So, our program goals identified in the consolidate plan -- that five year

plan and we use the analysis of impediments to fair housing, as well as the housing market analysis and, then, we also do a lot of community engagement to figure out what the public actually needs and try to meet those needs with our goals. So, the goals for our current plan is to improve accessibility, enhance homeownership opportunities, provide social services, stabilize the rental gap, and to provide admin and fair housing for the grant. So, to improve accessibility we had a couple of projects that were completed. We had additional projects that we funded and worked on throughout the year, but these are just the ones that were completed. One was MDC completed construction of sidewalks to improve safety and accessibility for an estimated 1,955 residents in an LMI neighborhood. LMI is low to moderate income neighborhood. So, a certain percentage of the neighborhood is a lower or moderate income. The number of residents is based on the census tracts of the areas that are affected. So, it is just an estimate. We also had a couple of streetlight projects that Public Works took on. They ended up modernizing 49 streetlights in several different neighborhoods in two completely separate areas to improve visibility and safety for around 3,500 residents and the Meridian Library finished up their project at the beginning of the program year when they upgraded the main restrooms to make them ADA compliant and provide better access to an estimated 1,000 community members with disabilities. To address our goal of enhancing homeownership opportunities, we worked with the Ada County Housing Authority to work on their homebuyer assistance program. We did struggle -- well, ACHA struggled with finding qualified people who were able to actually get into a home. They were not able to serve any people. They had several people who qualified, but in the end they weren't able to identify housing that was affordable to them or they were out bid, so that the house that they were trying to get into was no longer affordable to them. When I looked at realtor.com information the median home value in Meridian right now is almost a half a million dollars and it's an 18 percent increase in the past year and the median time on the market is 41 days. So, for the people we are trying to help with this it takes a little bit of time to get through all the different processes that are associated with our funding. So, that is a really short amount of time to try to get everything -- especially when people are coming in and outbidding them. So, it's been really tough. So, to address this we provided ACHA with some technical assistance to update their processes. We hired a consultant to work on it and some of the areas that they changed -- their -- the grant amount in the past it was just a flat 10,000 dollars for everybody and sometimes they would do 15,000 dollars, but basically is a flat rate and so they are going to adjust the grant amount based on people's income level to try to bring down the cost of the housing. They are also increasing the amount that's available to participants. Like I said, sometimes it would go up to 15,000 dollars, but now they are going to go up to 25,000 dollars and they also are going to be more involved in the underwriting process, so that they can work on buying down the principal to lower the monthly payments for a goal of providing social services, we worked with these different agencies for the programs listed. For the Boys and Girls Club we worked with our scholarship program. Jesse Tree provided emergency rental assistance. CATCH provided utility assistance. Terry Reilly provided behavioral health crisis management at the Allumbaugh House and Neighborworks provided mortgage assistance. So, this is a list of our goals compared to the outcomes. The Boys and Girls Club they were a little bit under their goal, but they still served right around what they had thought they would. It was a little bit difficult for them with COVID. There was social

distancing requirements and, then, they were shut down at different points. So, it was a little bit tough to get those scholarships out the door, but they ended up doing a really good job. Jesse Tree they were also a little bit under, not too much, though, and they spent all of their funds, but they had a lot of other funding sources and so the other funding sources expired sooner than ours did, so they kind of prioritized those ones. CATCH, they had anticipated serving eight individuals and they ended up serving eight households with more individuals when you count up the individuals, but HUD is counting these ones as individuals, not households, so they look really good on paper with who they serve. Terry Reilly and Neighborworks Boise, those are under a different funding source. It's under the CARES Act funds, so they have a different expiration date and their contract actually goes through March of this year, but they have longer to spend it as long as we decide to amend it. So, here pretty soon we will talk to them and see if it's working out for all parties and see if we want to amend those contracts to push them out a little bit further. Right now Terry Reilly has served 14 individuals as of the end of this program year and they had anticipated serving 250, so they -- it took a little bit to wrap up both of these programs. Terry Reilly actually hired a new case manager for this position, so they had to get them on board and everything and as far as Neighborworks they have served six individuals of the 66 they anticipate serving, but this was a brand new program for them, so they had a lot of -- a lot of work to do to get it going. So, we also had a goal of stabilizing the rental gap and when -- when I read through the consolidated plan, the intent of this was to provide homelessness prevention and emergency rental assistance, which actually falls under public services. So, we don't necessarily have outcomes that are under this goal, but we still are able to report on the outcomes for the intent, but they are just being reported under public services instead of stabilizing the rent gap. For administered housing, there has been a lot of sub recipient management administering the additional COVID-19 funding, working on deadlines for timeliness reporting of those training process improvements. We are also -- Meridian is working with the other entitlement communities that received CDBG to coordinate on a joint analysis of impediments to fair housing for our upcoming consolidated plan. We wanted to -- instead of working in silos we wanted to make sure that we were capturing what's happening across the Treasure Valley, because all of our communities are interwoven so much that what happens to one happens to the others, so we thought that that was really important. So, that's also the reason why we worked together on this fair housing radio campaign that we do every April. That's with them as well. So, here is our progress for our consolidated plan up to this point. We have about a year and a half left of it for improving accessibility. Our goal was originally to serve 222 individuals to improve their accessibility and our outcomes to date are over 26,000 individuals, so that goal has been met. Enhancing home ownership opportunities. Our goal was to provide assistance to 11 households and right now we are sitting at four, so we are 36 percent of our goal and we really need to focus on that in the upcoming year. Providing social services our goal was 2,055 individuals and our outcomes today are 4,100. So, that is met. And this one would -- this final one is stabilize the rental gap, but it's actually under providing social services. The goal was to serve five individuals and we have served well over that as you can see. So, that goal is also met. So, this is the funding that we had available throughout the year. We had a little bit over a million dollars. The majority of that, 40 percent almost, was the PY-19 funds that came in. We also had the COVID-19 funds that came in that

were about 27 percent and the remaining amount was previous year's funding. Mostly it was construction projects that were completed under budget and, then, they kind of rolled over into the next year. So, of that we spent about half of it. These are the projects that we actually spent money on this year. So, not all of them are complete and some of them we just captured the end of it and they were -- the majority of the project was actually completed before that. But this is where the money actually went this year and as you can see the big ticket items are definitely the public facilities and infrastructure. So, as far as our unspent funds, we have several projects that are going to be completed during this program year. We have the ACHA homebuyer assistance program. We ended up extending their -- their end date, so that they could try to serve more people and it's since expired and we are working through that and going to get them a new grant agreement for program year '20 funds, but working on that right now. But as far as this CAPER goes for PY-19, then, that was a project that still needed to be completed. Public Works is working on the NMH, MS -- MMS streetlights project and the Fairview Avenue sidewalk connection. That -- it's getting pretty close to being complete as soon as the weather warms up. So, there is quite a bit of funds in those projects right there. As far as projects that were completed under budget, then, administered housing, we didn't need all the money we thought we would. CATCH was a little bit less. Boys and Girls Club and the Chateau-Chief Joseph streetlights they were completed under budget and all in all with those projects, then, we have about 22,000 dollars to be reallocated, but I'm holding off on that to see with the projects that are going to be completed on the left-hand side how much funds are left over there, so we can put all of it together towards the -- one of the alternative projects that were approved in the PY-20 action plan. So, one of the big things -- focuses of this grant is housing affordability and the way that we try to address it is -- one of the areas is we provide childcare, so -- or we try to work with childcare providers, so that parents can work and pay more towards their housing expenses. So, the Boys and Girls Club is really helpful with this. We also have the homeownership assist program, so that people can get into a house that's affordable to them. And in PY-20 we also started the homeowner rehab program, so that people can get the repairs, so they can stay in the homes that are already affordable to them. This is not been a great year for collaboration. It's been really tough, because a lot of things have been shut down. So, we have not been as involved in these groups as we have in previous years. But the groups that we try to work with -- some examples are Our Path Home, the behavioral health board, Meridian Anti-drug Coalition, the Housing and Homelessness Roundtable, and Neighbors United. So, there was an original draft CAPER that was posted to our website and there were a few changes to that. These are the only changes that were on there. I -- on page seven I changed the information from Zillow to realtor.com and I was able to get better data from them and on page 18 there was a total in a chart that was incorrect, so I fixed that. And, then, attachment one, that's just updating with all the public comments, the public notice, all of those things. So, this is what our timeline looks like. The public comment period was open from February 5th through tonight, when we will have the public hearing, the final version and resolution. I will get to you guys on March 2nd if there is any changes to be made and, then, I will be able to submit it to HUD by the end of that week. If there is any questions this is my contact information and also our website is listed on there. And with that I will stand for questions.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thanks a lot, Crystal. You know that 18 percent rise in home values has really stood out and I think just, you know, further goes to the point of what's happening right now in our community, the fact that these organizations haven't even been able to help people buy homes because they are being outbid so quickly. What's happening with home values -- and I saw that the city of Boise received like -- I think almost 12 million dollars in CARES Act grant funding for a rental assistance program, so I was wondering if something similar to that is possible here or if we are just, you know, sort of going through Jesse Tree and we are to continue that approach. I know they have their own Housing Authority. I was just curious of how you would sort of compare where we are at to where Boise is at on that rental assistance.

Campbell: So, that rental assistance program -- it's pretty exciting, because Ada county also received funding and they received more than Boise did and so they are able to assist our people and they have been working closely with the Boise staff, so they are all going through Ada County Housing Authority to administer those funds. So, our residents will also be able to access that.

Strader: That's great. Thank you, Crystal.

Campbell: Yeah.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just to comment, Crystal. I love your report and the -- the detail and the passion you bring to providing these services to our community. The two that stand out that I'm just glad to see every year is accessibility and safety. The rental assistance and housing truly is complicated, as Council Woman Strader brought up, and some of these factors in our market that just outside of our control make it really hard to have as much of a meaningful impact, unfortunately, with some of those parts, but accessibility and safety components of what's being accomplished is just fantastic to see and really appreciate the continued focus and success stories that seeing those -- what you have highlighted was really nice to see. That's a big part of our community and important to accomplish. So, appreciate the efforts that you had focusing on those.

