

A Meeting of the Meridian City Council was called to order at 6:00 p.m., Tuesday, August 17, 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, Caleb Hood, Alan Tiefenbach, Todd Lavoie, Brad Purser, Tracy Basterrechea, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

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

Simison: Council, we will call the meeting to order. It is August 17th, 2021. It is 6:00 p.m. We will begin tonight's regular City Council meeting agenda -- 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: And we did not have anybody sign up for the community invocation to our knowledge.

ADOPTION OF AGENDA

Simison: So, we will go ahead and move on to the adoption of the agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we adopt the agenda as published.

Hoaglund: Second the motion.

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

MOTION CARRIED: ALL AYES.

PUBLIC FORUM – Future Meeting Topics

Simison: Mr. Clerk, did we have anybody signed up under public forum?

Johnson: Mr. Mayor, nobody under public forum tonight.

ACTION ITEMS

1. Public Hearing for City of Meridian Fiscal Year 2021 Amended Budget

Simison: Okay. Then with that we will move into our Action Items for the evening. First up is the public hearing City of Meridian Fiscal Year 2021 Amended Budget. I will open this public hearing with staff comments.

Purser: Good evening, Mayor, Council. Appreciate your time. I do have a presentation up, so we can go over those things. One moment. I'm here tonight to talk to you about the -- at least right now the -- the final amended 2021 budget, where we landed. We landed with -- at 133,440,143 dollars. We are going to go into some detail on, you know, what makes up that number. We are also going to break that down into the General Fund, the Capital Improvement Fund, and the Enterprise Fund. This is more of a formal process where we, you know, notice the citizens and the state where we ended up. So, with that 2021. I just mentioned we ended with 133 million. Well, a year ago today -- not today, but a year ago we started out with a budget of 129,364,101 dollars. We ended with 133 million, as you can see, and change and that's just a slight increase of 3.15 percent and you can see some of that's in personnel, capital carry forward. Over the course of the year we approved a number of budget amendments that contributed to that on that note. That 4,000 -- or sorry. That 4,076,000 dollars is really made up of 31 budget amendments that were all presented to you over the course the last year. 5.6 million of that was with the General Fund. We recently did one for 924,000 in the Capital Improvement Fund that I will go into here in a minute and Enterprise Fund was down 2.4 million dollars. Looking at General Fund, the General Fund we began a year ago with a 67.3 million dollar budget that was approved. Over the course of the year we -- we approved a number of amendments that increased that number to 72,000 -- sorry -- 72,992,674 dollars. You can see that. From a General Fund fund standpoint is an increase of 8.34 percent. Again you can see that split between personnel. We reclassified a bunch of personnel changes that contributed to that. We also had a lot of capital improvements and we had a carry forward adjustment that all contributed to that. Notably, from a General Fund standpoint, a few minutes ago I said we had about 31 budget amendments for the year. Well, 29 of those were with the General Fund. Four of the most notable budget amendments were the Linder Road overpass. We had the Lakeview Golf Course operations. We had some

CDBG grant funding. Citywide compensation study. We reclassified several positions in Parks from part time to full time. There were a number of amendments, the total of which equaled the 5.62 million dollars and that's with the -- with the General Fund. With the Capital Improvement Fund we really made one adjustment and that was made a few months ago with 924,000. We reclassified -- or changed the funding for the police tenant improvements from impact fees to the Capital Improvement Fund. That was the only change that was made on that fund. For Enterprise Fund we began the year with a 57.9 million dollar budget. We ended with a 55.4 million dollar budget. So, overall we decreased year to year. As you can see a lot of that is due to the -- you know, the amount of carry forward adjustment. We did have some things that changed from a personnel and a capital standpoint. Overall we were down 4.26 percent from an Enterprise standpoint. Most notably there were about four adjustments that we made throughout the year. There was a grant carry forward. We had a water main and, then, the carry forward adjustment was minus of four million, which is primarily why we were down year to year the 2.4 million. With that that concludes the -- where we landed with FY-21. I will stand for any questions you may have.

Simison: Thank you, Brad. Council, any questions on the FY-21 budget?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Brad, I appreciate the presentation. Talk to me a little bit about the change in our General Fund. It resulted in about an 8.3 percent increase. From a city perspective is there a -- is there a safe harbor area that Council should be thinking about in terms of how we expand our budget past what we approve? I mean clearly something like doubling our budget over the course of the year would -- would seem inappropriate, but is there -- is there a best practice that Council needs to be mindful of as we take on additional budget amendments throughout the year?

Purser: Great question, Mayor, Councilman Cavener. Not that I'm aware of. I think it's within your discretion to look at, you know, the fundability of what's being brought -- brought to Council. You know, can we pay for it? How do we pay for it? Is it fiscally responsible to pay for it this way, you know, and what's being brought -- being brought to the table. There were a number like -- you know, there was an overpass, we reclassified several positions. So, I think each of them have -- need to be considered upon their merit and so, you know, an overall statement I don't think there is one.

Cavener: Okay.

Purser: I could be wrong, but I think each one needs to stand on its own merit and as a -- as a body you are looking to decide, you know, does this pass muster to be approved as a budget amendment or not.

Simison: I would be more than happy to give my own two cents on that from the standpoint of ongoing operational costs should be covered with ongoing operational increases. One time capital costs that are in our CFP that are fundable through fund balance, which several of these items were, is an appropriate -- is an appropriate way to utilize those funds from my opinion.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Mayor, Brad, just a quick question. I know we had union -- Fire union negotiations last year and we did a complete overhaul of that structure. Went to a STEP plan. COVID delayed those negotiations and whatnot. So, we got it done first of this year, what -- whatnot. Did that impact the personnel cost at all?

Purser: I mean, yes, there was an impact on that, because we changed the way we did that. I can get the exact impact to you for that. I don't have the offhand on that, but, naturally, yes.

Hoaglund: Mr. Mayor, Brad --

Simison: Councilman Hoaglund.

Hoaglund: -- last year it had an impact, because we did do a major overhaul -- overhaul of that -- that system and there are increases and we knew things were going to be -- be increased and having move -- people move up and reclass positions and whatnot. So, I thought it had an impact. So, that's all right. I just -- I thought it did and you are -- you are confirming it did have an impact, you just can't tell me how much right now.

Purser: I will get that to you.

Simison: Mr. Lavoie, did you want to -- have anything to add to that? Okay. Council, any additional questions for staff? Okay. Thank you, Brad. This is a public hearing. Is there anybody from the public, either online or in the room, that would like to provide testimony on the FY-21 budget, which is the one we are finishing on for this year at this time? Mr. Clerk, do we have anybody signed up under this item?

Johnson: Mr. Mayor, we did not.

Simison: Okay. Seeing no one coming forward or if you are online and you want to use the raise your hand function throughout the public hearings tonight, just, please, do so. Seeing no one raising their hand or coming forward, Council, do I have a motion to close the public hearing?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we close the public hearing.

Hoaglund: Second the motion.

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

MOTION CARRIED: ALL AYES.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Are you looking for an exact number that was presented -- that's on the screen right now? Is that the number that -- that you want us to -- Brad, that you want us to confirm? Okay. Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we approve Meridian fiscal year 2021 budget -- amended budget in the amount of 133,440,143 dollars.

Hoaglund: Mr. Mayor, I will second the motion.

Simison: I have a motion and a second to establish the budget amount for FY-2021 in the amount of 133,440,143 that will be brought back as an ordinance for approval. Is there any further discussion? If not, all in favor signify by saying -- do we need a roll call? Not on this one. All those in favor signify by saying aye. Opposed nay. The ayes have it and the item is agreed to. Thank you.

MOTION CARRIED: ALL AYES.

Purser: Thank you, Mayor and Council.

2. Public Hearing to Reserve All Foregone Revenue Associated to Fiscal Year 2022 Budget

Simison: Item No. 2 is a public hearing to reserve all foregone revenue associated with fiscal year FY-22 budget. I will open this public hearing with staff comments, turn it over to Brad.

Purser: Thank you. One moment here. The amount that I have for the -- the reserve is 454,885 dollars.

Bernt: One more time.

Purser: Four hundred fifty-four thousand eight hundred eighty-five dollars. And that is -- that represents the amount of foregone revenue that we get by not taking the allowable three percent. So, the proposal is to reserve that for a future date. Any questions about that?

Simison: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: A process question. Why Council is, essentially, approving the foregone before we approve the '22 budget, because that number could potentially change based on our conversation in number three.

Purser: Great question, Mayor and Councilman Cavener.

Lavoie: Mr. Mayor, I -- again Mr. Cavener is correct. If your public hearing for the fiscal '22 budget does have a decisional -- directional change that you wish to change your property tax selection, Mr. Cavener is correct. So, I don't know if Mr. Clerk or Mr. -- Bill, if we can swap two and three, so we can get done with the budget and if there is no directional change from Council to change the property tax allocation, then, this item still stands as the number. There is no change. But I think Mr. Cavener does have a valid point.

Nary: Mr. Mayor, Members of the Council, I suggest just leave this -- this one open and, then, open the next one and begin that hearing and, then, we can come back to it if needed.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: We are sticking with -- just maybe some recommendations for -- for next year. Appreciate the information that's in the -- the packet for the public. I'm sure it is very easy to understand for finance folks, but I think for our citizens it can be somewhat challenging for them to be able to look and say, okay, what is the Council really doing, how much are they proposing to preserve in foregone. So, that will be some of my comments when we talk about our budget as well as to make it a little more pedestrian friendly so our public can really understand what's before the City Council.

Purser: Appreciate that. Thank you, Councilman Cavener.

3. Public Hearing for City of Meridian Fiscal Year 2022 Proposed Budget

Simison: Agreed. So, with that let's open the public hearing for the City of Meridian fiscal year 2020 proposed budget and we will turn this over to Brad for presentation -- for staff comments.

Purser: Great. Appreciate that, Mayor, Council. For FY-22 overall the budget we have total citywide is 191,698,966 dollars. That's -- I will go over the -- the General Fund, the Enterprise Fund. There are some unique aspects of -- of this that we will also need to discuss. You know, throughout the year as we have gone through this process there were several parking lot type items that we have on -- that we will need to go over and discuss as we get to those points. We will need to come to a final decision. So, we will need to have a motion and a vote on, you know, do we fund this portion of the budget as the item comes up or do we not. When we get to that point I will help -- you know, walk through that. We can work through that together. It's kind of unique situation this year, because of those -- those action or parking lot type items. Before we get into that I do need to present as if -- the numbers are as if everything was approved, so the comments that I have are to that point, which, you know, starting out with a -- a number of 191,698,966 dollars is the total citywide budget for FY-22 and I mentioned earlier this is quite the process to go through. We begin in February where we meet as Council and departments to go over and develop the base budget. We have two -- we have had two budget workshops where we work through and discuss the different proposals that were coming forward. Came up with an initial balanced budget, which we -- we are presenting tonight and now we are before you in a public hearing forum to -- to come to a final decision on, you know, what that budget will look like. Once that's approved, then, I can, then, go forth and we can appropriate what that is and begin executing that budget. So, right now it is -- let's go over, you know, what is that FY-22 budget. As I mentioned, it's 191.6 million dollars. As you can see from a personnel standpoint and capital, that makes up the majority of the total city budget. There are some carry forwards and operating, which -- which round that out. If you look on the -- the pie chart to the right you can see the -- you know, Fire, Parks and Police and Wastewater make up the majority of the budget that's in there. If we look from the General Fund standpoint you can see the total General Fund portion of this budget is 118.6 million dollars. We have 41 percent of that number is in personnel, 45 million dollars is capital expenses, budget requests we are bringing forward today. The rest is rounded out by, you know, prior capital commitments and our operating budget. The pie chart to the right is how that 118 million dollars is spread out and you can see 35 percent is with Fire -- or sorry -- Police, 29 with the Fire and 23 percent in Parks. From a revenue standpoint, the revenue number we have is 72.2 million dollars. The majority of that -- 59 percent of that comes in the form of property taxes. You have inter-governmental, which is liquor or state sales tax type of revenue, rounded off by revenue we get from development services, impact fees and other miscellaneous fees. From an Enterprise standpoint, their portion of the pie is about 73.0 million dollars. You can see the vast majority of that is in capital or carry forward capital, which is projects from a prior year we are carrying forward into this year. You have operating and personnel making up the remaining chunk of that. From an overall standpoint of the budget wastewater makes up 59 percent of our budget, as you can see on the -- the pie chart to the -- to the right of that, followed by water and, then, engineering. From a revenue standpoint we have 46.5 million dollars is what we are expecting to receive. The majority

of that -- or 60 percent is coming from utility sales, 29 percent is from connection fees, and the remainder in other utility or miscellaneous fees. So, that -- that is, in summary, the total FY-22 budget. We now have some important decisions to make and -- and to go through. These are the action items that I have to go over. We will go over each of them individually and as we go over each one, you know, we encourage discussion on each one. Would also encourage that we have a motion, second, and vote on are we going to fund each of these items. If you have any questions I'm happy to -- to do that. The first action item I have is grayed out, be for or against that this is a public hearing. The action item I have is -- sorry?

Simison: Before we get into that, this is a public hearing --

Purser: Oh.

Simison: -- so we are going to open it up to any public that would like to testify this evening, so I will -- I'm going to stop you there and see, Council, if you have any questions for staff at this time. Okay.

Purser: I will wait for questions.

Simison: Thank you. Mr. Clerk, do we have anybody signed up to testify on this item?

Johnson: Mr. Mayor, we did. First is online. It's Randy Spiwak. And, Dr. Spiwak, you can unmute.

Spiwak: Can you hear okay?

Simison: Yes, we can.