Campbell: Thank you.

Simison: Council, anymore questions? Okay. This is a public hearing. Mr. Clerk, did we have anyone sign up to provide testimony on this item?

Johnson: Mr. Mayor, we did not.

Simison: Okay. If there is anybody who would like to provide testimony on this item that is in -- on the Zoom call, if you could, please, use the raise your hand function and we will bring you in for any comment. So, if there is anyone who would like to come forward in City Council chambers. Seeing no one. Crystal, any final comments?

Campbell: No. Thank you all for your time.

Simison: Okay. Then, Council, do I have a motion?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we close the public hearing for our Community Development Block Program, program year 2019 Consolidated Annual Performance and Evaluation Report.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Second that motion.

Simison: I have a motion and a second. Any discussion on the motion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it.

MOTION CARRIED: ALL AYES.

Simison: Any other motions on this item?

Hoaglund: Does that -- Mr. Mayor, does that come up tonight or is that the future -- March 2nd?

Simison: That's why I'm kind of looking at Bill to see if he happens to know if there is any further action tonight.

Nary: Mr. Mayor, Members of the Council, Crystal -- I guess I would ask Crystal that. I don't recall if we do a resolution and bring it back, Crystal, or they just approve the report as you have presented.

Campbell: Sorry about that. I have it on the agenda for next -- well, I think it's in two weeks, then, I will have the resolution on the agenda. So, I will just be able to send it all through then.

Nary: Great.

5. Public Hearing for Scentsy Campus (H-2021-0002) by Sam Johnson of Scentsy, Inc., Located at the Southwest Corner of E. Pine Ave. and N. Hickory Ave.

- A. Request: Modification to the Existing Development Agreement to include an 11.75-acre parcel of land, revise the approved concept plan and elevations, and include light industrial uses into the allowed uses.

Simison: Okay. Then thank you very much. We will move on to the next item. Next item is a public hearing for H-2021-0002. We will open this public hearing with staff comments.

Tiefenbach: Good evening, Mayor, Members of the Council. Alan Tiefenbach, associate planner with Meridian. I will keep this one relatively short, because I think this is very simple. This is a DA modification for the Scentsy campus. In a nutshell in 2007 there was a -- there was a large annexation that happened of 170 acres. It was an annexation and rezoning. This was called the Pinebridge Subdivision. In 2010 there was a development agreement that was done for the Scentsy campus and following that Scentsy subdivided the property into what was known as the Scentsy Commons. When they did that they actually brought another piece of property in as well, an 11 acre piece of land, which is what this subject property is. The subject property that they brought in at the time was not owned by Scentsy when they did the original modification, so it was still subject to the original Pinebridge -- I know this is riveting -- the original Pinebridge development agreement. Long story short, Scentsy has built out, but there is one piece of land that now they want to develop a warehouse on and the development agreement only allows C-G uses, it does not allow warehouse uses, so this development agreement modification would add warehouse uses to the development agreement, would add this piece of parcel -- or this piece of property to the development agreement. It would also update the concept plan and the elevations. The only thing I would want to mention is that staff had two recommendations and the first one was we made a quick -- we made a recommendation -- originally they were proposing to add light industrial uses. That's kind of a broad category. Staff said we would rather see them just add light industrial uses -- or, sorry, add warehouse uses as that new use. The applicant was amenable to that. The other thing was when they provided us the concept plan they showed us what had been built and what would be built in the future. There is a northeast piece of property that on the original concept plan showed a building, which was now shown in green with a pond. Staff in the staff report mentioned that the concept plan was the same, except for a piece of open space. The applicant had since responded to the staff report and said really that's not open space, we plan to develop that in the future. There is an updated concept plan, which you can see right here, and the difference is that this piece right here originally didn't have a future building on it, it was just showed as that lake and that grass. At staff's recommendation the applicant has added this E future building. This will be part of the new development agreement. So, staff's recommendation would be that revision to add warehouse uses and to adopt this new concept plan that is being shown in front of you today -- on today's date and I will stand for any questions, Council.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you, Alan. So, if you would refresh my memory, so if there were to be a change to -- to the DA to make this light industrial versus warehouse uses, which I -- I agree, by the way, that -- that that makes more sense to -- to narrow that -- that definition for that use -- what -- is there not -- I mean that's -- that's essentially -- since it's not a use in C-G -- and perhaps this is a question for Mr. Nary -- doesn't that now run into a situation where we are changing zoning or am I just crossing those -- am I -- am I mixing those up?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, Council Member -- no, you are correct, Council Member Perreault. We will have to bring back an ordinance change to create the zone. So, we will have to bring that back once they signed the development. They can't even apply for it without the ability under the DA to ask for it. So, they are asking for this change and, then, they will have to bring back a zoning ordinance change with property descriptions and everything else to effectuate the actual zone. This is just merely the DA modification.

Perreault: Mr. Mayor, a follow up.

Simison: Council Woman Perreault.

Perreault: So, they can essentially go through this DA modification and still not necessarily have approval on that zoning change, is that --

Nary: Yes.

Perreault: -- what I'm understanding?

Nary: Mr. Mayor, Members of the Council, you are correct. I mean they still have to have a request to change the zone, this is just changing the -- the development agreement to allow them to change the zone. So, they will still have to have that application and process to go forward to change the zone. We can't just change the zone and the DA, we have to change it through ordinance.

Perreault: Thank you.

Simison: Is this where I get to make my comment? Isn't government grand?

Nary: Well, yes -- yes or no. You could ask for it at the same time, but if one gets denied,

then, they both get denied, so --

Simison: Council, any further questions for staff? Okay. Would the applicant, please, come forward to be recognized for 15 minutes. And if you can start off with your name and address for the record.

S.Johnson: Yes. My name is Sam Johnson. My address is 2701 East Pine, Meridian. 83642. Appreciate the time to be in front of you, Mr. Mayor and Council, tonight. I'm -- I'm the chief of staff for Scentsy and also representing the owners of the property, which is technically HOT-1, LLC, or, sorry, LLLP, which stands for Heidi Orville Thompson, who are also the owners of Scentsy, so -- the -- we are in agreement with the staff report. This is something that we -- when we purchased the ground we did not know what the property was going to be used for. It's been a hay field for a while feeding some sheep, but now it's time to -- to turn it into a warehouse, because Scentsy -- like -- well, very very fortunate this past year that Scentsy has grown over 90 percent and -- and it's a -- it's been a fantastic year. We have had our challenges in -- in a positive respect versus where a lot of other folks have been. So, in order to keep up with that growth. We knew early on this -- this year that we needed this summer, that we needed to add some more warehouse space and also distribution space, but that distribution space we are building a new one in South Carolina. That will open up this -- this summer. But here on this -- on this property we would like to do a fairly large 211,000 square foot warehouse. It's -- we will have a little office component inside of it, but the majority of its warehouse for the use of -- for housing our -- our mostly finished goods, but some raw materials that -- that will go into another building into the manufacturing processes. We agree that -- to be limited to -- instead of light industrial for this site, we are -- we are okay with classifying it as warehouse use and -- and our understanding that -- that in the development agreement we can ask for a slightly different use or a specific use that's maybe not permitted in that zone regularly, so that's where -- this is a little bit of a surprise to us tonight that we are asking for warehouse use to be permitted on this property that is zoned C-G and because it is -- its -- its own property it can't be -- it cannot be an accessory use to another building, it will be its own building on its own property. So, that will be a point that I would love to iron out a little bit better, but that's the reason why we have the -- the -- we are here for this application is to expand our growth. We have already got a permit for another 41,000 square feet warehouse that started a few weeks ago. We are waiting for a permit right now to add onto an existing warehouse along the railroad tracks and double its size and, then, this building here is desperately needed. We are renting facilities in here -- here locally and in Texas, but our growth has surprised us and now we are just trying to get to where we can handle it. I guess I stand for questions at this time.

Simison: Thank you, Sam. My main question is how long until building D is built?

S.Johnson: Can I see the -- oh, Building D? I don't know. We would love to build that.

Simison: I know.

S.Johnson: We even have the design -- we have it -- we have the architectural plans all

finished, but we do not have a timeline on it.

Simison: I figured not, but thought I would ask. Council, any questions for the applicant?

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Question for Mr. Johnson. That might be a concern. People are going to scream if you don't have the Scentsy lights at Christmas. I mean there might be opposition to that bill.

S.Johnson: Good point. But that -- I will make sure that we have Christmas lights. It's my job, so I will do that.

Hoaglun: Great. Thank you, Mr. Johnson.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, I guess that's a question for planning. So, what I heard -- what I thought I heard Alan say was this is a rezone. What I heard Mr. Johnson say it's not a rezone, it's a use exception in the existing zone for the property. Is that -- if that's the case we don't need to do a rezone.

Tiefenbach: That was my understanding. I'm very -- no, I will have to admit I'm a little confused. My understanding was that Mr. Johnson is asking -- it's zoned C-G right now. The property says what's allowed in that zone. Or, sorry, the DA says what's allowed in that zone. His request is to add warehouse to those allowed uses per C-G. If you are saying we also need to rezone the property now to L-I, that's not something that we have informed Mr. Johnson he needs to do.

Nary: No. And I apologize, because what I heard -- I thought I heard you say rezone.

Tiefenbach: No, sir.

Nary: And a rezone requires an ordinance.

Tiefenbach: Just adding the use to the DA mod.

Nary: Adding a use to the existing zone by development agreement we have done before.

Tiefenbach: Yes, sir.

Nary: So, that's fine.

Tiefenbach: Yes, sir.

Nary: So we don't have to do a new application.

Tiefenbach: Thank you for that. I was just sitting here talking to Sonya trying to figure out where we were going to move next.

Simison: And that's how local government works where we are great at what we do.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Mr. Mayor. So, I'm sorry, Bill and -- or Mr. Nary -- Mr. Nary and Alan, would you -- would you clarify for us the difference.

Nary: So --

Perreault: I guess -- I don't recall us having a lot of conversations about adding uses to zones in the past.

Nary: So, Mr. Mayor, Members of the Council, Council Member Perreault, most of the time -- you are correct. Most of the time we limit the uses that are allowed in the zone. But we can allow additional uses if they fit, if it makes sense, the Council could allow that contractually by the development agreement. It gets recorded. The zone doesn't change. So, the uses in that zone haven't changed. They are allowing this additional use by the development agreement modification. So, we don't do that very often. So, you are correct, you don't hear that conversation very often. More often than not it's the opposite where we won't allow them to do something they are allowed to do. But here, because it's -- it's a compatible use to the zone -- again if it was drastically different, if they were doing heavy manufacturing or something that was completely incompatible with the zone that's there, that would be more problematic and the zone change would be necessary. But this is, again, not done very often, but it does definitely jive with our UDC, so it is okay to do that.

Perreault: Mr. Mayor, follow up?

Simison: Council Woman Perreault.

Perreault: How will that affect any sort of design compliance or -- I mean, obviously, you know, C-G has very -- has very specific requirements for the structure itself. How is that going to be affected adding that allowed use?

Nary: I think Alan wants to --

Tiefenbach: Yeah. Sorry, Council Person. Alan Tiefenbach. Probably more in the

planning realm. Really when we are talking about C-G use versus I-L, we are talking about setbacks, height, those kinds of things. When you are talking about pure design Captain Brock Clapp we are going to the architectural standards manual. That architectural standards manual, then, has design standards for industrial, commercial. They will be -- they will be subject to the exact same design standards, whether they are doing the warehouse or whether they are doing the commercial in that area. The only difference really between the zone would be the setbacks and the allowed height and in this particular case they would still be having to meet the height of the C-G zone.

Simison: Council, any further questions for the applicant? Okay. Thank you very much. This is a public hearing. Mr. Clerk, did we have anyone sign up?

Johnson: Mr. Mayor, we had no signups in advance.

Simison: Okay. There is nobody else in the audience, but if there is anybody online who would like to provide testimony, please, use the raise your hand feature at the bottom of your screen on the Zoom call and we will bring you in. Seeing no one wishing to provide additional testimony, I will ask the applicant if they would like to make any final comments. No final comments. So, Council, do I have a motion or discussion?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I would move that we close the public hearing for H-2021-0002.

Cavener: Second the motion.

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

MOTION CARRIED: ALL AYES.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: After considering all staff, applicant, and public testimony, I move to approve H-2021-0002 as presented in the staff report for the hearing date of February 23rd, 2021, and the updated concept plan with the following modifications and that is as we discussed a revision to specific warehouse uses and that we accept the revised concept plan that labels the pad site for future development.

Perreault: Second the motion.

Simison: I have a motion and a second. Is there any discussion on the motion? If not, Clerk will call the roll.

Roll call: Bernt, yea; Borton, yea; Cavener, yea; Hoaglun, yea; Strader, yea; Perreault, yea.

Simison: All ayes. Motion carries. The item is agreed to. Thank you to the staff and the applicant for this evening.

MOTION CARRIED: ALL AYES.

6. Public Hearing for Schnebly Annexation (H-2020-0115) by Richard Schnebly, Located at 2690 E. Franklin Rd.

- A. Request: Annexation of 0.75 of an acre of land with an R-2 zoning district.

Simison: Moving on. Next item is public hearing H-2020-0115. We will open this public hearing with staff comments.

Allen: Good evening, Mr. Mayor, Members of the Council. The next application is a request for annexation and zoning. This site consists of .63 of an acre of land. It's zoned RUT in Ada county and is located at 2690 East Franklin Road. The Comprehensive Plan future land use map designation is commercial. The applicant proposes to annex .75 of an acre of land with an R-2 to low density residential zoning district. The reason for annexation is the existing septic system on the single family residential property failed late last year and the applicant had to hook up to city water and sewer service. No new development or redevelopment of the property is proposed at this time and the use will remain residential for the foreseeable future. As a provision of hookup to city services annexation into the city is required. The Comprehensive Plan future land use map designation for this property is commercial. Because there is an existing home on this property and the use is proposed to remain residential, an R-2 zoning district is requested as recommended by staff as a placeholder zoning district until the property redevelops or a change of use is proposed in the future. At such time the property should be rezoned and the use and development should be consistent with the commercial future land use map designation. To ensure future development is consistent with the Comprehensive Plan staff recommends a development agreement is required as a provision of annexation that requires the property to be rezoned and the agreement modified to include a conceptual development plan consistent with the commercial designation prior to any change in use or redevelopment of the property. This would not prevent the applicant from selling the property for continued residential use, but would preclude it from being subdivided to increase the density on the property and further the residential use of the property. The Commission recommended approval of the requested annexation. Rich Schnebly, the applicant, testified in favor. No one testified in opposition or commented. Written testimony was received from Brad Miller, Adler-Industrial, and Rich Schnebly, the applicant. Key issues of public testimony. There was concern pertaining to compatibility

of R-2 zoning of the property with adjacent industrial uses to the north. Suggestion for commercial zoning might be more compatible and a better option. Again, the R-2 zoning is just a placeholder zone until redevelopment occurs in the future. At that time it will be rezoned to a commercial zoning district. Staff did discuss that with Mr. Miller and I think -- I believe he was okay with that explanation, but he wanted Adler's comments on the record. The applicant requested not to have a development agreement requirement for this property due to the financial constraints pertaining to payment -- paying an additional development agreement fee. Key issues of discussion by the Commission were as follows: The buffer requirements that may apply on adjacent industrial property if the subject property is zoned industrial -- or, excuse me, residential instead of commercial, as -- as designated on the future land use map. Just a side note. A buffer was already required on the adjacent property to the north recently with a development application. And, then, second, the reasons for the requirement of a development agreement and whether or not one is needed to ensure future development is consistent with the commercial designation and the Commission did not make any changes to the staff recommendation and there are no outside issues for Council tonight, other than the applicant's request to not have a development agreement requirement on his property. There has been no written testimony received since the Commission hearing. Staff will stand for any questions.

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

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Sonya, if you could help me understand that development agreement. I know what they are there for. If we designate -- agree with the R-2 zoning for this time and it looks like, you know, in all intents purposes the -- the property will be commercial someday in the future, the DA ensures that it will go to commercial at some future point or does it designate how much time that that can be residential? Help -- help me think that through, what that DA accomplishes in this situation.

Allen: Yeah. Mr. -- Mr. Mayor, Councilman Hoaglun, Councilmen, the -- the development agreement basically ensures that the property isn't resubdivided in the future with the residential district to intensify the use, basically. The nonconforming use in an area that we want commercial. So, if -- if you are comfortable with, you know, it going forward, if any redevelopment application came in so far as another use or a rezone, then, of course, at that time we would look for a zoning district that's consistent with the future land use map and no issue. So, really, the only thing that that does is keep it from being resubdivided for more homes on the property.

Hoaglun: Mr. Mayor, follow up.

Simison: Councilman Hoaglun.

Hoaglun: Sonya, if -- if they did hypothetically come in for -- to be subdivided, what -- what process would they have to go through? Is there a point where they can say -- someone can say, no, that's not an appropriate -- appropriate use?

Allen: Not really, Councilman Hoaglun, and -- and the city attorney can jump in if he would like if he has a different answer, but once you -- once they have the zoning they are entitled with that. So, they could apply for a subdivision plat and they -- they could allow with that -- or they could apply with that zoning to have a maximum of two units per acre. Actually, it's not a -- it's not a maximum density. I shouldn't say that. Our code is not like that anymore. But they -- they would have to comply with the dimensional standards of the R-2 district and, then, depending on, you know, how the property lays out they could possibly get more density on it.

Hoaglun: Okay. Mr. Mayor, Sonya, thank you. That was --

Allen: I don't necessarily expect that to happen, but it is planning's job to look out for these situations, so if Council decides a development agreement really isn't necessary, then, staff is fine with that.

Hoaglun: Mr. Mayor and Sonya, yes, you are correct, you do have to make sure we look out for these things and just like lawyers, you know, the what ifs are very important sometimes, so --

Allen: Thank you.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: If I could add -- and Sonya is absolutely right. I mean there is a purpose behind the development agreement that would protect against that and I have kind of gone back and forth with this particular project, because it is so small of a parcel that trying -- with the stand -- dimensional standards that are necessary, setbacks and everything else, to try to put even one more house on this property would be pretty tight to do. It's not impossible to do, but, again, along that corridor of Franklin everything else along there is commercial or office and to me the likelihood is going to be another commercial office. You would have more value. You would likely get more. I'm not sure everybody likes to live on a five lane road like Franklin, so I'm not sure that the future development is rebuilding a house there. I think the reality is it's probably going to be -- so, I think Sonya is right, if we want to protect ourselves -- I get from the applicant's standpoint it's another 500 dollars. They have already had to pay to hook it up and the application for -- for annexation is around 1,200 dollars. So, I get that this is just additional cost for a single home.

Simison: Council, any further questions for staff? Is the applicant here this evening?

Johnson: Mr. Mayor, I thought I saw him earlier and I do not see him now, but he may be under a different name. Okay. Oh, we do have -- he waved in.

Simison: Okay. If you can unmute yourself and state your name and address for the record.

Johnson: Mr. Mayor, it may still be connecting to audio. It takes a second sometimes.

Schnebly: Mayor and Council, can you hear me now?

Simison: Very very faint we could hear.

Schnebly: Can you hear me better?

Simison: A little bit better, but you got more to go.