Spiwak: I appreciate it. Sorry I could not be at the meeting. I'm in Pensacola, Florida. Family problem. Everybody's okay though. I really wanted to -- I have spent time reading through the 2022 budget and --

Simison: Randy, if you can state your name and address, please.

Spiwak: Oh, yes. Randy Spiwak. 1458 East Loyalty Street. I really wanted to just give a level of support to the Mayor's proposed budget, with emphasis on the forward construction -- or the forward funding and construction of the two fire stations with the police station annexes. This is a really wise move. We have the dollars now. Spend the dollars now gives us -- gives the city the time to do the funding for the operations and staffing and training of the folks to relieve some of the pressure on our existing stations that are having to serve areas quite a bit out of their own distance. This is a really good move. I -- I support it.

Simison: Thank you, Rand. Council, any questions? All right. Thank you.

Spiwak: Yes, sir. Thank you.

Johnson: Mr. Mayor, we have at least two or three more. I have a lot of people signed up, but there are multiple sign-ups. We may be in -- mixing and matching here. But Louise O'Neil-Redd. Come up if you are speaking.

Simison: If you are here to speak on the budget go ahead and, please, come forward. And if you could state your name and address for the record and be recognized for three minutes. Okay. On one of the mics. Thank you.

O'Neil-Redd: Louise O'Neil-Redd. 2343 East Sidewinder Drive, Meridian, Idaho. I want to go along with what Randy had to speak about is having more fire stations, police department closer to respond is a great idea. When you have them all spread out you are sending them many miles down the road and if somebody has a -- I'm an older person, too -- has a problem further up this way, trying to make them go here, there, and everywhere, it doesn't make sense and if we have the money and you think we can do it, funding, then, I believe that we should support our police department, fire department, because those are the ones that are going to be saving your kids lives and your grandparents lives. Thank you.

Simison: Thank you. Council, any questions?

Johnson: Mr. Mayor, next is Dennis Redd. Okay. Ken Moody? Passing. Chris Verkerk. Chris, are you here for a later project? For this? Thank you. Ann Biason? Later? Okay. So, that's the later project? Got it. And, then, Mark R -- I can't read the last name. This -- about the budget or later? Okay. And Deborah Henderson. Okay. Thank you. That's everybody that signed up, Mr. Mayor.

Simison: Okay. Is there anybody that is here for the budget that would like to come forward and provide testimony on this item at this time? Okay. Thank you very much. So, Brad, we will invite you back up to walk Council through the items in the parking lot.

Purser: Thank you, Council, Mayor. Thank you, Randy and Louise, for your comments. We appreciate those. It's always good to have public commentary on -- on what we are doing. So, thank you. It's very much appreciated. The first item of the action list I have is Valley Regional Transit. In the budget that we have discussed in the past, the number was 613,000. This is more of an update. The number has actually been reduced to 575,647 dollars, as you can see here. It was reduced mainly due to, you know, us discussing and working with ValleyRide since they were before you talking with you and, in part, planning -- plans on doing Route 30 for an estimated start date of January 22nd. So, the number that we are seeking approval on is the 575,647 dollars and without any -- any questions or commentary or are you okay with this revised number?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: My only concern was the other number and based upon our conversation that we had with Valley Transit a couple of weeks ago, it looks like they have been -- it has been revised, so I no longer have any questions.

Simison: Councilman Cavener.

Cavener: Mr. Mayor, I guess just from a process standpoint, how are you wanting us to take these on? Are you looking for -- you want to go through them all and, then, make a motion at the end or you are looking for action on a case-by-case basis?

Simison: The requested action is case-by-case basis. We will just do motions for whatever is included regarding this and, yeah, just so Council and, then, the -- this does come with a three month delay in the start of the service. That's why this is less is because it's for nine months of service, not 12 months. With COVID I think that they are not interested in starting the route at the time where people may not be interested in riding and hopeful that that delay -- and it may be delayed beyond that, to be honest. But at least from a budgetary standpoint that's what we are getting -- the cost didn't go down, the service went down.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Before Mr. Cavener makes his motion I just wanted to state that just for the public record that it would be nice for us to get updates, especially with these numbers as it relates to serviceability with regard to COVID going forward. So, if someone can reach out to Valley Transit and just have them keep us abreast on what's going on and their level of service going forward that would -- that would be appreciated.

Simison: Mr. Hood is taking notes.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I will just share -- there has been a larger conversation at VRT about -- about VRT as an agency providing more timely updates to the jurisdictions that they serve on a more regular basis. So, we are not getting moments of time once a year where we are committing to additional funds.

Simison: Okay.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: If there are no other conversations, I move that we include the Valley Regional Transit total requests are 575,647 dollars for the fiscal year '22 budget.

Perreault: Second that motion.

Simison: I have a motion and a second. Is there any discussion? Then we will do a voice vote. All in favor signify by saying aye. Opposed nay. The ayes have it. Sorry, I forgot Council Woman Strader. We do have Council Woman Strader online, so I got to remember to delay that for a second, but --

Strader: That's okay. Can you hear me, Mr. Mayor? I voted aye.

Simison: We did hear you, yes.

MOTION CARRIED: ALL AYES.

Bernt: We hear you fine, Liz. Thank you.

Simison: I think roll call vote will be the requirement moving forward.

Purser: Thank you, Mayor, Council. Appreciate that. Moving forward, then, with the -- there is a current proposal for streetlights. We currently have 375,000 dollars in the budget for streetlights. Need to know if you want to fund this at this level. Do you approve that or not.

Simison: Council, I don't recall the conversation, if there was a desire to reduced this or more. We can't really go more unless we reduce someplace else in the budget. So, I guess the question is is there anybody that would like to reduce this number -- I don't see anybody looking to make that choice, so --

Strader: Mr. Mayor?

Simison: So, executive decision that this stays in at 375. Any -- yeah, we -- Councilman Woman Strader?

Strader: Yeah. Thank you. Sorry. I recall in our last budget workshop that we kind of had an informal vote or an informal, you know, tally of support and I think there was support to, you know, fund the LED streetlight conversion out about a five year time frame, so that is what made it in. I think -- I think there was support at that time and I would move that we do that.

Simison: Anybody else comments on this item?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just a quick comment. The -- the genesis of accelerating this a bit was Council Woman Strader and for the public that wasn't at a workshop where this was discussed by us in greater detail, the primary focus of accelerating it is to capture some -- some savings -- some significant savings and, basically, it pays for itself by doing so quicker, so it's better for the environment and cost savings to the taxpayers long term. So, a very prudent addition to the budget.

Simison: Parking item two crossed off.

Purser: All right. Thank you, Councilman Borton. Mayor. We will go on the 375 on that one. Then next item up for discussion is the -- the northwest precinct. On this one the total request --

Bernt: Mr. Mayor?

Simison: Brad, was the -- Councilman Bernt.

Bernt: Do we need to make a motion on that at all?

Simison: No. I think we didn't have anyone make a motion to remove it, so we are good.

Purser: Leave it in?

Simison: Yeah.

Purser: Cool. Thank you, Councilman Bernt. So, moving on with the -- the police precinct northwest. Total request this year is 4.5 million dollars. An item of note. We have in a prior year approved two million dollars. This is going to be funded by impact fees, about 3.4 million, and the balance made up with our Capital Improvement Fund. So, on this one encourage any discussion. Also a vote on -- on this item.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: One question. Brad, if -- if, hypothetically, we choose this evening not to approve a police precinct in the south, can we use allocated dollars -- or not dollars, but impact fees that would have been used for that for -- to -- to pay for this building in its entirety?

Purser: Thank you, Councilman Bernt. Mayor. Yes. The plan is, you know, for a station. If we do one station, then, it would go towards that one station. If we do two, then, this is the way it would go. We can make adjustments.

Simison: Council, discussion?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: To get the conversation going, I'm supportive of the inclusion of the precinct in our budget. We have contemplated having a presence out in north Meridian for a long time. This is just a continuation of the conversation we have had in previous budget years.

Simison: Okay.

Cavener: Mr. Mayor, are you looking for action, then, or are you --

Simison: Yeah. From hear on out let's just do motions to retain or remove.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I move that we include the police precinct northwest budget request for four and a half million dollars to be included the fiscal year 2022 budget.

Hoaglund: Second the motion.

Simison: I have a motion and a second to include this in the budget. Is there any discussion? If not, Clerk will call the roll.

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

Simison: All ayes. Motion carries and the item remains in the budget.

MOTION CARRIED: ALL AYES.

Purser: Thank you, Council, Mayor. The next item on the budget is for the additional precinct southeast. Total request is for six and a half million, similar to the prior precinct. We would not be using impact fees to fund this, it would come from use of fund balance. With that any questions or comments? Again, looking for your decision on funding this for this year.

Simison: Brad, just to -- part of this is per the impact fee study, we really can only do one of these with impact fees from that standpoint. I know it says impact fees available. There is the comment -- or the question about whether we can collect them and apply them, but, ultimately, it's about 50 percent one of these two can be used with impact fees, one of the two cannot. Just so we are clear on that point.

Cavener: Change -- Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Has that changed, then, since our last budget hearing? I don't recall that particular piece.

Simison: Yeah. These -- these are only funded to a certain square footage level. I will let whoever -- if police wants to speak or Todd or Brad, whoever has the exact square footage dollars.

Lavoie: Mr. Mayor, Mr. Cavener, the process hasn't changed. It's always been based on the study that we approved in 2019, that we can only grow the amount of admin square building square feet by the amount that we put in the study and this particular request is I think ten or 11 thousand per building; is that correct? The study did not approve that much in value of square foot, so, again, that process has not changed since we have last presented to you.

Simison: Council, discussion?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I will kick off some discussion on this one. A lot of the comments regarding this are going to parallel the comments on the fire station that's coming up, too. So, they overlap. These are concerns that were discussed in June, discussed in July as well. I look at these parking lot items -- and a couple of these -- station eight with the police and the southeast one -- as tasking Council with -- with their primary obligation and responsibility and it's to think long term, look at the horizon and have a -- have a vision of what proper financial stewardship is. That does not mean that there is not pros and there is not reasons to proceed with -- in this case the -- a second precinct at the same time in the southeast. So, the comments are not to negate all the positives that could come from it, but as discussed at the prior Council meetings and nothing's, quite frankly, changed philosophically or none of the financials have changed. One of the large reasons I'm not supportive of this and wasn't previously is I think we can and should celebrate precinct number one. I think we are doing something very big and new and exciting in our community for the very first time, to expand our police services outside of our main station. That is an amazing accomplishment and that's exactly what our capital improvement plan and our impact fee study had always anticipated. So, we collected impact fees from growth to fund this when the impact fees were there and that's the mechanism of growth paying for itself. I believe that is absolutely critical and it's the reason why this first precinct can be wildly successful and it can be done in a way that doesn't cut corners and it probably will come in over budget. In this market everything is. But we can make sure we build that precinct number one the way our Police Department deserves. The problem that I find is station number two isn't funded by impact fees. It's not growth paying for itself. So, if we do two at once we have to drop that and be willing to no longer say growth pays for itself on these things. I find that very difficult to accept. I don't look at it as

removing station number two -- or precinct number two necessarily. Philosophically I'm still focused on what we are funding and that's a new precinct. I think our Police Department -- and I would -- I would believe they would acknowledge it -- we will learn a mountain of information after this first one. I believe sincerely the second precinct will not look like the first one. It will probably be better in some ways and we will adjust and learn and adapt. So, for me precinct number two is too early. I think it will happen, but it doesn't happen right now. I think we should collect impact fees to help fund it. I think our impact fee was designed for it. I want to stay true to growth paying for itself whenever possible and also allow us ample time to learn and implement precinct number one successfully to ensure precinct number two where ever it's located in the south, if it's co-located or not, can be successful as well. Those are some of the philosophical and financial hurdles that I struggled with before. It's such a big number. It's such a big obligation for the city that we just hadn't received information in the last 60 days that changed those concerns and I will finish where I started, it does not mean that it's -- I'm opposed to supporting the growth of law enforcement in our community and their ability to serve. It is not that. So, I readily acknowledge that. I think long term, which is what I think our obligation is, to make a decision that benefits the city when all of us are gone and there is seven new people up here. That we be good financial stewards. We pause on the second. We celebrate the first and build it with success and gain knowledge and do it in a financially prudent way. So, I love you, chief, and I know this thing is going to be wildly successful, but I have been candid and an open book on this from the start. I think it's the right fiscal decision, even if it's not the most popular one. So, for that I'm going to be opposing its inclusion and we will talk about station eight, elephant in the room as well. It's a lot of the same stuff.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Mr. Mayor, I make a motion to not include police precinct southeast in the budget.

Borton: I will second.

Simison: Have a motion and a second to not include this in the budget. Is there discussion?