Schnebly: I'm not sure -- I'm a little unfamiliar with this process, so I don't know whether I'm doing it correctly here.

Simison: Yeah. You got it. If you can just state your name and address for the record and you will be recognized for up to 15 minutes.

Schnebly: Okay. Mayor and Council, my name is Rich Schnebly. I'm at 4050 East Hubbard Road as my address. I am the applicant here for the 2690 East Franklin Road annexation.

Simison: Do you have any -- any comments you would like to make or would you just like to -- based upon what staff has already stated?

Schnebly: My primary concern was the cost of the development agreement. I understand where Sonya is coming from and where Bill is coming from and I'm willing to sign it, I was -- it's a document that you guys are requiring. I didn't ask for it. This project has cost me a lot of money and I'm okay if you want to go ahead with the -- with the agreement, I would sign it, but if you could somehow waive the cost of this, because the cost would really help me -- I have to redo the whole entire front yard for this project, because it was entirely tore up and that three or four hundred bucks that I have to pay for this is -- you are basically asking me to pay a bunch of money for a document that you are asking me for the privilege of signing and I don't get it. Your legal department will be the ones that would put the document together. They are salaried. They -- they get paid the same whether they are working on my document or something else that the attorney assigns them to do and I -- I would just -- I'm okay -- like I said, I would go with the agreement. I understand the -- the basis behind it and why it may be needed, I was just hoping maybe you could waive the fees and absorb those yourself. Thank you.

Simison: Thank you. Council, any questions? Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Schnebly, if you could ask -- answer for me what is -- what is your future intent for this property? Is it going to remain residential? One home on that property and eventually turn commercial, since you are surrounded by commercial? What -- what are the -- if you wouldn't mind telling me future plans for that location.

Schnebly: My -- my future thing is that I would keep it as a residential property. I have currently tenants in there that have been long term tenants. They have been very good. I suspect they will be with me for quite some time. My future at that point -- I'm older now and the only thing I would probably do at some point would be to put it up on market and sell it. Now, whether -- I could certainly market it as zoned for commercial and try to sell it for a commercial piece of property, but at the same time, who knows, a family may want to buy it and move into it and live in it. I just don't know how to say that. I have no intent of ever developing anything further and I agree with -- I believe it was Sonya that brought it up, that -- that -- that -- it sits on a hillside and kind of goes downhill and really to put another home on that property -- the geographics just don't work out very well and I just couldn't ever see that really happening.

Hoaglund: Thank you, Mr. Schnebly.

Simison: Council, any further questions for the applicant? Okay. Mr. Schnebly, if you can hold on, we will see if there is anybody else who signed up to testify on this item.

Johnson: Mr. Mayor, nobody signed up online or in person.

Simison: Okay. Is there anybody online who would also like to provide testimony on this item, if you can use the raise your hand feature on the Zoom call. Okay. Seeing no one raising their hand, Mr. Schnebly, would you like to make any final comments?

Schnebly: No, sir. I'm fine.

Simison: Okay. So, Council, I will turn this over to you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I have a question for staff. So, I apologize if I missed this, but if Mr. Schnebly -- I hope I say his name correctly -- were to -- to decide to market this property as commercial in the future and this DA modification is not in place, would there be a risk of him not being able to do that? You know, when he -- would he still be able to market -- and, technically, there isn't anything that would guarantee that -- I mean it is a future land use in the future land use map, so I would assume that it would -- that a buyer -- new owner would -- could move forward with a commercial application. But any downsides to him not signing the DA or not having a DA when he goes to sell the property?

Allen: Mr. Mayor, Council Woman Perreault, Councilmen, if -- if a development agreement is required as a provision of this annexation and the applicant chooses not to sign it the property will not be annexed and he will be in violation of his agreement with the city to -- that allowed him to hook up to city services. That agreement required him to annex. If you do not require a development agreement tonight he or a future developer or owner would need to rezone the property prior to any commercial development of the property consistent with the Comprehensive Plan.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary Mr. Mayor, Members of Council, so to answer the second half of your question, Council Member Perreault, so the only thing that would be allowed on this property is residential and so they would have to come back for a rezone anyway. The reality -- and as Mr. Schnebly stated, a significant portion of his property goes downhill. So, there really isn't -- from a surface point -- and you can't really tell from this aerial -- I don't -- I'm no builder, but there does not appear to be that much room to put another house on there, unless it's a very very small house. So, it really would be tough to subdivide that when a significant portion is on a slope. So, that's why I'm not as concerned. We have done it both ways with small parcels like this that have come in for -- because they have hooked up to services because their septic's have failed. Sometimes we have required it in areas where we were concerned that they could redevelop into something that's really unwanted. This is one from a personal opinion I don't see that as likely. It's more likely to be developed as a commercial property in the future. That appears to be the value along that section of Franklin. So, I am not as concerned, but I -- I agree with Sonya that certainly if you want to tie that up you can. There is no provision to waive fees in our code, so we couldn't waive the fee, so it's either require the DA and you have to pay the fee or you don't require the DA and, again, I think the risk is fairly small.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Personally, just my two cents, I don't think we should make Mr. Schnebly do the -- the DA agreement. It seems like a low likelihood that it's an issue and like it might, you know, sort of present a real obstacle to him and he's told us his intention with the property. It's small. It doesn't seem feasible they are going to add more houses on it. I would be okay with letting this one go without one.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I agree. These very unique -- very very unique narrow circumstance of facts make me comfortable as well that a DA is not necessary. I do really appreciate, Sonya,

you encouraging a DA. Anytime we can use those we can benefit from them. Everyone does. The clarity that comes with them. So, thank you for bringing that up for certain. But I, too, am comfortable that this is a unique exception and the minutes would reflect that anybody -- any adjacent parcel east or west on this it's just -- there is no intent or desire to allow someone to try and annex and assemble properties and create some commercial zone, because this is clearly not intended -- or residential. Excuse me. Not intended to be residential. But under these very unique circumstances it seems appropriate.

Simison: Council, any further questions or motions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I'm happy to make a motion, if there aren't further comments. I move that we close the public hearing.

Cavener: Second the motion.

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

MOTION CARRIED: ALL AYES.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I move after considering all staff, applicant, and public testimony, to approve file number H-2020-0115, as presented to the staff report for the hearing date of February 23rd, 2021, with the modification, if it's needed, that we will not require a development agreement.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Second that motion.

Simison: I have a motion and a second. Is there any discussion on the motion? If not, Clerk will call the roll.

Roll call: Bernt, yea; Borton, yea; Cavener, yea; Hoaglund, yea; Strader, yea; Perreault, yea.

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

MOTION CARRIED: ALL AYES.

Simison: Council, would we like a ten minute break before we go into this last one? Okay. With that we will take a recess until 8:15.

(Recess: 8:05 p.m. to 8:16 p.m.)

7. Public Hearing for Prescott Ridge (H-2020-0047) by Providence Properties, LLC, Located on the South Side of W. Chinden Blvd. and on the East Side of N. McDermott Rd.

- A. Annexation of 128.21 acres of land with R-8 (99.53 acres), R-15 (8.82 acres) and C-G (19.85 acres) zoning districts.
- B. Preliminary Plat consisting of 371 buildable lots [single-family residential (215 detached/102 attached), townhome (38), multi-family residential (14), commercial (1) and school (1)], 42 common lots and 6 other (shared driveway) lots] on 124.81 acres of land in the R-8, R-15 and C-G zoning districts.

Simison: All right. Council, we will go ahead and come back from our recess and next item up is a public hearing for Prescott Ridge, H-2020-0047. I will open this public hearing with staff comments.

Allen: Thank you, Mr. Mayor, Members of the Council. The next applications before you are a request for annexation and zoning and a preliminary plat. At the December 1st hearing of last year the Council moved to remand this project back to the Commission for the outparcel at the northeast corner of the site adjacent to the commercial development to be included in the annexation area and development plan for the site and that is -- if you will remember it was this -- oops. This area kind of right in this red area here at the northeast corner. Since that time the applicant has acquired the outparcel and submitted updated plans that include the parcel in the development area. The staff report has been updated accordingly. The Commission heard this project on January 21st and recommended approval of the updated plans and the annexation boundary. Mr. Mayor, would the Council like me to go back through the whole application again or is everybody up to date on this and would you like to proceed forward with just that update?

Simison: Council, so you have a -- which version would you like, all or just the update? One all. Two update.

Borton: Update.

Cavener: Mr. Mayor, I have read through the staff report, reviewed our conversation, Planning and Zoning. I'm good with just the update.

Simison: There you go. Update. Just the update. Just the update.

Allen: I just did the update. I was done, Mr. Mayor.

Simison: Fair enough. All right.

Allen: You either get that or you get the long version. Nothing in between.

Simison: All right. Well, with that, then, that say -- Council, do you have any questions for staff at this time? Okay.

Bernt: No questions, Mr. Mayor.

Simison: Okay. Then with that we will ask -- invite the applicant to come forward.

Johnson: Mr. Mayor, he's on his way in. He is getting unmuted now.

Simison: And if you can state your name and address for the record.

Connor: Yes. My name is Patrick Connor. My address is 701 South Allen Street, Meridian, Idaho.

Simison: Okay. You are recognized --

Connor: I am having trouble sharing my screen. It says another participant is sharing. So, I would like to have the opportunity to share.

Simison: We are getting that corrected.

Connor: Thank you.

Johnson: You can try now.

Simison: All right. And you will be recognized for 15 minutes.

Connor: Great. Thank you so much. Thank you again for having us tonight, Mr. Mayor, Council Members. As Ms. Allen said, we were remanded back to Planning and Zoning on January 21st. We added in the one and a half acre parcel, which we acquired. It's now fully part of this project. There are some changes and when I get to those I will call them out. And improvement given a lot of the comments that you all made last year, improving the project and giving this thing another go ahead through Planning and Zoning and through our neighborhood meeting. So, the project is called Prescott Ridge. The location of the project is south of Chinden Road and east of McDermott. The future land use map shows the majority of the property is medium density residential with the north part of the property as mixed use regional. Just want to point out the far west side, this mixed use regional area, it has some existing homes that are located in the county that

are within that mixed use regional area. The current zoning map -- we have general commercial to the north and R-4 and R-8 to the south and to the east. Our requested zoning boundaries are shown here. Like I said, the majority is the R-8, which is almost one hundred acres. About 20 acres of commercial and R-15 of 8.82 acres shown in orange are multi-family and townhome portions of the project. The preliminary plat is the same as you see before. We have 371 buildable lots. Two of those lots -- one of them is a school parcel and one of them is the proposed medical campus on the north part of the property. We have 309 single family homes, ninety of which are potential zero lot line homes. Thirty-eight townhome lots. Eight single family attached lots within that townhome community. We have 14 multi-family lots with proposed four-plexes on each one of those lots and 32 common lots. We have 12.43 acres of qualified open space. One of the questions that you all had last time was how much open space did we have without our buffers and so we did that calculation and we came up with just over ten acres or 12.7 percent, which is over the -- the required open space. Our amenities -- we have many scattered throughout the community. We have one central park in the middle with a pool and tot lot and clubhouse and, then, the kind of scattered around we have three small tot lots, pocket parks, and a dog park area. Recreational pathways, which I will get to next, are a big part of the project and big desire of our community members. One big change I will get to in detail was Council Member Strader I think suggested to have a pocket park or a playground just for the multi-family portion of the site. So, that was one thing that we accommodated for. Here is some shots of -- and renderings of our amenities. A large clubhouse and a pool with a large tot lot and there is the smaller tot lots that are scattered throughout the community. Connectivity. What's shown here is pathways that are through common lots that kind of break up the larger blocks to increase pedestrian connectedness and also recreational opportunities. We do have a ten foot Parks Department pathway, which runs from the north part through the medical campus, through the site, which connects to the future school site on the inside of the property. We also have a ten foot pathway along Rustic Oak Way to the south of us to the Oaks North Subdivision. It connects to the already constructed Parks Department pathway along Chinden. The phasing plan is shown here, specifically phase one is shown here. It's almost the full extent of the property, giving us two points of access to McDermott and to Chinden. This is the main point that we worked with the city on and with the Parks Department on to ensure fire life safety access and having two points of access to the community. Also as this slide shows, once the full build out of Rustic Oak Way is done and this collector is installed it will serve Oaks North to our south and it will improve the response times of fire and ambulance and response times to Oaks North as well. So, the investment that we are putting forward in the first phase will now just positively affect us, but positively affect our neighbors as well and that was important to us. Peregrine Heights is a private subdivision to our west. They currently have a private road that only has access to Chinden. We will intersect with them to the south and we want to ensure that they have emergency access in the future and so we have offered to have -- and to build them a gate that has an Opticom device to ensure that they have, you know, the fire department and this plan was approved by the fire department. We worked with the neighbors on what sort of gate that they would want as part of their community. Here shows all of the housing types that are scattered throughout our community. As you can see we have about five different product types. The majority of them are this mixed 45,

50 and 60 foot homes that you see in yellow. We do have the smaller located in the blue areas, which are 40 foot lots and most of them have the option to be single family detached as well to kind of break up the streetscape. This was a really good offer by the city to an idea to help us kind of diversify our product line and help appeal to a diverse number of buyers. In green you will see we have the townhomes there and, then, also the red is the multi-family. These large lots centered around the existing Peregrine Heights community are shown in purple. And these lots are 70 feet to one hundred feet wide. Working with the neighborhood over the past year -- over -- over a year we have -- we are asking for a condition to have these nine lots of single story to help diffuse the impact of their -- on their view corridor of -- of the mountains and this is something that they have asked for and we are willing to work with them and given them the single story houses to help lessen the impact. Here is some examples of our typical home elevations. These are for our 50 and 60 foot lots and these are attached singled family lots. And these are the different clusters of our residential areas. The townhomes and single family as shown here. This is one particular area that we focused on early in the project and met with Planning and Zoning twice on to ensure this is the best possible layout and have two points of access both to two different public roads, both to roughly go to the south. There is 46 total units with three different product types in here. Twenty-nine rear load townhomes, nine front load townhomes and, then, eight single family attached. Each of these come with a private yard. Each have a two car garage and a parking space in their driveway. In addition there is 15 overflow spaces here on the west side of the central MEW located here. We also have this private park -- or not private park, but it's a community park over here as well for more kind of programs and cookouts -- potentially a fire pit. We will keep this MEW open for more kind of spontaneous recreational opportunities. Here is an example of the rear load townhomes, the front load townhomes and the duplexes on the south side. Here is an example of some MEWs that we have done as a team around the country that function in a community and giving folks that live in an area without a large yard an area to recreate together. And here is some examples of the townhome gathering area, the community grill picnic area, outdoor seating and the fire pit. Now, this particular site plan changed slightly and improved thanks to the good comments from you all. We added two areas of public gathering space. We have a playground here in the bottom corner, as well as a community mailbox center, and we have a gathering space here. The finer details of this site plan will be made during the CUP process when this portion of the project comes up. This is something that we really are excited about. It's a big improvement and we are glad we had the opportunity to go back and make the adjustment to these lots and shifting them. We were able not to lose any units, but will add this -- this amenity. Here is some renderings of these four-plex units. For all of our homes, townhomes, multi-family and for single family we are committed for a hundred percent energy certified. Last year we led the valley with Brighton in the number of homes that were a hundred percent energy star certified. This cuts down, obviously, on energy emissions, but also on cost of -- energy costs for our homebuyers. Here is an example of our design center, which all homebuyers are able to come in here in Meridian to choose all the details of their home and, then, here are some shots of our interior. Lastly, the medical campus there. This is the reason why we were remanded back to Planning and Zoning and we were able to purchase this 1.3 acre parcel, which is located here in the northeast corner. We were able to rotate this building

based on suggestions from our neighbors to help with alleviating some of the conflict of their view. We know a view sometimes can't really be protected, but it is something that we wanted to ensure if -- if there is something we do we could accommodate some of their concerns there and also this building is now 537 feet from the property line. Per code when -- with the residential use and general commercial use, I believe the building can be up to 25 feet. So, we are significantly beyond that with this medical office building here, which is a four story building with retail and restaurant on the first floor, which I will show you the rendering next. The hospital building here is still three stories tall. We have tried to integrate and mitigate the impact of this medical campus with some green areas and outdoors seating, as well as a large 30 foot buffer on the corner, which the pathway will snake around the whole site to integrate with the residential community, as well as the greater community outside on Chinden Road to the Parks Department -- parks ten foot pathway. Because we have this full corner now part of the site, we are able to have two points of access to Rustic Oak Way. This first access is a right-in, right-out only based on distance from the signalized intersection and, then, this access here is a full movement access. We still have the fire access road that runs to the northwest of our property. This intersects onto Serenity Lane, which per their plat, is a private road for access of -- emergency access for all parcels adjacent to Serenity Lane. Here is a shot of the medical campus. This is the four story building here with the retail and commercial on the first floor, as well as a three story hospital building here located in the center of the site. Here is some shots of some of the outdoor accommodations that we are trying to provide here for the medical campus to both integrate it within the community, but also mitigate the impact of having a commercial use next to a residential area. We -- there is a letter written to the city as part of the record of some comments that are still outstanding with the city and I just -- or with the medical campus and I just want to talk about some of them. One of the concerns is the hospital would have nowhere to grow and the response to that is the existing medical campus has no intent to grow beyond this 15 acre site. It will be built in over three phases and over multiple years. Another comment was that ITD, when we are not allowed -- or access for emergency access road in the northwest corner and that HOA would not allow access, we did talk to ITD about having some right-of-way encroachment. They did not deny our access. Also the 15 acre parcel that is on -- Peregrine Heights Subdivision, which was part of their recorded plat in 1995 as Lot 18, Block 1, and on this plat there is a note that says that Serenity Lane is designated as a private road for the purpose of ingress-egress, utilities, and emergency vehicle access. Another concern of the Fire Department says a frontage road is not required. The city code is what is requiring the frontage road, not the Fire Department. Another comment from the neighborhood was a hospital just asked for -- for more stories. The proposed site plan can't change once approved and there is a height limit of 65 feet. So, there will not be additional stories there. Also there was some comments about not having to rush the project and I just want to say that in April 2020 is when we first submitted this project. We have had three Planning and Zoning hearings and this is the second time we have presented to Council. Four neighborhood meetings. Three drafts. Countless conversations. On and on. So, we think a lot of the concerns that were brought up with this project with the neighbors have been addressed. We have accommodated a lot of their concerns and we are really proud of where we are at today in bringing this project to the city. In addition, the --

Simison: Mr. Connor, if you could wrap up your comments.

Connor: Sure. Thanks. The comp plan does support the residential. Like I said, we have accommodated over and beyond what is required. So, just to conclude, thank you all for having us present tonight. We are happy to have the 1.3 acre parcel as part of this project and we just really think this is a premier project for northwest Meridian and we -- we look forward to being part of the community. It was -- it was well received by Planning and Zoning. I think we have given this almost ten months of going through this public process. We have made a lot of changes and a lot of improvements and with that I stand for questions. Thank you.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Mr. Connor. I have multiple questions, so, please, bear with me. I will probably have some follow-ups as well. When I first started reviewing this again I was thinking I had never heard this application before, because there is so many changes and, then, when I went through and started recognizing some of what we had heard a few months back and realized that I had a lot more questions than I did last time, which is always a good part of the process. So, the -- and I apologize, but I know some of these things were gone over with the Planning and Zoning Commission and I did not have a chance to fully review their -- their transcript. So, the first question I have is -- and -- and if the Mayor would permit, would it be possible for me to ask the applicant a question, have them answer, and, then, allow me to continue to ask those questions or would you like me to ask all the questions at one time?