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Mr. Mayor, I truly appreciate the comments by Councilman Borton. I respect what he says and he said something early on where his approach to this and acknowledgement that there might be pros or cons and, you know, arguments in favor that are truly, you know, correct -- and I'm paraphrasing what he said and -- and, conversely, where I'm in favor of funding this precinct, there are very good reasons not to, as Councilman Borton has just pointed out, you know, the fact that impact fees would

be the way to go -- I think any other time absolutely. That's the way we have grown along -- all along. We have saved for things. We have moved things forward. But we are in a time that is rather extraordinary. We -- this is not something we have normally faced in the City of Meridian, this explosion of growth, and it's about providing the safety of our residents, the service that they have come to expect and need, both fire and police. Impact fees should pay for growth, but at the same time with this explosion of growth there are people who are going to be not served because we are waiting for those -- that growth to occur and it just puts us that much further behind the curve in that particular period of time that we are in. Back in 2010 when I previously served on the Council, you know, we had the opportunity purchase that 77 acres out there -- now Discovery Park and we did not have enough impact fees. That was 50 percent impact fees, 50 percent of General Fund and that was the decision we made and at that time I thought, well, this is great, you know, we are saving taxpayer dollars. Twenty years from now this is going to be a great regional park for -- well, less than ten years phase one was done. So, you know, it's one of those things it's hard to predict the future, but for me it is just that the times that we are in and the need to -- we won't get ahead of the curve, but we will meet the need that is there right now and will be there in the next year. So, like I said I respect Councilman Borton and Councilman Bernt's positions on this. I understand where they are coming from. Not unreasonable at all. I just feel like we need to move forward with -- with these facilities right now and -- and meet the current needs that our citizens have.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: And -- and for the -- for the folks who are watching right now, this is how we do it in the City of Meridian. You -- you see respectful discussion. You see folks who may agree or may or -- may not agree with each other, but this is what we do and this is how we do it and -- and I believe it's a unique way in which we discuss these items on the Dias in front of the public and city staff and those interested parties that are listening and so I -- my personal view on this is -- is along with what Councilman Borton mentioned earlier, is I don't know if this necessarily solves response times in other parts of our city as well. I'm open to the discussion of maybe in this particular location maybe this isn't the right place, maybe it's a different area of the city and -- and what the chief brings forward, if this hypothetically doesn't pass and what that looks like a year or two down the line. Like Councilman Borton mentioned, we may build this precinct and we may find out that, wow, you know, we would like to do it a different way, maybe think of this, maybe these are things we forgot about, including -- and include those aspects of these precincts in the future. So, along with what Councilman Borton mentioned, I believe that putting it -- right currently as we stand putting a precinct in the south, I don't know if it necessarily solves response times in the rest of our city.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: And I will explain where I'm coming from on this one. So, I, like Councilman Barton in many ways, believe that we should do this in an orderly way and ideally one at a time. For me I feel like the response time data from the Fire Department has been very clear and because of the growth that we have already approved that we will need to build two fire stations at once, because it's our moral obligation to have an adequate response time. I don't think that the same case has been made, at least in my view, for the southeast police precinct in terms of response time. I don't think that we have seen a negative impact on that and I'm hopeful that the renovations at the main station, in combination with the northwest precinct, will be adequate and that we will see the next request for the southeast police precinct to come quickly in the next one to two years. So, for me I am -- I'm in agreement that now is not the right time on the southeast police precinct, but I would like to see us focus on that soon.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I would like to get some clarification. I don't know who will provide that clarification, but in our last budget meeting we had a conversation about the precinct. There were new -- there was new data that was available that said that perhaps the location of the precinct going in the south versus the northwest might be a more ideal location and so I just wanted to make sure I'm understanding that -- that that was my understanding that the Police Department had potentially changed their priority order of building the stations if both of them wouldn't be built at the same time. I would like to get some clarification on that if possible before the motion is voted on.

Simison: Turn this over to the chief.

Basterrechea: I can answer that. We went back and reviewed everything and we still support the northwest precinct the most. It takes us about 30 minutes minimum, with no traffic, to drive from our headquarters to the northwest part of the city and with the commercial growth that is continuing to go on there that is certainly the most needed if we have to make a choice.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I don't think any one of us are going to convince any one of us on the body to change your mind on this tonight, but I -- I feel like since I'm going to be opposing the motion I wanted to just explain why and appreciate the good comments from Council Member Barton and Bernt and Strader. Where I have landed on this is that something the city does exceptionally well is we build infrastructure. Our sewer, our water, our fire services or parks services, are police services, these are the things that our citizens count on. Some other jurisdictions we hear from their inability to build infrastructure. I think we do it really really well. I look at this station as just a continuing trend of investing in our

infrastructure for current, as well as our future citizens. So, I believe it's warranted. I believe it's needed. I believe it will be needed more three years from now, five years from now, ten years from now than it's needed now, but as the -- the only Council Member who lives in south Meridian I do think that it's warranted and important for our community at this time. So, I will be opposing the motion, because I do believe it should be included in the budget.

Simison: Okay. Any further discussion?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just a -- I guess a comment to that is I think anyone voting to remove it is -- is also committed to its inclusion in, you know, the next year or the year after. I mean it's -- it's -- the train's on the tracks. It certainly is. And to Councilman Hoaglund's comment about the park, I think one of the elements which is relevant here is -- is the park property was secured, but it wasn't developed right away and analogous to this is we have got the land for both precincts. So, the footprint is ready, we are ready to act, but it might take a couple years to allow them to go in an orderly sequence. So, I have the same vision where -- you know, again, when we are gone they are both wildly successful and open, but --

Cavener: Mr. Mayor, if I may.

Simison: Councilman Cavener.

Cavener: Councilman Borton, I appreciate that. I hope -- I hope you didn't take my comments to impugn that you -- if -- if you are in favor of this motion that you somehow are against the project or against our law enforcement. That's not my intention at all. So, I appreciate the clarification on there. Good reminder.

Simison: And just for -- what I am going to put my added two cents into on this specific one regarding the impact fees, the reality is is if we want to impact fees pay for this one, this is ten years down the road minimum. By the time we go in, we do the impact fee study, we update the study and we collect the fees, so that will have to be a conversation -- I mean if Council -- it's one thing to say if it's not this year, then, it's next year, then, it's next year, but if you really want impact fees to cover the cost, I can look to the people that know better financially how long it will take to collect impact fees once this is done to cover this cost. You are talking -- you are talking -- that's what -- I'm not asking -- Todd, I'm not going to ask you to put you on the spot, but if this one is in the next five years, it's not being paid for by impact fees. Within the next ten years it may not be paid for by impact fees. Food for thought at some point in time someone's going to have to consider. So, with that any further comments from Council on this topic before we will ask the Clerk to call the roll? Okay. Mr. Clerk, call the roll. In this one an aye removes, a nay retains.

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

Simison: Four ayes. Two nays. And it is removed.

MOTION CARRIED: FOUR AYES. TWO NAYS.

Purser: Thank you, Mayor, Council. Appreciate the discussion. Moving on to the next item. We have the Fire Station Seven construction. Total request is 6.5 million dollars. 6.5 of that is capital. There is some -- a little bit of operating and the plan is to use 6.5 million dollars in impact fees to pay for this. With that encourage discussion as we have done with the others. Thank you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: To make sure we are all on the same page, which one is seven and which one is eight?

Simison: Chief Blume, would you like to officially declare?

Blume: Fire Station 7 is in the southeast.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I think this vote is going to most likely be unanimous. You know, this is -- in favor. In my opinion this -- we should have started building this -- this fire station a year or two ago and so this is a no brainer for me. It has my full support. Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we include Fire Station 7 in the 2022 budget.

Borton: Second.

Simison: I have a motion and a second. Is there any discussion on the motion? Clerk will call the roll.

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

Simison: All ayes. Motion carries and the item is included.

MOTION CARRIED: ALL AYES.

Purser: Thank you, Council. Mayor. With that Fire Station 7 there is also an engine with that. I assume it is safe to include that as well; is that correct? No objection to that? Okay. We will include that. Thank you. That brings us to Fire Station 8 construction. This one we have at 6.67 million dollars, 6.6 in capital. We are not using impact fees for this one. This would be funded by our Capital Improvement Fund. With that any further discussion as -- as you have done.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I'm happy to kick off discussion. I think I have been really vocal on this one. The -- you know, fire response time data I believe strongly supports the need for Fire Station 8 and I -- you know, I think the development that we have already approved obligates us to do this based on the level of service that -- that I think the community expects, although that concept may have evolved over time. I'm in support of it. I agree that in the normal course of business we would be doing these one at a time. I just think here that the data was very compelling. That's why I will be in favor of including it in the budget.

Simison: Additional specific comments people would like to make on this item before a motion -- or we can make the motion and talk during the motion.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I will close the loop on prior comments I guess on this. The same thing. I talked about this before at prior meetings. I have talked with the chief about it. We have got -- we have got the data and I kind of compiled my notes on this one I -- I think the concerns that were raised in the prior discussion are magnified here and the conversation starts that it has absolutely nothing to do without acknowledging support for and the need of growth in our fire service to the community and the good folks that work in our department. Absolutely nothing to do with that at all. My concern is trying to look at the horizon and it's that long term vision and this -- we are doing something here that we have not done before and I think for good reason. So, I compiled my notes from those meetings. I'm just going to list them off just so everyone understands. Chief, I have talked to you guys about it. But I think it's prudent and best practice to do Station 8 separate and not in this fiscal year. So, again, it's that long term focus. We have -- chief just provided us the -- his hundred day report, which is fantastic by the way. The fire department is -- is kicking off their five year strategic plan. There is a perfect time and opportunity to use this -- this -- kind of unleash the talent of both -- of both the chief and this planning process as part of determining the best way to provide -- address response times and fire service. So, here is -- here is the list. It's the impact fee issue. It's growth pay for itself or it doesn't

and doing this you no longer -- you are not saying growth pays for itself. This is a general fund expenditure. This is current taxpayers or existing residents paying for a building to accommodate future growth. You can do it, I get it, but it's different and it's a seven figure difference that we have not done. I don't believe you can pay it back and not to get in the weeds, but if you have Station 7 and 8 now, when you do your impact fee study again, seven and eight become your base level of service and now, unless you are going to have Station 9 and 10, your fire impact fee is going to cut 90 percent, because you no longer have capital expenditures to collect impact fees to build, you have already built it. You are not going to generate new fire impact fees to pay it back. Just eyes wide open. So, it's not going to get paid back from future impact fees, even if you could. And to that point as well with regards to service times and the opportunity for the Fire Department, if we paused to Station 8 to use what they are doing right now to study it, we saw recently in the last 60 days response time issues and one of the response time issues that Councilman Cavener pointed out includes Station 1 and what we found to be somewhat concerning and we have got an opportunity to address is can we pivot resources -- limited resources that the city has to addressing response times in a more efficient way. Does that include two engines, two crews in Station 1 to co-locate within an existing facility. Pros and cons. You can be more efficient. You can resolve some response times within our community that's been here for 20 years. It can allow those perimeter stations to, then, serve the perimeter better, because they are -- all I know is we don't know the answer to those questions, but there is an opportunity, as we take our next step to evolve that way and I think accelerating and rushing Station 8 at the same time as seven, it kind of stagnates our ability to -- to explore that as an option and the time is now, we can do that. So, I -- and I would like to see that co-location opportunity in Station 1 as one way to address the response times that we all want to serve. Station 8 has always been planned. It might be a couple years after seven. It's been that way -- it's been in the CFP that way. Everything up until this year we have all developed and acknowledged and prepared for that to go in that normal fiscally appropriate pace. There is some challenge -- additional challenge with building two or perhaps three capital projects at once. These are just factors on the scale that -- that go into some of the concerns. There will be a decision in the near future about ARPA funds and can you utilize ARPA funds, the unrestricted portion, as an example, to pay for a fire station, as opposed to General Fund dollars. There is -- there is as of right now unresolved specifics on the rural cost share with labor costs. They are the greatest partner in the world, but we -- we just -- we don't have that buttoned up to know whether they are going to fund nine -- you know, the labor cost for nine firefighters or 12. You know, nine in a station you got three extra, that swing, maybe they are going to be not wanting to fund that, because it's not serving just this one station. So, you have got an unknown labor cost that you are going to absorb. Ada Paramedics has an opportunity to co-locate. Are they in or out? That's unresolved. But that's an opportunity to design it in a way that is fiscally prudent, but also can have a regional partner co-locate. As of right now we just don't know that yet. We don't know the -- this came up at our last meeting. We don't necessarily know the labor cost for administrative support staff. You are going to absolutely have to have -- you are going to have more VCs -- the impact on division chiefs, deputy chiefs, in addition to firefighters. The labor cost is big and that's a big one, because the elephant in the room is with our General Fund we have constrained resources and a constrained ability to generate

revenue. We just do. And the legislature last session constrained it even more so. So, by doing two you are committing to just huge labor costs that we have never committed to in such a quick fashion that I think impacts -- quite frankly, it impacts the Fire Department. It can jeopardize our ability to make Station 7 as nice as it should be. It's going to be over budget, like I said with the police. It is. That the Station 7 should be immaculate. Should be exactly what they deserve, which is a fantastic, beautiful station that has everything they need. That problem is compounded if you do two at once. I think the ability to ensure fair and appropriate compensation is impacted when you accelerate labor costs and absorb it all in such a short time frame. Even with support from rural. I think it has unintended consequences on the ability for the city to provide and address labor costs and staffing needs over the next 18 to 24 months in Parks, IT, Legal, Admin, HR, Clerk's Office. There is a whole lot of people that -- that have to be successful on a very finite amount of funds. The legislature just this year has restricted -- about 500,000 dollars of available recurring revenue is gone. It would not shock me in the least if that's restricted more next session. We are -- we suffer at the hands of the legislature and how they constrain us, yet they demand that -- that we are able to provide these services. So -- so, I would love to do two at once. I would love to have the ability to include so much service at once. I just cannot in good conscience say it's fiscally prudent to do so. I have just been open about it. I think it, quite frankly, hurts our Fire Department to go fast. I think it hurts their ability to be paid appropriately and it hurts our ability to give them the facility they deserve. It's good intentions, but these negatives are just too much for me to overcome. And a couple final points on that -- and I get why it's the fire -- our firefighters and engineers and captains are totally supportive of it. I get it. It expands opportunities for promotion and growth and development. I totally understand and support the reasoning behind being supportive. I understand that perspective. I think The Fields area where this station -- it would be located, is an area that is not going to be developed for a number of years. We don't have sewer. Everything west of -- of Storm Avenue -- we don't have a Can-Ada lift station that we got to put in. It's a ways -- development is a ways away from that area. In fact, we have talked about studying it and trying to develop it and plan it and really, you know, get our hands into what we want that area to be. So, I don't see a rush for this Fields -- this four square miles were Station 8 would be. All of this is -- it's a positive. We can be successful there by going a little slower on seven, then, eight. So -- I know it's kind of a long list. I wanted to get it out. Hopefully that was quick, but -- it's really important.