Simison: If you have got a list, go back and forth. I'm not going to make you go through me, so --

Perreault: Okay. Thank you. So, my first question is, you know, when I -- it's a unique -- it's a unique project. It's unusual to have residential this close to a medical campus, of course, and so, you know, I think of a hospital as a big working functioning facility that's not that different from any big commercial facility and so you have stated that there will likely be an entire bottom floor of retail and restaurant and so I'm wondering if you could show us where the loading trucks -- where -- where trucks will be coming and going in relationship to the residential and if you could take us through what looks like, because I -- in addition to, you know, just noise, there is going to, obviously, be a lot of movement and lighting and whatnot.

Connor: Absolutely. So, this -- you can still see my screen; correct?

Perreault: Yes.

Connor: Okay. Great. This is the large hospital here. The loading zone is on the south side. Right here. That's also the area of any sort of trash or drop off traffic will be located right here. Initially the iterations of the hospital was oriented clockwise 90 degrees and so the loading zone was on this side. We had a lot of strong opposition that the loading zone was too close to the existing neighbors -- from the neighbors and so we rotated it here. For the four story retail and commercial use, which is required or recommended for the mixed use regional zoning, I don't think this building has been fully set out as far as the -- where the loading zone would be, but given it would be a -- a restaurant and a store and maybe a pharmacy, the loading zone would be probably through either side -- part -- the west side of the south side. But just in this parking general area. As far as the lighting that you brought up, we will fully comply with the city's shielding policy to kind of take care of the dark skies initiatives and have those lights -- you know, making sure they are the not distracting or shining into neighbor's backyards. As we go through the conditional use process that we went as well for this medical campus, we can get really narrow on the type of -- of lights that are going to be recommended for this particular area. With this being a medical campus I just want to kind of clarify. It's -- we call it a boutique medical campus, because it's primarily going to be for women's health and pediatric services and outpatient services. So, there won't be a particular lot of overnight stays. It's really just for surgery. In and out. Typical operating hours are 7:00 a.m, to 4:00 p.m. to schedule those -- those surgeries and operations. So, it's -- it's really kind of a low impact hospital use. It's not a trauma hospital. There won't be a ton of ambulances and helicopters and things going in here. Those will go to St. Al's and St. Luke's. This is really a kind of a more regional boutique medical campus with more neighborhood friendly operating hours. And if there is any other questions on the medical campus I would love to talk about it.

Perreault: Yes. Thank you. So -- so, the hospital itself where -- where the loading is going to happen, primarily there is going to be supplies being loaded in there. Obviously there will probably be a cafeteria in that building. What -- what is the -- are there -- are there limitations on loading -- on hours? Are there hours for trucks to load and unload and, then, what is the distance from the building there where the loading is to the -- the closest residence?

Connor: I have right here from the residence to our west it's 172 feet. I don't have the exact measurement from this edge to here. I imagine it's probably about 140, 150 feet. Again, the setback per code was 25 feet. We are trying our best to move the building as far away from residences as possible without affecting the ability for the hospital to function and moving traffic and having, you know, people to park safely if they need to in case of emergencies and access for patients. As far as operating hours for the -- for the loading zone, that's something I think we could potentially talk about in the conditional use permit process. I'm not aware of -- of other requirements of other medical campuses in other communities for loading zones, but I would imagine that they would only come during operating hours. Typically in the morning or the early afternoon. But we can have that as a -- as a potential condition in the conditional use permit process.

Perreault: Okay. Typically conditional use permits are decided by our Planning and

Zoning Commission, so that's not a decision we will likely have a say in, but I would like to see those hours limited for sure and -- yeah. I would like to see those hours limited and likely you probably haven't had that conversation frequently, because it's rare to have residential this close to the loading zone of a hospital, so I wouldn't be surprised if you hadn't had that conversation before. Okay. The second question I had is about the emergency care and you said that there would not be a lot of ambulatory services required, because it's not going to be a trauma hospital -- emergency hospital. However, one of the decisions before us tonight is the -- the entry into this and it being used for emergency service. There is a 90 -- what, 95,000 -- 100,000 square foot hospital being built just to the north of this and I am sure you probably have watched the presentations and I'm guessing you -- you watched the decision that was made for that property to the north and the conversations that were had about requiring that applicant to create an arterial type of street to enter into the hospital -- to the development in exchange for not being able to access Chinden directly and so is that something that's been a conversation that you have had? Because I -- I would make that expectation. I would expect that we would have a similar requirement for you as we created for them, which is that the -- the entrance to -- if you are going to request emergency services is -- let me preface that -- that that -- that decision before us this evening that we would have the same expectation as the applicant to the north. So, just curious your thoughts on that.

Connor: Sure. I will just chime in real quick. So, the Rustic Oak Way off of Chinden Road is our -- is our access point to Chinden and so, yes, the medical emergency services would access not directly onto Chinden, because ITD did not want direct access to Chinden, other than off of Rustic Oak. So, that is our route for medical services. Again, this emergency area is really only required based on the level of surgeries and operations that they would be scheduling in this hospital. It -- most of the time it would function similar to a primary health for, you know, flu shots, vaccines, things like that. People that need stitches or broken wrists can come here and -- and get those items addressed. So -- did you want us -- I also have Stephanie Leonard here. She can probably give some more commentary.

Hopkins: Hi, Council. Stephanie Hopkins now, but -- our address is 9233 West State, Boise. 83714. In response to Council Woman Perreault's question about the exception to access to an arterial roadway, we are asking for a similar exception from the Council tonight to allow us to use Rustic Oak as our primary access for any emergency access that would be required. The -- it would be very similar to the Pollard Subdivision that was approved to the north as far as that exception and I think Sonya included something in her staff report to that effect. We do have a representative as well from the hospital that would like to speak and I think she's in the waiting room, too, if it's appropriate for her to enter.

Perreault: I just have one more quick question. I'm sure Council appreciate that and, then, the Mayor can respond to that request. Stephanie, good to hear from you. So, the -- the other question I have, then, is can you share I guess a bigger picture understanding of the need to add this facility when we have another hospital coming in just across the street? And, then, I have this what if question that may never ever happen, but I have to

ask it. If by some chance we -- you were to have ambulances that were to arrive at this intersection from both hospitals at the same time, how is that going to work with priority and how is that going to work with -- with -- I assume they will probably -- well, I know for a fact that there will be a light going in there, if I remember correctly from the Pollard application. How is that going to get prioritized on a -- on a highway -- a state highway with two hospitals across the street from each other?

Connor: I think that's an excellent question for Betsy Hunsicker to answer as far as how those ambulances -- ambulances or EMS's are going to make that decision on which emergency services to access either side and I will just real quick before Betsy hops in -- so, I didn't include a slide, but it showed how -- yes, we are well aware of the hospital across the street and the -- the argument that -- that I believe in is that we have the opportunity based on the location of the intersection of the two highways to create a regional medical area with two different medical providers. From a consumer standpoint it would create more competition between these two medical providers and potentially bring down costs and, hopefully, increase the quality of care. That's kind of my standpoint. The user that we have for this site welcomes the competition and, in fact, kind of enjoys it, because there is an opportunity for some sort of collaboration, as well as it -- it creates a foundation of jobs and tax base in this particular area, which can spur future development for -- whether more restaurants or more commercial properties, parks, things like that, it creates this regional hub of medical area that, you know, you may go for pediatric services to our campus and you may go for orthopedic services to the other campus based on, you know, how people are -- how the market perceives these medical campuses and what populations they serve and what services they provide. I think it's a good time for maybe Betsy to chime in, if you can invite her into this conversation.

Hunsicker: Hi. I'm in. Can you all hear me?

Simison: Yes, we can.

Connor: Yes.

Hunsicker: Hi. My name is Betsy Hunsicker and I'm with HCA Healthcare. So, I will try to kind of answer a few questions that I heard kind of over the last couple comments. So, first of all, EMS agencies have protocols for how they manage, you know, they both arrive and who goes first and whatever. So, EMS agencies have protocols for -- for how they would manage that. Secondly -- so, we were initially partnering with VBA on the project to the north. So, we were the hospital partner on that project. For a variety of reasons we had not moved forward and have moved to this location. So, if they have a new hospital partner I'm not aware of that. That doesn't mean they haven't -- they don't have a new hospital partner, but -- but that is I think from my perspective, you know, one data point is part of this. As far as the loading dock and the hours, typically Patrick was right, typically our -- our deliveries come in the mornings during -- I mean they come, you know -- they are not coming at 5:00 a.m., but they do probably start around 7:00, 7:30, and, you know, they go through early afternoon for any kind of food truck -- you know, food delivery service or other supply loading services and, then, and -- and that is fairly easily managed

with those trucks. I think those are the main questions that I wanted to weigh in on.

Simison: Council -- Council Woman Perreault, did you get your question answered?

Perreault: Thank you. Just one -- one more. So, with the -- with the expectation of the Pollard Subdivision having a -- almost a boulevard type of entry into their development, is that something that you would consider doing? I really would like to see those -- I would like to be -- to see it be consistent on both sides of the highway, considering the nature of the projects. Is that something that the applicant would consider if Council so requested?

Connor: This is Patrick again. To answer your question, we have coordinated with the developers of the Pollard Subdivision in ensuring our alignment on our streets does line up. In talking with ACHD and working with them, the width that is shown here is suitable. I think Pollard is looking more for a grand entrance. As far as the number of lanes coming in and out was suitable for the traffic flow that is going to be generated by the community and the -- and the medical campus. We have expanded it with the acquisition of this 1.3 acre parcel. We did -- we did widen the space a little bit more, because we were able to do that. But we are limited to our east of our project, because it is still privately owned. But we have gone as far as we can keeping that alignment in line with the Pollard Subdivision and their boulevard to the north. Like I said before, we have worked with them and ACHD ensuring that our intersection is aligned well, so when that light does come in later this year or next year it will function correctly as an operating intersection.

Simison: Thank you. Council, any further questions for the applicant? Councilman Hoaglun.

Hoaglun: Mr. Mayor. Mr. Connor, I was reading and I can't remember if I read it in the Fire Department report or if it was part of the application packet that along McDermott, the development there, is outside of our -- or right at the five minute boundary response time and I was reading some things that you are going to put in AEDs or some items like that in the clubhouses. Was that going to be in all the clubhouses?

Connor: Council -- Councilman, we just have one clubhouse here located in the middle of the project and we will have an AED device as recommended by the Fire Department.

Hoaglun: And follow up, Mr. Mayor.

Simison: Councilman Hoaglun.

Hoaglun: And, Mr. Connor, I don't know if you were able to tune in earlier to our -- to our Council session that -- about our discussion about possibly not being able to build a fire station in north Meridian, depending on what the legislature does to property tax revenue. What -- what additional changes would you make to this development to ensure that these residents would have suitable emergency access and items to help them protect their property? If we are going to have future growth there is lots of applications that have already been approved and now if we can't go forward with a subdivision -- our fire station

to service this subdivision in a timely manner, that creates additional pressure on residents.

Connor: Councilman, absolutely. It's -- it is something that we would hope to continue to work with the Fire Department to determine what their needs are to ensure adequate fire-life safety, because that's -- that's the number one priority and that's -- that's why we committed to providing the two points of access to McDermott and to Rustic Oak Way because of that question of making sure that that's the best it can be, fire, life and safety. As far as what else I could do to solve the problem, I don't have any answers today. I think we are all on the same page of the impacts of this proposed legislation. Obviously, I think it's in our best interest to work together with our legislators to ensure we are all making the right decisions for our whole state. As far as fire, life, safety, we would, obviously, work with the Fire Department to see where their needs are and how we can help. I'm sure you can get pretty creative in different ways. I don't have any direct answers today, but we would ensure that's number one priority.

Hoaglund: Mr. Mayor. Thank you, Mr. Connor. If I might, I want to --

Simison: Councilman Hoaglund.

Hoaglund: -- like to ask Deputy Chief Bongiorno just to make sure my memory is correct. Is that within the five minutes, chief, or was that McDermott portion of it outside the five minute response time for our current fire station that would service this area?

Bongiorno: Mr. Mayor, Councilman Hoaglund, if I can take over the screen I will share the map with you.

Johnson: You can do that now.

Bongiorno: It's coming here. You guys let me know when you can see it.

Hoaglund: Got it. Thank you.

Bongiorno: Okay. So, this is the -- the current -- obviously, the slime green is our five minute response time as calculated by our GIS group. So, right here is -- is Levi Lane and, then, the -- the roadway that Patrick had talked about, you know, coming through and tying into McDermott. So, the five minute response -- it kind of does this point right here, because the road ends. Levi Lane just ends and doesn't go through. So, once they push this road through, the five minute response time will creep in probably about equal to what's Serenity Lane is. So, it will -- it will come into roughly about right here and, then, all of this area, including part of the Oaks, is outside of our response time as -- as it sits right now. The other problem we have, which kind of exacerbates the issue, is we can't make that left turn onto McDermott, because it's -- it's -- that movement isn't allowed at this time, so -- so, what Patrick said is true, it will help us, because we will be able to go up Levi Lane and get into this area that's not covered. For view -- sorry if I'm moving this around too much. The property that we are looking at that we own for a future fire station

is this one right here is where this lot is, if you can see my cursor moving. So, this one would be almost a direct shot to come in the back way off McDermott to assist with fire coverage. So, as it stands, yes, a good majority of this is outside of our response time. Obviously, the hospital area that we have talked about will be fire sprinklered and it's a hospital, so we are good there. His apartment area -- all of those will be sprinklered and this area right here where the townhomes are, unless they are built off the IRC, they would not need to be, but if they are built off the IBC, then, those would be sprinklered as well. So, that's kind of where we are at. And -- and, yes, I did recommend, because of the longer response times that they put AEDs in their clubhouses or, you know, somewhere appropriate. So, that way we have fire and life safety covered if possible.

Hoaglund: All right. Thank you, chief.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Maybe just a few comments for Patrick and the applicant team. I -- I do appreciate some of the changes to your plan. I appreciate the changes to the multi-family, especially to make sure those kids have a place to play and a little more breathing room. I appreciate the changes, you know, to the layout and the buffering and how you have tried to work with the neighbors. I -- you know, just to sort of give you a feel for how this example fits through this proposed legislation that may come -- may come to pass and kind of the discussion we had previously, if I'm just looking at this holistically, this is at the limits of where our city is now. For this to be successful we need to have another ladder truck that could get here quickly. We need to have fire service that could get here in a reasonable amount of time, which requires another fire station. Right now the nearest police substation is I think nine miles away, if I read that correctly. We need to extend the McDermott sewer trunk. We need to extend water services here. And I'm probably leaving things out. So, there -- there is just a huge amount of investment that we would normally make as a city for a project like this to be successful, but because this is an annexation we would potentially only capture 75 percent of the property tax revenue associated with this project and so that's where I'm having a lot of heartburn and it's not your fault and we don't want to be in this position, but I think it -- that is a big struggle for me right now with not understanding fully what will happen with this legislation, but feeling like, as Councilman Borton said earlier, our city is sort of at a turning point and at kind of critical moment with how we are going to evolve going forward and look at growth. So, I just wanted to sort of share those thoughts with you. We were talking about taking what we were calling of pause on approvals and decisions on these types of projects. Annexations especially. You know, do you hope for us to render a decision this evening or do you -- you know, would you prefer a continuance ultimately on this project or how are you sort of looking at that in light of that legislation and how we are looking at things?

Connor: Thank you, Council Woman Strader. Yes, I completely understand your standpoint. I appreciate the feedback that you gave to us last time we met with you all. As you can see we made a lot of improvements based on a lot of your comments. So, I

just want to say thank you for those. Yes, obviously, we want this project to move forward. We would like for the project to be approved, obviously. You know, if there was an opportunity to have our approval contingent on this bill being -- being denied, that's something we would be open to. Obviously, I think that your decision tonight potentially will be delayed, at least that's kind of what I'm picking up on. But I would like you all to consider this project, you know, without the elephant in the room. But holistically tonight how it stands, how it fits in your -- in your city and the positive impacts of it and, then, once we understand the legislation more and once it kind of goes through its process in the statehouse, you know, as -- as more of us from local governments come in and -- and work with our city legislators, I think it's going to look a lot different and I think that the cost of development should pay for itself and that we don't want to put anyone in any pain financially, the city or individuals. So, we definitely heard your comments before and we totally respect your decision to continue it. I would -- it would be great if we could do a condition of approval based on the outcome of this bill. That's up to you all to decide and discuss. I think that kind of summarizes what -- what I feel about it.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you for -- for seeing that. I -- I have never seen us condition something on a piece of legislation and I -- that just -- that makes my head spin on how that would -- how that would work. I can only speak for myself. I think the changes that you have made to the project have been good and have moved in a better direction. You know, for me the -- the biggest hang up is the elephant in the room and so I -- I -- if I were in your -- I can't tell you how to proceed on it, but if I were in your shoes I would ask for a continuance at this time once I had the feedback on the changes to the project. That's just me. As a business woman that's what -- that's where my head would be at and I'm just one -- one of many. But thanks for those comments.

Connor: Thank you.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I agree -- I agree with Councilman Strader's comments one hundred percent, Connor -- or Patrick. I -- that elephant is pretty big that's in the room. He's not small. He's pretty big. So, I -- it's bad timing, honestly. So, I think I just would -- we were pretty clear in our message at the beginning of our meeting today, so I -- I'm with Council Woman Strader on this one.

Connor: Mr. Mayor, if we can, can we continue to talk about the project and the other feedback from anyone else and likely at the conclusion of that we can consider a continuance. I just want to make sure that -- assuming we keep functioning as a -- as a state and a city as normal, that we can, then, bring a really positive good product to you

guys and I hear all comments, so when we come back from being continued you have an even better project.

Simison: Yeah. Patrick, we have people who are online to testify as well, so we are going to hear from the public. We are going to take all the testimony. We will consider -- we will continue the conversation, so we will get that feedback and viewpoints from that standpoint. So, Council, any further questions for the applicant? Okay. Then with that we will go to our public testimony. Mr. Clerk, do we have anybody signed up in advance to provide testimony?

Johnson: Mr. Mayor, we had nobody signed up in advance, but we do have several people online.

Simison: Okay. If there is anybody that would like to provide testimony on this item at this time if you could, please, use the raise your hand feature at the bottom of the Zoom platform and we will bring you in. I see we have one person so far.

Johnson: First is Sue Ropski.

Simison: Sue, after you unmute yourself if you could state your name and address for the record and you will be recognized for three minutes.

Ropski: Hi. Can you hear me?

Simison: Yes, we can.

Ropski: Hi. My name is Sue Ropski. I live at 6262 North Serenity Lane. That would be the second lot as you turn into Serenity on the east side. I have lived here since 1998. I, as well as many of my neighbors, continue to have issues about the frontage road. I'm a registered nurse and I know what it takes to staff a hospital that's going to be open 24 hours a day taking care of 60 in-patient beds. That staffing parking lot is in the back behind my home. My concerns are the shifts they are going to be turning in on Serenity and taking that frontage road to zip into that back parking lot and go into the staff lot. So, I'm concerned about the lights that will be shining 24 hours a day point in. There is no barrier between the first lot, my next door neighbor to the north, and so I have concerns about the safety, the noise and the lights, for the employees and the use of that back road. My -- my other concern is -- first I want to thank you for the really nice sidewalk you have put in for us. I actually use that sidewalk and walk down to Costco now, but one of my concerns is that I'm now going to walk in on a sidewalk that's going to be between Chinden Road on one side and a frontage road on the other side, so it's a pedestrian -- it's -- it doesn't leave you feeling the safest on -- especially on days that there is -- there is a little bad weather. So, I just want you to take the safety into account also and I -- the other question my husband brought up was he had commented that a floor in a building has to be almost 11 feet. So, if that building is 65 feet tall is it really only going to be four stories or is there a chance that they may extend it upward. So, Mayor and Council, thank you for giving me a few moments of your time.