Simison: I think the Senate called. They are looking for their filibuster back.

Borton: Well, here is two --

Simison: I appreciate it. I'm just giving you a hard time.

Borton: Give me a hard time. I love you guys. Seriously, this is -- it's extremely important. There are forks in the road in a community when you can wonder when you make a bad financial decision and you think it's right and in the short term it seems easy and appropriate and it's popular and it's not popular to be responsible at times and I -- I'm not trying to be crass about it, but I just feel it is most responsible and we will be successful

long term by celebrating seven and make it absolutely -- knock it out of the park and hire the most amazing people for Station 7 and develop a plan that the chief is just chomping at the bit, I know, to have our department grow to the next stage and, then, Station 8 -- I swear to God Station 8 is going to look much different than seven and it's going to be better, because you learned. You might have to co-locate it and it's going to have everything the guys need to be successful. So, when I'm gone I will -- someone in 2035 and I'm sitting on a bench -- I will feel comfortable that we made the right long-term financial decision. So, that's -- to Councilman Strader's comments, which are spot on about the moral imperative, I agree and that's how I feel I resolve when I look in the mirror the moral imperative of doing what's right in the right order for those reasons. So, I'm all in on Station 7. It's going to crush and, guys, I'm all in on Station 8 when it's appropriate. It's just not this year.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I wanted to follow up with a couple of questions to staff, just because, you know, some of this we discussed at the budget hearing and whatnot and I can't remember, Brad or Todd, if you answered the question, because I was very careful about making certain that we had the funding in place to move forward. I mean there is a lot of unknowns out there that we can't control, but at the same time our fund balance, the ongoing -- you know, this is a capital project, but there is a significant amount of ongoing that this -- these facilities will need if we do all these -- which would be three facilities, two fire stations, plus -- plus police at this point in time. Can you reiterate what you said back then about -- that we did have funding?

Lavoie: Mr. Mayor, Mr. Hoaglun, the budget that the Mayor proposed to you was reviewed financially. All items that we presented to you, which include the two stations and the two precincts, are fundable in the assumptions of our financial analysis over five year forecast as of today. As you mentioned, if the legislature changes something, that changes our forecast, but as of today with the data that we have and the assumptions that we put into our modeling, the proposal that the Mayor gave to you, which included all four items, we felt that we could fund all four items as proposed based on the assumptions we had today.

Hoaglun: Thank you, Mr. Mayor. Thank you, Todd. And now it's three that -- that will be -- you know, depending on how the vote goes and no -- no guarantees. One thing that I was struck -- and I think -- I don't know if it was Chief Blume or Deputy Chief Bongiorno -- we had an apartment fire on Overland and someone gave a very good assessment of that. Chief Bongiorno. And I was struck by the number and amount of resources that fire required from the City of Meridian and I know we have mutual aid agreements with the surrounding communities and they would swing into action if something happened over here or over there, but to me I -- I was -- it made the case to me that we are in a position where we need two fire stations at this time, because of the structures that are being built in the City of Meridian that we didn't have previously. They are larger. They do require more resources and Deputy Chief Bongiorno, if you wouldn't mind just kind of -- I tried to

find the e-mail you sent. I don't know what I did with it. But let's kind of talk -- walk me through the resources that were needed on that -- that particular fire.

Bongiorno: Yeah. Mr. Mayor and Council, yes, the -- so, we had a fire over at the apartment buildings over on -- on Tech Lane and first crews got on scene, they found that they had a fire in the attic, so they called a working fire. So, that automatically gets you three, one and one again. Three -- three engines, a ladder, a battalion chief, an EMF supervisor and an ambulance and, then, on top of that we were running out of people, because we had to evacuate the building, because it was on fire and people were standing out on the balcony smoking cigarettes watching all the fire trucks pull in, so we had to go and get all those people and tell them you -- the building is on fire, you need to get out. So, Tyler -- Chief Rountree requested an additional two engines and it still got down to the point where they were requesting ladders and chief is like I got no -- you are going to have to send somebody down. I don't have anybody to send you. Everybody on that scene was busy. So, when you add myself and Captain Overton, my fire investigator, was also on scene, there was 18 units on scene and that included Boise fire. So, Boise fire was on scene with their truck doing ventilation up on the roof, while our truck company was doing -- checking for extension and doing the -- getting the people out of the building that were still lingering and, then, Chief Blume just told me that -- I wasn't aware of this, that Boise fire was actually staffing our stations while we were at that fire. So, to your point, yes, I think we definitely can use the manpower for something like that if that happens in the future and this particular area, as I have mentioned in the past, is growing. They are building in the -- in The Fields area with the -- the high school. Cole Valley is just today have submitted a pre-application for their high school campus to start moving forward, which is in that same mile. It -- they are a half a mile apart, basically, and -- and, then, at the same time I just recently learned that Star fire is building in our district as well, another 252 houses that sits in our fire district that's on the far edge of that. It's right on the other side of Highway 16. So, it belongs to the city of Star, but it's in our fire district. So, there is a lot going on there in that area for sure.

Hoaglund: Thank you, Chief. That's good to know and I just bring that out, because that hit me when I -- when I read your report to that -- wow, the resources required now in this day and age are significant and we are not -- we are getting to that point where we are not prepared and to me government -- it's very foundational. Public safety. Water. Sewer. That's what we are here to provide at the -- for the basis. That is a no brainer in my mind. And, then, in our community parks is probably right above that. People love their -- love their parks and that open space. But, you know, police, fire, water, sewer, your -- that's -- that's why we have communities, to make sure those -- those things are in place. You know, and, again, Councilman Borton is not wrong. He gives good advice and -- and it's something I wish I could follow on -- on this particular thing, but -- and -- and that's one thing, Councilman Bernt, you know, we disagree respectfully, because we know everybody's heart and it's for the best thing for this community and what you think is the best thing and sometimes we just disagree on how to get there. I don't think there is any disagreement that these facilities need to be built, it's just a matter of when we build them and how that process -- process works. So, you know, that's just -- that's the discussion we are having and trying to figure that out and the chips fall where they -- where they

may. But with -- with the growth -- with the new high school going on out there, you know, we knew Cole Valley was going to be doing something in the future. I wasn't aware of Star and the housing units. We knew the -- know the other growth that we have approved out there. Just extraordinary times call for extraordinary measures and -- and as long as we can, within our capability, and we are very conservative when it comes to budgeting. We don't do things outrageous and I know, Councilman Borton, if it goes the other way, it might be outrageous, but I just think we -- we need to be -- we are at a point in time that we have to act and -- and do these projects. I think in one of the hearings I mentioned the fire stations, how rapidly we built some fire stations previously in early 2000s and how quickly they came on board, because they had to act. There was growth happening. Not like it is now, but I have every confidence that the people, men and women in charge of these projects, can do the job and do it well. Yeah. There will probably be some learning experiences along the way and we will probably look on a few projects and go, well, we would have tweaked this and we would tweaked that. No doubt about it. It happens -- happens with everything. But, I -- I'm in support of moving forward with -- with the Station 8 and doing those things that I think need to be to make sure our public safety is a priority for our residents.

Simison: Council, anybody else?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: This is -- this has been a debate that's been going on for years and at least -- at least the last couple years and -- and as I ponder what we are talking about, I -- these are great problems to have, honestly, at the end of the day. I mean we have reserves. We have a lot of growth in our city. People are moving here because we do it the damn best and that's the honest to goodness truth and I'm looking out in the audience and I see two damn good chiefs that we just hired and they are the best in the business. Excuse me. And I see firefighters in -- in -- in -- in Council Chambers. Captain Verkerk. He's -- he's here. We have had -- we have had animated discussions about this in the past. I know where he stands, but I'm grateful that he is here. We got the best damn firefighters in the valley and I'm grateful for that. We got the best damn police officers in the valley and I'm grateful for that. This isn't about whether or not we need these fire stations. All right? We need ten. All right? I mean honestly. I mean if -- why stop at eight. We need ten and there probably is arguments to be made of why we need all ten. You know, I'm not going to rehash what Councilman Borton mentioned earlier. He was spot on with everything that he had mentioned. But I was lucky enough to do a ride along with our -- our crew over at Station 4 on Saturday in Engine 34. Shout out to Captain Verkerk in the audience. But after I left I know -- I knew what the -- the monkey was in the room, you know, and I was just waiting for him to ask me, hey, Treg, what's your thought on eight and they didn't say a word. I asked him questions. You know, I teed it up for him to smack me in the face with it. They didn't say a word until the very end as I was walking out the door and he looked over at me and he said, hey, Treg, what do you think about Station 8 and I -- and I -- I -- I told them this, along with everything else that Councilman Borton has

mentioned I agree with, but there is one thing that -- that resonates with me and I think that Councilman Cavener mentioned this in our -- in our second workshop that resonated with me a lot as well and we were -- and at our second workshop there was a -- there was a PowerPoint presentation and one of the slides had to do with response times over the last two years of all of a -- per mile -- you know, or per square mile and what the average of response times were in every mile quadrant in our entire city. I'm going to pause there. I'm going to rewind for a second. All right. For those who are here visiting for it -- with us, because of maybe some applications that are going on this evening or maybe those who are listening online, as a Council we have always been told that the reason for these police stations -- or these fire stations is because of response times. All right? And that golden standard has been five minutes. We learned recently that maybe we forgot that maybe there were some additions to that -- to those response times, depending how far further you get out into rural Meridian, but we have been told five minutes and as a Council we are looking at this -- now, back where I was talking about before. So, five minutes has always been the golden standard. So, I'm looking at this -- this PowerPoint presentation and it shows, again, these quadrants and there wasn't only but two quadrants in our entire city where we are meeting this five minute standard. So, out of all of the square miles in the city -- I don't know how many of those are. There is only two where we are currently meeting that five minute standard and I'm thinking to myself is a station in the periphery of our -- of our city really going to fix our response times and, you know, less than a mile from downtown Meridian? You know, I -- I'm not convinced that that's the case and so I'm in favor of -- of -- of new a fire station in the south, one thousand percent. I think we all are. But I'm not convinced that building a fire station on the other side of our city is what we really need at the moment and going back to what I mentioned before, I'm so thankful that we have a chief that's going to figure it out, you know, because that's what he was hired to do and I have no doubt if -- hypothetically if this -- if this does not pass or if it passes, we are going to find more effective ways to get firefighters in front of people and saving lives and performing what they do in areas that aren't affected maybe by building a station even in the north end of our city. So, along with what Councilman Borton has mentioned and what I spoke about, I will -- my vote is not in favor of a fire station in north and emphatically in favor for a fire station in the south.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: First, Council President Bernt, man, I appreciate your authenticity and want to put your heart out there. We are lucky to have you as our president and I appreciate your comments tonight. It's interesting when you do this enough you can kind of anticipate what different Council Members are going to say. You kind of get a feel for where everybody stands and it's always interesting to me when I'm -- I'm tracking along -- I agree with -- yes, yes, you know, we have got a world class fire department and world class firefighters and we are this great, great community and, then, our conclusions just deviate from there and that's what's great about local government is they are going to deviate today and we may be in agreement tomorrow and we fight like cats and dogs next week. That's one of the things I love about this. It's a great example to the state and the country,

the local government is where it's at. To Council President Bernt's point, this conversation about Fire Station 8 has been over a year in the making. It's kind of like -- it's like the Super Bowl everybody has been anticipating, where are we going to land on Station 8, and I will be honest, a year ago I was pretty opposed to this for many of the reasons that my good colleagues have shared, but I guess it's proof that even Council Member Cavener isn't as stubborn as he sometimes is made out to be, is that I have had an open mind on this and, frankly, coming out of our last budget hearing when I saw that my house has one of the worst response times in Meridian, I was like, man, we are going to build two new stations while the Cavener our household is still in jeopardy? It made me a little angry. Moreover, though, I was concerned about how adding this amount of firefighters to Station 7 and Station 8 would impact that world class culture that we have, because I think that's something that is -- it's magical. It's part of our secret sauce and, Chief Blume, you have done a great job of contributing to that. So, I worried about that particular piece and I have weighed our community's need versus the potential for that culture to be lost and, ultimately, for me is that, again, to Council President's comments, we have got a tremendous department with remarkable leadership, one that we all believe in and all support and when our new chief, who I know we all completely support, says you are going to make it work, I believe you, I trust you, and while I have got concerns that aren't going to go away regardless of if this is supported or not, I believe you are the right person to get it done and so because of that I'm supportive of Station 8 being included in the budget and I don't want to give my esteemed colleague an opportunity not to speak if she has got any comments she wants to make. If not, I'm happy to make a motion.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you, Mr. Mayor. If you told me a year ago I would be thinking about fire stations day in and day out on every off hour I wouldn't have believed you. So, I really did want to hear what all of my fellow Council Members had to say -- had to say, especially Council Members that have been here many many more years than I have and just to make my comments brief, I had the exact same impression as Council President Bernt about the response times in the center of our city, that they are not that much different than the response times in the periphery and started thinking about why is that? If stations are closer, then, the traffic issues -- what could we do to resource -- what could we do to properly resource response times over the entire city, rather than building one station in one area and, obviously, this isn't my expertise, so I don't have that answer, but I truly believe that that is what I would like to see investigated before we make a decision about Station 8, is that we investigate is there any way that we can improve the services -- the existing facilities that we have. I imagine that those proposals could have been and will be brought to us by the Fire Department if they are at all possible and available. I hope that we have exhausted all possible avenues and resources in that regard, so that we are, indeed, servicing the entire city in a time frame that we hope to meet and so, again, as my fellow Council has stated, there is no doubt that there is future need for this. That's -- no one on this Council questions that Station 8 will happen. But I -- I agree with Council Member Borton's analysis regarding our approach towards impact fees and I would say

the majority of the other reasons that he stated, which I should have taken notes, because they were excellent, so that's -- that's my thoughts. Won't at this time be voting in the affirmative for Station 8 this year.

Simison: Councilman Cavener, if I could just take a second before you make a motion from that standpoint just to reiterate the other -- one other point. Yes, we have a plan for this to do in two years. If impact fees is what Council wants, you are not doing this in two years either. You are going to have to deviate from your plans, either going to have to use General Fund or other dollars to achieve this in two years if you are going for a hundred percent impact fee pay as much as you can. We can respectfully agree and disagree moving forward on how we repay ourselves with impact fees, you have one legal opinion, our Legal Department has given another. Finance has given the same one as our legal opinion. So, from a personal perspective I still think growth can pay for growth using the things that we have and impact fees will cover the full cost of what we can for the fire stations in my opinion. That will be a conversation regardless what happens in this next vote moving forward about whatever action this or a future council wants to take in reference to those as they are collected. But we -- to my knowledge we don't generate as much impact fees as a station would be eligible for if we were to delay it from where we are. I could be wrong, but that's my understanding. Maybe close. So, all excellent points that everyone has made throughout this. Councilman Borton, a lot of the comments you have made they have been the conversations that we have been having with staff with the -- whether it's with the Fire Department, whether it's with IT Department, whether it's Human Resources, with Legal, with Finance, these are all the conversations that at the staff level, the professional level, we are grappling with how we are going to accommodate and do that and we just spent the last two directors' meetings focused on the impacts of not only this, but a golf course, a potential pool, a community center, all those elements which are part of our growing community's needs, infrastructures, wants -- and, yeah, we are going to have to resource up in all levels of our government to be able to continue to provide all these services and the unknown about the legislature is always an unknown. That -- that is for certain and if -- when they call themselves back in, if they do that, they can make changes in December and all this gets put off. We have no idea. But if we -- if we always are concerned about the future of the legislature, we may as well just fold up cities and go back and all become county, because who knows what they are going to do tomorrow or the year after in those -- in those elements. It's -- it's a struggle not knowing where they are going to be. But it's been a great conversation today. It really has. And I appreciate everyone's perspective. This is tough for everybody from that standpoint.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: One last -- one last thing that -- you made a comment that triggered a thought and I completely agree with you with regard to the state legislature and the impact that their decisions have on -- on locals and the unpredictability that they give us on a -- on a yearly basis on -- on how they handle property taxes. You and I are in agreement one thousand

percent. But there is one thing that's -- if we -- if we approve Station 8 that we can predict is that we are going to have to take the three percent allowable to us for the unforeseeable future to be able to pay for this and as long as I have been in Council I think that's only happened once and it's not going to happen this year. So, that's a big deal, you know, when you are saddling, you know, future councils with -- when you are forcing future councils to take the three percent in order to -- to pay for -- for these facilities that we currently don't have the impact fees to pay for.

Simison: Just -- just to clarify, our -- our budget is built upon an eight percent increase year over year based on construction. Overall costs it may not come from the three percent, it may come from new construction. It could come from other sources of revenue and in any year, just like this year -- this year was projected to take three percent. Well, we are not -- it's not all taking the three percent. That's -- that is the thing. But from a projection standpoint everything that we are planning for in the future of the city is based on a three percent assumption. It does not always happen and when you -- if a decision is made not to do, then, that's where we as the -- as the Mayor and the directors, we adjust accordingly and we will bring forward a fundable budget year over year and reduce resources in other areas where we can't and I guess from a practical standpoint I think as much as -- Councilman Hoaglund, I think you made a little slip when you said you put parks above public safety. I know that you meant to put it right below from that standpoint. It was close.

Hoaglund: Mr. Mayor, I think of Maslow's hierarchy of needs, so I was working from the bottom going up, so --

Simison: Correct. But at the end of the day that's what -- that's what we, quite frankly, pay our city staff to do is to help develop budgets and services on the resources which are provided by the Council, the state, and others and every decision we make it every time has the potential to not be funded or will require three percent, whether it's fire stations, increases, going from part time to full time -- that is what we will always have to do regardless. But I appreciate it very much. So, with that, Councilman Cavener.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I move that we include the Fire Station 8 construction for the amount of 6,678, 900 dollars in the fiscal year 2022 budget.

Hoaglund: Second the motion.

Borton: Second the motion.

Simison: I have a motion and a second. Is there discussion? Clerk will call the roll.

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

Simison: Mayor votes aye.

MOTION CARRIED: THREE AYES. THREE NAYS. MAYOR AYE.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: That's another thing that's never happened. Just, frankly, I would have hoped that if half the Council wasn't supportive that you would take pause as well. I guess that would be the hope, so -- just an observation. I'm surprised that you just did that.

Simison: Duly noted.

Purser: Council -- Mayor, Council, I really appreciate the discussion, civil, and thank you. We have one last item. Or two, actually. I assumed fire engine eight, with that passing, is included? Correct? Yes. Okay. Before we close out with the public hearing I just want to open the floor make sure that I did not miss anything from an items parking lot standpoint. The ones I included are the ones I remember talking about. That does not mean I didn't miss something, so --

Bernt: Mr. -- Mr. Mayor, just one last thing. Just -- I just have some clarification if you don't mind with --

Simison: Councilman Bernt.

Bernt: -- Mr. Nary. Is -- is it legal for the Mayor to vote on a budget where he -- where he is approving dollars that -- that we normally would appropriate for him to spend?

Nary: Mr. Mayor, Members of the Council, Council Member Bernt, yes. The state code is -- specifically says the mayor can vote in the case of a tie. It doesn't distinguish when. It just says in the case of a tie for the City Council the Mayor can break the tie.

Bernt: The only reason I bring that up -- I don't want this to be contentious and, you know, just of -- just out of respect, you know, the legislative body of the city is the City Council. We appropriate money for the Mayor to spend. I have never seen or heard of a situation where the executive body in a city is -- has voted in favor for his or her own funds. That's usually -- that usually -- and I think that's what Councilman Borton was referencing in his earlier comments. I think it's highly unusual for -- for a mayor to be able to appropriate his own money.

Simison: If Council would prefer, we can go back, we can withdraw the motion and someone can make a motion to remove it, the vote will be three to three and it will fail. If

that's the preferred action, which would require me not the vote that you would prefer, then, the vote will be the same at this point time, unless another Council Member were to change their vote on that item.

Purser: Okay. Just to finish off my last question, were there any other parking lot items or action items that you, as a Council, have in regards to the budget? Okay. Then with that we would need a motion. I have a new number and I can give this to whoever. It would be 185,198,966. I can provide this to whoever needs it. But we would need an approval for that.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Brad, could you do that number again. 185,198,966. Okay.

Simison: And I would need a motion to close the public hearing first.

Nary: Oh, we still have the other one open.

Simison: Right. We still have the -- we can close the one public hearing, do that, and, then, finalize the other item.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Question for either you, Mr. Mayor or Brad. Does this revised number then make any changes to the requested property tax increase?

Pursuer: Councilman -- or Mayor, Councilman Cavener, no, that doesn't make an adjustment to that number, no.

Cavener: Okay.

Simison: And now with -- as those were coming from Capital Improvement Fund and other sources.

Purser: We are just adjusting where we are paying for what type of thing.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglun: It's my understood for the -- for the foregone, that just reserves that ability for -- whether it's this council or a future council to -- to utilize those funds down the road for -- for -- by -- by our action on this, so --

Purser: Mayor, Councilman Hoaglun, you are correct. Yes.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I'm not sure when the appropriate time would be, then, to talk about property tax increase, if that's while the public hearing is still open, just from a process standpoint when -- when the most appropriate for that is.

Simison: Happy to recognize you now or you can do it once both public hearings are closed and a motion is made on the budget.

Cavener: I will wait until we close the public hearing and a motion is made. Potential motion.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I would move that we close the public hearing on the -- public hearing for the foregone revenue associated with the FY-22 budget and we can move forward for a vote on that amount.

Simison: I have a motion to close the public hearing. Second?

Cavener: Second the motion.

Simison: Motion and second to close the public hearing. Any discussion? If not, all in favor signify by saying aye. Oppose nay. The ayes have it.

MOTION CARRIED: ALL AYES.

Hoaglun: Well, Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: As I mentioned earlier, this is not an amount that we have to take or committing to take, but it just reserves that action at a future date if necessary by us or a future council. So, with that, Mr. Mayor, I move that we reserve all foregone -- foregone --

Simison: I think we are on the -- the budget at this point in time.

Hoaglund: Okay. So, we closed the public hearing on the forgone --

Simison: No. We closed the public hearing just on the budget.

Hoaglund: Okay.

Simison: We will come back.

Hoaglund: All right. We are doing them in order that -- I was referencing Maslow's hierarchy. All right. Okay. Got it. Never mind. Go ahead.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: A couple comments and, then, I'm going to take a shot at the motion. Good conversation tonight. Stressful conversation. Tenuous conversation. But good conversation. To the public's benefit there is not everything in this budget I think that probably all of us really like. There is some things in it that I really love. I love the police stations. The fire stations. I love the Discovery Park phase two. But I touched on this in our budget hearing and I'm a firm believer in giving credit when credit is due, so, Mayor, credit to you for this significant investment in our employees. We do. We have the best in the business and appreciate you bringing a budget that is designed to invest in them and probably of everything in your budget, it's the piece that I'm most excited about. In my line of work you have what are called deal breakers, which means you support -- you support it until a deal breaker pops up and when a deal breaker pops up, then, you find yourself in opposition and so the only piece in the budget that for me has been a deal breaker is the property tax increase. I think that this year is a unique year with the ARPA dollars coming our way and we have touched on it tonight, our significant fund balance, that we can achieve what is a very ambitious budget that invests in our community and invests in our employees without taking a property tax increase and so, Mr. Mayor, I'm happy to make a motion that we approve the fiscal year 2022 budget for an amount of 185,190,966 dollars, but use the balance that is designed to be covered by a property tax increase to use our foregone revenue to cover the difference.

Simison: Dies for lack of a second. I think --

Bernt: Mr. Mayor?

Simison: -- it's about what it was actually stating.

Bernt: Yeah.

Borton: I will second just to get this discussion going.

Simison: I don't think the -- I didn't read clearly to me what you were trying to accomplish. I think that was --

Cavener: What I -- Mr. Mayor, I appreciate the opportunity to provide clarification. What I'm trying to accomplish is to approve the budget with a zero percent property tax increase and to, instead, use the revenue from our foregone -- or, excuse me, not from our foregone, from our fund balance. I may have said foregone, which is why -- apologies. I may have had two Coke Zeros tonight, so apologies. To use our fund balance, instead of foregone, to cover that difference, which I believe is right around a million dollars.

Simison: Is there discussion? Does the second want to re -- now that they have heard the full conversation like to still be the second?

Borton: Yes.

Simison: Is there discussion on the motion?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: The one point I want to bring up in this is why we are here and why we are having to do the tax increase is because the legislative action this last year took away the ability of new growth to pay the City of Meridian 1.3 million dollars and that's why we have to come back and say how do we fund our city and the growth that we are experiencing and now this is what the debate is about now is where do we get that. Do we take that from our revenue that we have, our savings account, or do we increase property taxes a little bit to -- to pay for that. But just remember that elections have consequences. That's why we are here is because new growth was not allowed to pay for the needs that we have in this growing community. So, that's -- that's my point. I won't belabor it, but it ticks me off.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Again, it's not -- it's not popular at all. I seconded the motion, but I -- I'm not going to be supportive of it, only because our hands are tied by accelerating capital costs and labor costs to the degree that we are now committing to do so. This is where we absolutely have to put our money where our mouth is and fund it. Otherwise, in 2030 we are in deep trouble down the road. So, I appreciate the motion. Had we not had Station 8 I would be right side by side with you, brother, but --

Simison: Further discussion?

Bernt: I agree with --

Strader: Mr. Mayor?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: For process standpoint, I'm happy to withdraw the motion. I just -- it's very rare that I make a motion to approve a budget as a City Council Member and didn't want that opportunity to -- I'm happy to withdraw the motion.

Simison: Second agrees?

Borton: Second agrees.

Simison: Motion is withdrawn. Councilman Hoaglund.

Hoaglund: Mr. Mayor, I move that we approve FY-22 budget ordinance -- moving forward with the budget ordinance for FY-22 budget in the amount of 185,190,966 dollars.

Strader: Second the motion.

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener. To my earlier comments, property tax increase is a deal breaker for me, so I will be in opposition. Appreciate the good work of staff, Mayor, Council tonight. It's been a good conversation, but I won't be supportive.

Simison: Is there further discussion? All right. Clerk will call the roll.

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

Simison: Five ayes. One no. Motion carries.

MOTION CARRIED: FIVE AYES. ONE NAY.

Simison: Moving on to the next public hearing item that is still open. We have not yet asked for any public testimony on this item. Is there further information from staff we need before we at least see if there is public testimony on this item? Okay. Is there anybody from the public that would like to provide testimony at this time regarding the -- putting the foregone -- this is not taking it for tax purposes, but basically putting it into a ledger for the future. That's the best way I'm going to describe it. Seeing no one wishing to come forward to provide testimony, do I have a motion to close the public hearing?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Move that we close the public hearing.

Perreault: Second.

Simison: Motion and second to close the public hearing regarding the foregone revenue associated with fiscal year FY-22 budget. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it.

MOTION CARRIED: ALL AYES.

Borton: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we approve to reserve all foregone revenue associated to the FY-22 budget in the amount of 454,885 dollars.

Perreault: Second.

Simison: I have a motion and a second. Is there any discussion on the motion? Ask the Clerk to call the roll.

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

Simison: Five ayes, one no, and the item carries.

MOTION CARRIED: FIVE AYES. ONE NAY.

Simison: Thank you, Todd, Brad. I didn't want to say it. That's what I was going to say. Any last comments from yourself or --

Purser: Mayor and Council, I appreciate the discussion. Thank you. I just want to express my gratitude to you, to all of city staff over the last nine months. Really spent a lot of time going over this. It's -- it's truly a group effort. So, we at Finance thank you.

Bernt: My pleasure.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Start the '23 budget next week?

Purser: That was last week.

Borton: Okay. I will look for the calendar. Good job.

Simison: All right. To all of our wonderful people that have been here for a long time, we are going to take a recess and we will try to reconvene at 8:00 o'clock with the rest of the business for the evening. So, we will recess until 8:00 p.m.

(Recess: 7:50 p.m. to 8:02 p.m.)

4. Public Works: Approval of Payment to Meridian CenterCal, LLC for City Water Relocations Constructed by Idaho Materials and Construction in Eagle Rd. Between Franklin Rd. And Leslie Dr. for the Not-To-Exceed Amount of \$1,211,174.10 in Accordance with the City Utilities Reimbursement Agreement

Simison: Next up is Item 4, which is from our Public Works Department and I will turn this over to Mr. Stewart.

Stewart: Mr. Mayor, Members of the Council, the CenterCal project, which we know as The Village, has a STARs agreement with ITD for improvements along Eagle Road. They have done some of those. It's time for phase three, which is the addition of a southbound lane on Eagle Road and as a part of that project the City of Meridian is going to be required to relocate our waterline that lies now outside of the right of way or outside the pavement, but will be under the existing payment and -- or the new pavement and the ITD does not allow that. So, as a part of that project we need to remove our waterline outside of the paved area. We could do that a couple of different ways. But as we have learned through our work with ACHD and ITD, it's usually best for us to do that in collaboration with the rest of the work that's being done. We save money that way and overhead of the administration of the project, surface restoration, and those kinds of things. So, we went forward to bid a project to do that with CenterCal. We had about 800,000 dollars in this year's budget, 2021's budget for that, that was the estimate that we got from the engineer and the bids came in high, not only the city's bid, Center -- CenterCal's bid was over a million -- or two million higher than what they expected and we were about 400,000 dollars more than what we expected. So, we have the money in next year's budget in combination with the 800,000 dollars from this year to cover the cost of, essentially, approving the contract. They will not, obviously, spend all that money in 2021, it will carry over into '22. So, I'm here seeking your permission to go ahead and approve that contract or seeking your approval for that contract, so that we can go ahead and get that work done as a part of that project and I will stand for questions.

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

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move approval of payment to Meridian CenterCal, LLC, for city water relocations constructed by Idaho Materials and Construction on Eagle Road between Franklin Road and Leslie Drive for the not to exceed amount of \$1,211,174.10 in accordance with the city utilities reimbursement agreement.

Strader: Second the motion.

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

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

Stewart: Thank you.

Simison: All ayes. Motion carries. Thank you.

MOTION CARRIED: ALL AYES.

5. Public Hearing for Wells Street Assisted Living/Andorra Subdivision (H-2021-0024) by Jamie Koenig of Babcock Design, Located at 675, 715 and 955 S. Wells St.

- A. Request: Annexation of 17.5 acres of land with a TN-R zoning district.
- B. Request: A Preliminary Plat consisting of 61 building lots and 8 common lots.
- C. Request: A Conditional Use Permit to allow an Assisted Living and Memory Care Facility on the southern portion of the proper

Simison: Next item up is Item 5, public hearing for Wells Street Assisted Living/Andorra Subdivision, H-2021-0024. We will open this public hearing with staff comment and turn it over to Alan.

Tiefenbach: Good evening, City Council. Alan Tiefenbach, associate planner at the City of Meridian. Good evening. This is an application for an annexation, a zoning to TN-R, a preliminary plat, and a conditional use permit. This site consists of 17 and a half acres. It's zoned RUT in the county now. It's located at the southwest corner of East Magic View and South Wells Street. To the north -- north is East Magic View, which is R-8, assisted living type facility. To the east is South Wells Street, which is also zoned -- part of it is within the city L-O, the other part is in the county RUT. To the south is also in the city. That is zoned L-O. To the west -- some of it -- the R-4 property there is the subdivision Westbridge or Snorting Bull Subdivision and, then, to the south is within the county. Here

is the capital improvement map for ACHD over the next five years. A little history on this. A similar proposal was approved for this property in 2020, it was called Andorra Senior Living. This proposal included 76 single family residences and a three story apartment building with 88 dwelling units. Following Council meeting the property owners of the parcel to the west decided they weren't interested in selling the property and this annexation and the development agreement was never completed. The present development was redesigned and that parcel that was taken out is not part of this. The Comprehensive Plan recommends medium density residential to the north and mixed use to the south. So, a summary, this is, again, an annexation and zoning of 17 and a half acres with the TN-R zone district. It is a preliminary plat, that would be on the north, for 61 building lots and eight common lots. This is about 11.7 acres.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I don't mean to interrupt you, Alan. I -- just refresh my memory. Wasn't -- the previous application wasn't it a 55 and older community as well?

Tiefenbach: Yes, sir, it was. You are correct.

Bernt: And one last thing. I apologize. I failed to mention this. Just for public trans -- transparency. I actually -- there is not a single person that -- probably that is sitting in this room that doesn't know that I live in Woodbridge Subdivision. So, I feel like I don't have a conflict of interest to be able to deliberate in -- in a way that wouldn't hinder my decision. So, I just wanted to throw that to my fellow Council Members before we continue.

Tiefenbach: Thank you, sir. Okay. So, again, north side preliminary plat, 61 lots. Southern side there is a conditional use that would be part of this. That's a 91 unit three story nursing and residential care facility, with a footprint of about 30,000 square feet. There would also -- there is also a -- a commercial building and at this point, then, I show what it's going to be, is that more than likely there would be a conditional use that would have to be done for this commercial building. That is around -- some of the southern half -- pretty much toward the center. There was also a few administrative requests that were allowed -- that went along with this. One of them was to allow private streets serving 61 units and to allow 32 of the required parking spaces for the residential to be provided in bulb outs and I will go through that. Here is a graphic of the northern half. The applicant proposes to develop this site with 61 single family lots, again, a 91 unit three story assisted living, memory care and possibly a 9,000 square foot office building. The portion of the property proposed for detached single family residences is directly adjacent to Woodbridge or the Snorting Bull Subdivision and that's to the west. This adjacent subdivision is comprised of lots of approximately 5,500 to 6,500 square feet an acre. There are 16 existing houses along the property line. So Westbridge would be here. There are right now 16 existing houses and those houses are approximately 42 to 45 feet in width. The applicant proposes 21 houses of approximately 32 feet in width and lot sizes of 4,000 square feet. This is approximately five dwelling units per acre, whereas

the plan recommends between three and eight dwelling units per acre in this area. So, it's roughly -- our low low or towards the middle. At staff's recommendation the applicant is staggering the rear setbacks of these houses from between -- you can see on the concept plan from between 12 to 27 to reduce the wall effect. Also at staff's recommendation the applicant proposes to vary the height of the larger houses by keeping the western half of the houses adjacent to the existing residences to one story. If you look on the graphic here, the lighter portion of the houses are the ones that are -- is the portion that is one story. The darker portion of the houses is the part that is two story. Again, sort of the -- to provide a little less visual impacts upon the adjacent residences. Although the TN-R zone district allows three foot side setbacks, which would be six feet separation between buildings, applicant has increased the side setbacks to five feet partly because of building code and you can't have windows if you have less than five feet and partially because the applicant's trying to pull the buildings a little further apart to be more consistent with the houses that are to the west. This, again, is just some pictures to talk about the graphic and I'm going to talk about the south half here. Okay. So, the south half includes 91 assisted memory care units with supporting retail, restaurant, and entertainment uses in a 30,000 square foot footprint and that would be what you see down here. There is also potentially a commercial building here that would be about 9,000 square foot. Again, we don't know what that end user is going to be for this particular building. If and when an end user comes in for that building it would be a conditional use that would be provided more than likely. This proposed development meets many of the goals of the mixed use neighborhood recommendations. Open space and amenities. You can see their open space exhibit to the left and, again, just for reference I keep putting these graphics in, because it's a large development. It's a little easier to kind of look and see what it looks like when you are looking at it against the -- the exhibits. Per our code 1.1 acres of open space is required, 21.5 percent is provided. So, it's about twice as much open space as they are required. They are required to provide ten percent. One amenity is required with this development. This proposal includes a central open space. You can see that here, if you can see my pointer. Central open space, a 43,000 square foot clubhouse, a swimming pool, a hot tub, pickleball court, horseshoe pit -- and a horseshoe pit and dog park. There is also large open spaces, which contain picnic and -- picnic gazebos and, then, there is a large open space corridor that you can see that's bisecting this from north to south. That would be what you see here or what you see here with the path in the middle. Although not required. The nursing residential care facility includes sizable open space and internal courtyard, two ball courts, picnic gazebo, and a community garden. There is an informal ten foot wide pathway stubbed at the west boundary of the adjacent subdivision over here. So, it's not formalized. However, the Meridian pathways plan shows that there is a future multi-use pathway connecting to this stub. The concept plan as submitted does include a connection to this stub. That's what you see here, a direct east-west connection. There are portions of this pathway, however, that are shown to narrow to five feet in width. If you look here it's a little wider and, then, you can see some portions where it kind of narrows down. But to be consistent with the pathways plan, staff recommends the entire length of the pathway from the existing western stub, which will be here, to the eastern part to be ten feet wide, again, to be consistent with the pathways plan. The pathways plan also shows a preferred alignment for this multi-use pathway that runs along Five Mile

Creek. Five Mile Creek is down here. This is because -- however, if you look at the way that it bisects now, the reason why is that Five Mile Creek right now bisects the property to the west and that is not part of this development proposal. With the original proposal, the Andorra Subdivision that was approved, this -- this portion here was part of the development, this was taken out, so the applicant does not have control over this. So, again, at the present the applicant can't control if and when this western property develops. So, this connection here -- this connection here is really all that they can control. However, the applicant is providing a second pathway connection. That's what you can see down here. If and when the property to the west does develop and does annex into the city then -- then staff would require that that ten foot pathway be connected to follow along the alignment as it is per the pathways plan. The conceptual development plan shows detached sidewalks. The pathway is providing designated pedestrian access for all single family residences. Again, the central amenity. The office building and the assisted living memory care. So, it's all interconnected, all pedestrian friendly. Access to this development is proposed from the adjacent local streets. So, East Magic View, which would be up here. South Wells, which would be down here, and South Wells Circle, which would be down here. For internal connectivity the applicant is proposing gated -- gated -- gated private streets, alleys and drive aisles. So, one gate would be here and one gate would be here. There is an existing unnamed ACH right -- ACHD right of way shown as East Gentry Circle. That's what you can see here. ACHD is requiring the applicant to construct this road to a western stub at the property line. Originally they were requiring the applicant to build a cul-de-sac, but because the applicant doesn't really have control over the western property ACHD is okay with them stubbing it to the west. The UDC space in any gated development shall not have more than 50 dwelling units on it. The single family detached portion of this development proposes 61 gated lots served by private streets. Although it is feasible to restrict the number of gated lots to 50, the development is intended to be a walkable neighborhood with homes clustered around an abundance of central open space and amenities. Because of the clustering, because of the amount of open space, and that Police and Fire did not have any concerns, staff believes that there would probably be more cons to reducing the amount of open space to reduce the number of lots versus letting them have the cluster and the additional open space. So, we have been supportive of this because of the way that it's designed. There has been some additional changes to the concept plan since what originally went out on the staff report. One of the comments that we had to the applicant originally -- this was a very long block here, if you can see where my pointer is to the east. Since the time the applicant has provided a connection here. This was originally a house here. The original plan -- there was an alley here and there was a street cutting across here. What has changed is that a house was removed here and it was moved down to here. The street -- the street went away here and it all became open space and now this is an open space here with the trail connecting, again that's to provide better pedestrian connectivity and you don't have to walk down that long block. Staff thought that was a better idea. Applicant was okay with that. So, they didn't lose any houses, but we actually did gain some open space in that. If the Council is inclined to recommended approval of this plat, because it's a slightly changed concept plan, staff would recommend the updated concept plan dated August 13th, 2020, be referenced. So, that's what you are seeing tonight in the presentation. The single family residential portion of this development proposes 61

houses, with three or more bedrooms, and this requires 244 parking spaces and, in addition, there will be nine parking spaces for the clubhouse. This amounts to 253 parking spaces. In an earlier version of this plan the applicant only had 244. Most recent version that you are seeing tonight now has 263, I believe. However, although all of the parking spaces are provided, the -- the applicant was proposed 32 of them being provided in bulb outs. So, across the street from the houses you can see these bulbs here, because in some cases the garages aren't long enough or the driveways aren't long enough, they couldn't fit all four around the houses, so some of these are they are providing them in bulb outs across the street. This is something that could be allowed by alternative compliance by the director, which he was inclined to allow this. This was because, again, of the amount of clustering, because of the amount of open space, requiring the longer driveways and/or longer garages would have cut into the amount of open space that's being provided with this plan and, again, staff did think that the clustering, the open space, and the amenities was much further than -- much -- much much greater than would have been required per our minimum regulations. For our nursing and residential care facility the parking requirement is about a half parking space per bed. Concept plan indicates 102 beds, which -- and that's only -- sorry. The concept plan requires -- or indicates 102 beds, which would be 51 parking space. There is 101 parking spaces that are being shown with the nursing care facility. The site plan reflects about a 9,000 square foot office building. Eighteen parking spaces will be required and 40 spaces are shown on the concept plan. One of the things that's changed a little bit is at the Planning Commission meeting the Planning Commission wanted to see the parking bulb outs distributed a little bit better. Earlier version all of the parking was sort of towards the west. The bulb outs have now as well been included over to the east. Again, that was done in response to the Planning Commission's discussion. Here are some of the elevations that were provided. Single family incorporate residential characteristics consistent with the adjacent residences. The commercial buildings have a more contemporary appearance. On the top is what the assisted living would look like. You have a lot of details. On the bottom these were thrown together sort of later. They are very conceptual. Staff isn't sure if the ones on the bottom would actually meet our architectural standards manual. But, again, this is the office building. At the time of certificate of zoning compliance we would make sure that -- that all of the architectural standards was met. Staff has received, as of now, 12 letters of testimony. Concerns expressed include traffic, the height of the houses, rear setbacks, the narrowness of the side setback's adjacent to the subdivision and have expressed that -- that there has been statements that the developer has been disingenuous with the community. At the Planning Commission -- the Planning Commission held this on July 15th. They moved to approve the subject request and what they discussed were traffic, phasing, whether or not this would be a rental project, traffic calming, number of parking spaces, amenities, and setbacks. They actually -- they actually added a condition of approval to -- to go into the development agreement that the amenities as listed exactly would be part of this development. The reason why is that the amenities that are listed are sort of geared more for the senior community. Although the applicant has said that this is being targeted towards 55 and above, it's not being -- there is really no way that we can require that short of them doing deed restriction. So, this was one of the ways that the Planning Commission thought it would be a little better support of an older community is to have these kinds of amenities written into the

development agreement. With that staff recommends that the Council approve the annexation, the zoning, and the plat for 61 lots, conditional use for the residential care facility and the additional office building with the conditions as recommended by staff and the Planning Commission. And I will stand for any comments or questions at this time, Council.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you, Alan. The portion -- the private street with the bulb outs, what's the width of those in relationship to your typical private streets, like 27 feet of -- what -- and the -- it's my understanding that they are about 23 by nine feet, so it adds an additional nine feet of width to the private streets.

Tiefenbach: Without me actually getting into the drawings and scaling these off I can't measure off of this. I could either -- I would defer that to the applicant and, hopefully, they could come back with that. Again, I don't want to give you the wrong numbers and I can't scale off of these drawings.

Perreault: Mr. Mayor, follow-up, please.

Simison: Council Woman Perreault.

Perreault: What's the acreage of the parcel that is now being excluded from the original -- you know, from the application a couple years ago? What's the acreage of that and it's -- if I understand correctly it's a mixed use neighborhood designation and does that sort of isolate that piece and make it difficult to develop in the future?

Tiefenbach: It does. I believe that the original proposal was 21 acres. The applicant can correct me if I'm wrong. That's going off of the top of my head. You are absolutely correct. The -- the property was sold off to the now property owner and you are absolutely right, that has kind of made it a no man's land. Unfortunately, it's not under the control of the applicant, it's under the control of the person that sold it to the applicant. But you are absolutely right.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Alan -- and -- and apologies if I missed this in the -- in the staff report and the P&Z minutes. You touched on some of the driveways are shorter in length as the -- the bulb outs. What is the length of the driveways? It sounds like maybe it varies from -- from development to development.

Tiefenbach: If it was from -- from house to house; right. I mean in general what the code would require is that for -- for a three bedroom or more houses you have to have a garage that is 20 feet wide by 20 feet long and the same as a driveway. You have to have a 20 feet driveway by 20 feet long. Some of them are ten feet. Some of the garages don't meet the full 20 feet in length. It just varies from the different house designs. So, not all of them you can fit four parking spaces on the lot, but four parking spaces are provided for every house, it's just that some of them are across the street from the house.

Cavener: Mr. Mayor, follow up.

Simison: Councilman Cavener.

Cavener: Alan, just so I'm clear on this, the measurement is from -- what, from the -- the garage to the detached sidewalk or is it to the street?

Tiefenbach: It would be from the back of sidewalk. The driveways would be from the back of sidewalk and, then, the garage would be from where the driveway ends to the wall inside.

Cavener: Okay. Mr. Mayor, one more if I may. I guess, Alan, where I'm getting to on this is I'm concerned while they are maybe providing ample parking, if I'm a resident or I'm a guest of a resident I'm conditioned to parking in the driveway and I'm worried are we creating, you know, a barrier from the detached sidewalk when people are parking in the driveway?

Tiefenbach: I believe that -- that certainly is a valid concern about whether or not a car would be hanging into the driveway. I'm not sure if I have a good answer for that. They are supposed to be 20 feet long. The applicant might be able to answer whether it's just the 20 feet wide that they can't meet, but that is why they have permitted bulb outs across the street.

Cavener: Thanks, Alan.

Simison: Council, any additional questions for staff?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thanks, Alan. I appreciate it. One question I had -- you know, we run into enforcement issues with our DA provisions and understood that we can't do a deed restriction. What, in your opinion, is that best way to ensure that we end up getting a -- you know, a skilled nursing residential care facility, as opposed to a -- what would stop this from becoming a multi-family building?

Tiefenbach: I said I can't answer that question, but I didn't realize it now there is -- there is like teleprompters on my screen of what you are saying, so it was confusing me, because it wasn't giving me exactly the right -- I was trying to read and listen at the same time and it was throwing me off, because it wasn't always spelling the correct words as you were saying them. That's a very valid question. So, they cannot -- they cannot do -- in the -- in the development agreement one of the things that staff talked about to the applicant and what we recommended was that the development agreement would specifically say that that building can only be used for a residential nursing care. If any other type of use is to occur for that building, meaning multi-family, then, at the very least they would have to come back in and do a DA modification and have to do a conditional use. So, it would have to stay nursing and residential care. Now, that's also something we can control with -- with building permits, because the way that a nursing and residential care facility is built is very different than the way an apartment complex -- you are usually going to have nursing stations, you are going to have a check-in area. So, it is a very different -- we can look at the building plans and kind of tell whether it's an apartment or whether it's a nursing care facility. But they couldn't -- they couldn't do apartments without coming back through to the Council and getting approval.

Strader: Thanks, Alan.

Simison: Council, anything else? I will ask the applicant to, please, come forward or are they online this evening? If you would state your name and address for the record and be recognized for 15 minutes.

Koenig: My name is Jamie Koenig. I'm an architect with Babcock Design, 800 West Main Street in Boise. Mr. Mayor and Members of the Council, we agree with the planning staff report. Alan always does such a fantastic job of summarizing everything, so thank you for that. We are super excited about this project. We feel the project fits in very well with the surrounding neighborhood and out of all of the types of projects that could possibly be developed here we feel that this is one that we should really all wish for, because of the limited impact on the traffic. The assisted living and memory care and the proximity to the hospital and various shopping and restaurant that's close by, I think we are very lucky, actually. As an architect occasionally you run across a developer that tends to value the same things that -- that we all do, including open space. It's very well designed and landscaped to kind of create a sense of place and an experience that is very enjoyable for people, both the people living there, as well as the surrounding community. He also -- Brent also agrees in elevated design and the notion that how the -- how the homes are designed and the staggered spacing and everything is very much not a cookie cutter type development, it's got some modulation along the back. We feel that -- that the houses will actually raise the surrounding property values also. Along the west property line a few things that are a difference compared to the old Andorra project that was approved. If you consider that along the west property line for the Andorra project we had a series of townhomes and the space in between those was five -- five and five for ten foot total and if you count up all of that along the Woodbridge neighborhood it came to a total of 60 running feet between the townhomes. Current site plan layout, considering that we have gone with the 40 foot wide lots and the single family with five and five

between, comes to a total of 210 feet between the homes, which is three and a half times more open space between the homes along that property line. The previous approved Andorra had 76 units. Our current version has only 61, which is a reduction in density. All of the -- all of the concessions and the working back and forth with -- my main point of contact was Les Fox with the homeowner -- homeowners association. I think the changes that -- that they have kind of requested and the changes that Planning and Zoning had requested were all beneficial to the project and I think it -- it actually became better as we worked back and forth with everyone. I think that's about everything that I had planned to say, so I will stand for questions, please.

Bernt: Mr. Mayor?

Simison: Council, questions? Councilman Bernt.

Bernt: Thank you, sir. I appreciate you being here. One -- one big difference between the last project versus this project is that the last project was a 55 and over community. Is that something that this community is going to be or have you thought about that?

Koenig: Like Alan previously stated, the homes on the north property are just targeted 55 and older and kind of designed to attract that type of person, that age group, and so -- and, then, there is no intention whatsoever to do anything other than assisted living and memory care at the south.

Bernt: Sure. Sure. Mr. Mayor, follow up.

Simison: Councilman Bernt.

Bernt: As you know -- and the reason why I ask that question is the -- this whole area is -- there just -- there is a lack of access and it's really tough to get in, it's really tough to get out, and because of that people fly through Woodbridge like it's nobody's business and they have for years. Those that live there know that. Those that don't live there know that. The police department knows that. There is literally no one in the City of Meridian that doesn't know that Woodbridge is a thoroughfare from Eagle to Locust Grove. Right? And so that's my concern and I -- and the same concern was raised last application with the previous applicant and they were specific -- they were asked specifically if they would change their demographic or change their marketing to this and actually agreed to put it in the development agreement that it would be a 55 plus community. Would you guys be willing to do that yourselves?

Koenig: I think with previous discussions with the developer I don't believe we would.

Bernt: Do not.

Koenig: Do not.

Bernt: Okay. That's all I need. Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Your comments talk about staggered heights. Can you give us a range? What's the -- what's the tallest building versus what's the shortest building and kind of what's the percentage is of each.

Koenig: So, along the west property where the house comes clear up to the 12 foot setback, close to the fence, at nearly -- I don't know. It's probably 60 percent of that entire depth of the house will be just single story, with a gable roof on it, for example, or perhaps probably a gable --

Cavener: Okay.

Koenig: -- and so that the portion of the house that is two stories is actually street side.

Simison: If you can eat that mic.

Koenig: A portion -- the portion of the house that is actually two stories is street side and, then, it drops off as it goes back and, then, at locations where we have the entire house is two stories, it's, you know 27 feet or so. And, then, our intention is to modulate that and not necessarily do 27 or 12, but that's our range of what we will do.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I may have missed it. So, you are saying 12 feet in height up to 27 feet in height? Are you talking width or distance?

Koenig: Right. Sorry.

Cavener: Yeah. So, maybe -- I will rephrase my question. Can you talk me through the height of these buildings? Because in your comments you talk about staggered heights and so I recognize that parts that may be faced to the existing neighbors are going to be single story, but there is lots of single story homes that are -- are fairly tall, so help me understand what the height of -- of your homes or your proposed homes to be.

Koenig: So, our intention for the single story portion would be to have just a typical bearing height of maybe nine foot and, then, a gable truss over the top of that that would have a peak of maybe five foot more than that. And, then, once you get to the second story portion it would be double that.

Cavener: Okay. Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, it looks to me just -- if I'm reading this correctly -- that almost all of the homes in the center will be -- a portion will be two story and, then, on the west and east sides it's a little -- about half and a half, maybe 60/40 two stories. So, help me understand how that would appeal to -- not -- if not given a 55 plus deed restriction, how that would appeal to a 55 plus individual. I have been a real estate broker for many, many, many years and have -- can count on one hand how many seniors have asked for a home that's two stories of any -- a portion of it, a third of it, half of it. So, help me understand if -- I really want to get some clarity on the appeal -- now I have had a lot of requests for single family with maybe an upstairs bonus room, but certainly not homes that have bedrooms upstairs. So, help me reconcile your marketing plan for age restricted use, but a home that looks to me like it's made for young families.

Koenig: Council Woman Perreault, our intent would be to have all of the designs be bedroom -- master bedroom down and so the master bedroom would be on the main level and, then, as grandkids or -- or kids come back to visit they would be able to stay in the upper bedrooms.

Perreault: Mr. Mayor, follow up.

Simison: Council Woman Perreault.

Perreault: So, essentially, say it's a three bedroom, the sleeping room is downstairs, but they still are not going to go upstairs for their office or their rec room or -- I just don't -- I don't see how two stories is going to really appeal to a senior community, just to be candid.

Simison: Council, any additional questions for the applicant? Thank you very much. This is a public hearing. Mr. Clerk, I assume we have a few people signed up for this item this evening.

Johnson: Mr. Mayor, we had quite a few people sign in. Four indicated they wish to testify. First as Robin McCulley.

Simison: If you would come forward and, then, when you do state your name and address for the record and you will be recognized for three minutes. And if there is anybody online that would like to provide testimony on this item, please -- if you haven't signed up in advance, use the raise your hand feature and we will bring you in at the appropriate time. Thank you.

McCulley: My name is Robin McCulley. I live at 728 South Woodhaven Avenue. I can point to my home on that map. Thank you so much for the great questions, because those are the exact same questions the residents in Woodbridge have. It's absolutely true. If you haven't been through Woodbridge you must live under a rock, because

everybody drives through it and we are just trying to protect the quality of our homes, just like you are trying to protect the quality and the high standards of Meridian, the city in general. When I moved to our home six years ago we were under the impression or told that the house -- the houses behind us were deemed commercial medical once that property sold, because they were farmland with a couple of homes on them currently. We were completely open and, quite frankly, expecting that to happen and since, then, we have gone through several proposals. One was across the street where the Meridian Meadows Transitional Care now is with apartments and, then, now we are fighting for the other side and as you know our community is very high -- we have very high standards and we expect that for everyone in our community as well as Meridian. So, we kind of play big brother to everything around us. I am a nurse and work at four facilities that back up to my home. I work at the Surgery Center of Idaho right across the street. I work at St. Luke's. I work at the eye center and I also work at the sinus surgery center. So, I think that area is definitely a medical area. I think it deserves to stay that way and what we were told in the beginning that it would be. The traffic has become insane. I have a five year old son that I'm terrified to let go out and ride his bike, because the number of cars out there. When the Meridian Meadows Transitional Care came in everything was wonderful until the employees and everyone else showed up and now we have parking, which I think I e-mailed in the pictures of just general -- like at 9:30 in the morning and 9:00 o'clock time of the cars parked -- lined down Magic View, because there is not sufficient parking at that transitional care. So, they are already parking down the main road on both sides of the road, which hinders other cars from being able to drive properly up and down. This is where this site is proposed to come out on East Magic View. So, their exit out of their, you know, 61 houses is designed to come out right where all these cars are already parked on both sides of the road. So, that is going to contribute to a dangerous situation. I just sat -- I just sat through your, you know, million dollar budget for these firemen and -- which we support a hundred percent and your police department, but it's great and wonderful to have them, but if they can't even come down the roads to get to these houses it doesn't matter. We can't get to the houses. We can't protect these people.

Simison: If you could wrap up your comments.

McCulley: So, please, I'm just asking that you take this into consideration before you change any zoning. We are perfectly happy with a rehab. We are perfectly happy with that type of medical situation. We are used to the traffic Monday through Friday. Business starts usually 5:00 a.m., doesn't taper off until 7:00. We get a little break on the weekend and, then, it all starts up again Monday. We are prepared for this. This would change and be 24/7 all the time for us and I encourage you to really think about that before you vote yes to this project. Thank you.

Simison: Council, any questions? Thank you.

McCulley: Thank you.

Johnson: Mr. Mayor, next John Overton.

Simison: So, with grabbing your water are you speaking on behalf of the HOA?

Overton: Yes, I am.

Simison: So, you will be recognized for ten minutes.

Overton: Thank you, Mr. Mayor. Mr. Mayor, Members of Council, John Overton. 1922 East Bowstring in Woodbridge Subdivision. Thank you to all of you. Thank you to city staff for the work on this project, but I'm not here to support it like I did the last one and I need to explain why and I have ten minutes. Let me back up in history a little bit here. Everybody touches on it, but I have lived in Woodbridge for 19 years. Previous mayors, previous councils, stood here and told us the vision was this great medical corridor. Bought that lot, built my house under that, and we have done a great job. There is a lot of businesses to support that. When Andorra came on board we had a developer that sat down with us and was totally communicative, answered all our questions and had, as Council Member already told you, a single story 55 and older plan that made sense, that we could look at other ones around the country, around the valley, and it made sense. It was perfect. We understood the problems we had. Staff mentioned the access. You failed to mention driving through Woodbridge. You mentioned Wells. You mentioned Magic View, but you forgot to say the traffic is going to drive through Woodbridge. At the P&Z hearing the applicant stood up and pointed out on the record that when talking about the traffic through Woodbridge it was broken and, then, went on with his presentation. What have we come to that we can sit there and say that something is that broken. Well, yeah, let's go ahead and build anyway. We have got a problem. In 20 years we have not added a single crosswalk to get people across the street or from phase one to phase two in Woodbridge. We have a collector street. Our -- our subdivision was designed with a collector street called Woodbridge Drive. Then in mid stride Council Members -- if any of you were on at that time -- they changed the plan for phase two and instead of having a collector street go all the way through to Magic View, they made it all residential streets and put houses on it, so all the cars went in front of these houses that were no longer collector streets, but -- so, we have a stub of a collector going to Magic View with all this residential housing in the middle. I understand they wanted it to be some sort of traffic calming, but it turned into a very unsafe situation and we have had to live with it for all this time. So, give me a second to just -- I heard the presentation. I think staff did a fantastic job, by the way. I heard the applicant. But let's take the sugarcoating off of this. Here is a reason why this is not what it was before when we approved the Andorra project. The Andorra project was, again, a 55 and over project. This is a multi-family housing project. When the developer can stand up when asked in front of Planning and Zoning if he would sell to only 55 and older and he says, no, if somebody below the age of 55 wants to buy I'm not going to deny them. What more do you need? It's a multi-family housing. Any multi-family housing that would have come up and stood in front of us we would have absolutely said, no way, we don't support this. We only supported 55 and over because it worked into an assisted living, independent living setup. We thought that's going to feed really well into that medical corridor. All those services going to be close to it. We were the ones that demanded at the P&Z meeting that the amenities be included in a development agreement. That wasn't Planning and Zoning. We asked for that. If you

remember on the Andorra project I asked for the 55 and over of the Council and you agreed. Well, apparently, I can't ask for that anymore and I get it, things change, but there has to be something -- some sort of an assurance that would allow this, if it's going to proceed, to be a 55 and over. Now, with that said, two story units do not support 55 and over. There is no part of this that I buy. It's a smokescreen to me. It's a smokescreen to everybody on my board. I think it's a smokescreen to everybody in our subdivision. There are none of them that I know of that are buying that this is 55 and over. We are being sold a bill of goods. We are being told that this is just like what we had before, but it's not. If you pull the curtain away we got a whole different animal. The developer at one point had a conversation with planning staff, I believe, about having multi-family instead of the assisted living, which caused I believe, correct me if I'm wrong, planning staff to put the comments into the development agreement that it could only be an assisted living. You have to understand it's these type of comments that are made that erode the trust we have in this developer. We had a tremendous amount of trust in the previous one. We did. We enjoyed it. The fact that it fell through was crushing. We are very concerned about traffic and besides talking about traffic, I asked this at Planning and Zoning. No traffic study with this. There has been a traffic study with every single development request prior. When I asked why there is no ACHD traffic study required with this one, which is so big, I was told that ACHD had told their planning staff or the applicant that it wasn't needed. I get it. During the times of COVID our traffic was depressed. A traffic study really wouldn't have been accurate, but the world is starting to wake up again and when it does and this gets built we are going to have traffic numbers that far exceed -- and to say it doesn't increase our problems -- every single time anything gets built between Eagle Road and Woodbridge it impacts us. Everything. From a little restaurant -- it doesn't matter. Now you are talking about 61 homes. You are talking about a -- I don't know. We are talking about an office building, but we don't know. It's got a big question mark on it. We are talking about assisted living. I get the assisted living. We will buy the traffic that we get from that. But 61 multi-family homes, that's a ton of traffic and that's not just day traffic, like a business would be, that's 24 hour a day traffic. That's people working different shifts coming through our subdivision all hours of the day. It plays a role in changing the whole dynamics of what we are going to deal with in our subdivision. If the decision is that you feel that this is the right thing for the city, which I hope you don't, we need to specifically make sure certain things are addressed. Again from a developer to members, I -- they have told me -- this is hearsay. Okay? I'm not coming up and saying I heard this. That they don't have any belief that they are held to the 27 foot setbacks on the two story houses or the 12 foot setbacks on the single story. It needs to be written specifically in any development agreement that those must be 27 feet on the two story homes, 12 feet on the single story homes, five feet setbacks on each one for a ten foot width and the staggering needs to be representative of what those pictures were. That's if you approve this. We hope you don't. But we have no faith at this point right now that this is going to be built in any manner that we are being told. We think it's complete multi-family. That's what they are going to do. They are going to build, they are going to leave, and we are going to be stuck cleaning up the pieces. I stand for any questions.

Simison: Thank you. Council, any questions?

Overton: Thank you all very much. Mr. Mayor, next online is Deborah Nelson. Deborah, you are unmuted.

Rostratter: This is actually Deborah's husband.

Johnson: Okay.

Rostratter: Mark Rostratter. 660 South Woodhaven. Our property backs up to this field. Our fence line is on this development. I just want to say and take everybody's time that I am in agreement with my neighbors at 726, that if this were to support the medical corridor that we would all be in favor of that. In particular with the parking overflow issue that I personally face on every commute that we see from our back window and that we are very well aware of in our community. I also feel that -- and what our HOA spokesperson has talked about -- that the changes to this plan over the course of us living here and being a part of this have lowered our confidence in the accuracy of the plans that have been set forth and just in the sake of everybody's time that we are in agreement with everything that has been said. With that I have nothing else.

Simison: Thank you. Council, any questions? All right. Thank you very much.

Johnson: Mr. Mayor, next is Lorrie Somazzi. Please let me know if I got that wrong.

Somazzi: I'm Lorrie Somazzi. I live at 1896 East Bowstring Street and I'm here and I'm not in favor of this project. If you drive down Wells or you drive down Magic View, those lanes are so narrow, as Robin already pointed out. When you are coming down Magic View there are traffic on both sides. If they develop a sidewalk there that road is even going to get narrower from where they are parking on both sides. There are days that I drive through there and I have to wait for another car to get by, so we can easily both pass by when there is vehicles on both sides. This isn't going to make it any better. I also go to all this -- I'm a nurse also. I work at all the St. Luke's facilities in our valley and when I drive home from Boise I can sit through three traffic lights trying to turn left to get onto St. Luke's Drive to get home when I get off the freeway. If we put another subdivision that is not going to be 55 and older, I can't be convinced if you are building a second floor like other members have said. How much longer -- how much more is that going to backup Eagle Road, which is already, you know, an issue. I don't have an issue with it being an assisted living. I'm not sure whether it was just City Council -- like the staff saying skilled nursing facility, but let me be very clear. There aren't a whole bunch of nursing stations if it's an assisted living, just to clarify for the record. There is maybe one or two sections that a nurse doesn't have to be there 24/7. These people are supposed to be fairly independent. They might have nurse's aides to help transfer these patients. So, I'm just really concerned about the safety. I have a 12 year old son who likes to go with his friends down to McDonald's and ride his bike. It always makes me super nervous, because once you get past Woodbridge Drive and you turn left on Wells, rather than to where the project is, that road isn't developed -- the development of the roads in this area I think before we can look at this. I am also very concerned as we are growing so rapidly that was discussed when we were discussing this budget and knowing we were having

more people move here, just for all transparency, our ICUs are full. We had one bed in Nampa today for an ICU. Someone coded. We were overflowing in the Boise ICU for St. Luke's is all I can speak to -- into a cardiac observation unit. So, as our population grows -- we are not done with COVID, I'm really concerned about losing our medical corridor next to our St. Luke's Meridian. I know for a fact -- when I moved into the subdivision I liked the fact that I live close and if we are taking away the ability to have medical providers, a lot of people will live close to the hospital that are older, it provides them security, and now we are going to start building residential areas is concerning to me. Thank you and I hope you guys do not approve this. Thank you.

Simison: Council, any questions? Thank you.

Johnson: Mr. Mayor. Next is Cliff Rice. Is Mr. Rice here? Okay. That was the last person that checked they wanted to speak.

Simison: Okay. If there is anybody else -- if there is anybody else in the room that would like to provide testimony, please, come forward at this time.

Biason: Hello. My name is Ann Biason and I live at 569 Trunnel in Woodbridge. I was actually on the list. You called me earlier.

Johnson: You were a maybe, so I was giving you a chance.

Biason: Yeah. And I just wanted to come up here -- I know it's very late and there is not a whole lot more I can say that hasn't been said and I don't want to waste people's time, but there has been a couple things that -- that came to my mind is -- if you can see on the diagram of these houses, for example, this one street that borders Woodbridge Drive, it runs parallel to Woodhaven Avenue and we have 15 or 16 houses on that stretch of land and in that exact same stretch of land they are having 21 homes and when I'm walking in my neighborhood at night and when I'm going out in the morning, when there is cars out there, there is a lot of cars out there on Woodhaven anyway and when I'm looking at this proposed plan -- we have already, you know, talked about the 55 plus, which people have already addressed, because that was huge on my mind as well, but we are talking about parking, where are these people parking, there is no space, you didn't -- I couldn't see on this where the fire hydrants were and, then, you can't park on corners. It's a safety concern. So, not only where ever the fire hydrants are that you can't park around, you can't park around the corners -- my gut is saying even if this is approved they are going to start overflow parking on Magic View Drive and that has already been addressed as well. So, this -- these homes squished into this small area and, then, as we already had said about the 55 plus and two stories, that doesn't even make any sense and here I think even the person -- the architect had said roughly 60 percent or 40 percent of the homes ended up being two story homes and that just doesn't make any sense. A lot of the things that I wanted to say has already been said and I don't want to waste anymore time, but I do want to say a lot residents at Woodbridge, including myself, very much oppose this plan. Thank you.

Simison: Thank you. Council, any questions? Thank you. Yes. Next. Come on up.

Winger: Hello. I'm TJ Winger with Babcock Design. 800 West Main, Boise. Just a couple of comments. I appreciate all of the