Simison: Thank you, Sue. Council, any questions? Okay. Appreciate it. Is there anybody else online who would like to provide testimony at this time?

Johnson: Mr. Mayor, no hands raised at this time.

Simison: Okay. Would the applicant, then, like to make any final comments?

Connor: Yes, I would, Mr. Mayor. So, thank you, Sue, for your testimony. Just for some clarification, the -- what you called the frontage road is -- it functions like an emergency access road and so there will be no cut-through traffic or anything like that from staff or anybody. There will be significant signage. We have had some conversations with the Fire Department on whether we can gate this emergency access road. I think that's still up for debate. We would have to have sufficient turnaround. But we fully intend to make sure we are not encouraging anyone to use this access as -- as a -- as access into the hospital. As far as the lights shining, during the CUP process we will have a photometric test to ensure that there is no light leakage into the residences. And also I don't know if I mentioned this earlier, but we will have an eight foot masonry wall along the property line to the west side and the south side and along here and that's required per code between commercial and residential use. So, that will definitely cut down on any sort of noise, any other site nuisance that may be between the two different uses and, lastly, the comment about the -- the height of the buildings. Per -- per the zoning category it's 65 feet maximum. The medical hospital building is three feet only -- or three stories only and the medical office building is four stories and won't exceed 65 feet. And then --

Hopkins: I will just add, too, that if we -- this is Stephanie again. If we -- if we did want to modify those heights we would have to modify the development agreement to be consistent with the new elevations or concept plan that would be the result of changing this building, so --

Connor: I think that's it.

Simison: Okay. Thank you very much.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: To that last point any -- if there were to ever be a request to modify a development agreement to -- to make that ask, that would be a future public hearing as well.

Simison: Thank you for --

Borton: Even though that's not the intent, but that is all done in public if it ever does happen.

Simison: Thank you. So, Council, this -- you know, back to the conversation of -- from

my standpoint I do like this project, the changes that have been made. I think it was a wise decision to remand back and get the issues addressed, so we knew what we were moving forward with. Whether it's legislative -- whether it's legislative or the conversation Council will likely have in a couple weeks -- or about a month regarding our decision on future fire stations, we would at least know in theory either -- if we are going to do one or two or which one is going to go first in the north or the south potentially. There is a lot of good questions that I think the Council will get answered here in the next six weeks that would really allow a more informed decision, whether it's monetary or otherwise, for this area, both for the applicant and for the city, quite frankly, from that standpoint. So, with that any further comments, questions, suggestions, directions?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I think it's wise that -- that we -- to address the elephant in the room as it regards to potential legislation that could impact us. From our discussion, my takeaway earlier today, is the fact that we do have to know what we are dealing with. Certainly this project has -- has improved. There is very good elements of it, but at the same time we might not be able to provide essential services to areas of our community and before proceeding with that I just feel more comfortable if we would continue this. If we look at six weeks that is April 13th. I took the liberty to check with our city clerk and that is an open date at this time. So, I would move that we continue this item and leave the public hearing open on H-2020-0047 until April 13th, 2021.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I second that motion.

Simison: Motion and a second. Is there discussion on the motion or further feedback for the applicant to consider between now and then?

Bernt: Luke, are you --

Cavener: Mr. Mayor?

Bernt: There you go.

Simison: Councilman Cavener.

Cavener: Thanks. Sorry about that. Just for conversation, I know it is sometimes common that when we continue an item we limit the continuance for additional public testimony in a more limited scope. I don't know if that's something that we would want to consider. Again, looking at maybe the precedent that we may set with this particular

continuance to try and be consistent as possible over the next few weeks. So, if we want to leave the public hearing open I'm certainly supportive of that. If we wanted to limit it for additional testimony about how potential legislation could impact this project -- I would be curious to hear how the rest of my colleagues feel.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: In my opinion we -- I don't feel like there is a need for additional public testimony on the application itself. I mean the reason that we are having a discussion about the continuance is not related to this application and so I would be comfortable with Council continuing it and just making a decision on the application at that future meeting. I don't -- I don't -- like -- like Councilman Cavener said, you know, curious to hear what my other Council Members have to say, but I don't know that the public will be necessarily discussing property taxes in relationship to this application specifically.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. I'm open to -- to, you know, what Council wanted. My thinking on this and making the motion with leaving the public hearing open is just the fact that just in case -- I don't think there will be additional testimony or changes or anything that comes of it. It just allows us to keep the record open and hear from the public if they want to weigh in on this, but I think the developer has gone to great lengths to include feedback and to rectify where they could on -- on many of the issues and it's I think more just kind of a courtesy to leave it open, as opposed to closing it and having the hearing on the 13th to make a -- hopefully a final decision.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: The Council could also stipulate that the public hearing may remain open, but only new -- testimony based on new information would be accepted. So, that way if there were something related to the legislative actions or something -- and, then, the applicant wanted to weigh in on how they aren't going to impact that way, you still have that ability, but it's just on new information, not the whole project.

Cavener: And Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I know that as a body we value public testimony. My thought was merely out of respect for the public. If we -- again, I don't know what's on our agenda over the next

few weeks, but if you have a particularly contentious public hearing where, you know, individuals have come to the Planning and Zoning and voiced their concerns and they come to a City Council meeting, they voice their concerns, that they feel obligated to come to the continued City Council meeting that's really designed to focus about pending legislation and so they feel that they may need to come and voice those same concerns again. So, just -- that was where -- where my mindset was is I want to be respectful to the public's time. I think that it is our intention to -- to take these public hearings like they are a complete hearing with waiting until we have some clarification on one particular element before we render a decision.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: And I think Councilman Cavener raises a good point, especially about the point that how we handle this one kind of sets the tone for the rest of them and with Mr. Nary's advice, I would amend my motion and make it that we continue H-2020-0047 to April 13th and limit public hearing items to new -- new items only. Any public hearing would be related to new items. Mr. Nary, is that --

Simison: Does the second agree?

Nary: Based on new information. So, new information.

Hoaglund: I'm sorry. Based on new information only.

Simison: Does second agree?

Bernt: Second agrees.

Simison: So, we have got a revised motion. Is there further conversation on the motion at this time? If not, ask the Clerk to call the roll.

Roll call: Bernt, yea; Borton, yea; Cavener, yea; Hoaglund, yea; Strader, yea; Perreault, yea.

Simison: All ayes. Motion carries and the item is continued. Thank you for the conversation and look forward to seeing you again in April.

MOTION CARRIED: ALL AYES.

ORDINANCES [Action Item]

- 8. Ordinance No. 21-1918: An Ordinance (H-2020-0087 – Spurwing Sewer Easement) for Annexation of a Parcel of Land Being a Portion of Lot 2, Block 1 of Spurwing Subdivision as on File in Book 69 of Plats at**

Pages 7104 in the Office of the Recorder for Ada County, Idaho, Said Parcel Being Situated in the SW ¼ of Section 23, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and Being More Particularly Described in Attachment “A” and Annexing Certain Lands and Territory, Situated in Ada County, Idaho, and Adjacent and Contiguous to the Corporate Limits of the City of Meridian as Requested by the City Of Meridian; Establishing and Determining the Land Use Zoning Classification of 0.60 Acres of Land from RUT to R-4 (Medium Low Density Residential) Zoning District in the Meridian City Code; Providing that Copies of this Ordinance Shall be Filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as Required by Law; and Providing for a Summary of the Ordinance; and Providing for a Waiver of the Reading Rules; and Providing an Effective Date

Simison: With that we will move on to Number 8 under Ordinance. Item 8, Ordinance 21-1918. Ask the Clerk to read the ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance related to H-2020-0087, Spurwing Sewer Easement, for Annexation of a parcel of land being a portion of Lot 2, Block 1 of Spurwing Subdivision as on file in Book 69 of Plats at page 7104 in the Office of the Recorder for Ada county, Idaho, said parcel being situated in the SW ¼ of Section 23, Township 4 North, Range 1 West, Boise meridian, Ada county, Idaho, and being more particularly described in Attachment “A” and annexing certain lands and territory, situated in Ada county, Idaho, and adjacent and contiguous to the corporate limits of the City of Meridian as requested by the City of Meridian; establishing and determining the land use zoning classification of 0.60 acres of land from RUT to R-4 (Medium Low Density Residential) Zoning District in the Meridian City Code; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; and providing for a summary of the ordinance; and providing for a waiver of the reading rules; and providing an effective date.

Simison: Council, you have heard this ordinance read by title. Is there anybody that would like it read in its entirety here or online? Seeing no one make that request do I have a motion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Ordinance 21-1918 with the suspension of rules.

Hoaglun: Mr. Mayor, second the motion.

Simison: I have a motion and a second to approve this ordinance under suspension of

rules. Is there any discussion on the motion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it. The motion is agreed to and the ordinance is passed.

MOTION CARRIED: ALL AYES.

FUTURE MEETING TOPICS

Simison: Council, anything under Future Meeting Topics? Do I have a motion?

Bernt: Mr. Mayor, I move --

Simison: Council -- Councilman Bernt.

Bernt: Mr. Mayor, I move that we adjourn the meeting.

Hoaglun: Mr. Mayor, second the motion.

Simison: I have a motion and a second to adjourn the meeting. All in favor signify by saying aye. Opposed nay. The ayes have it. We are adjourned.

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 9:23 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

_____/_____/_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK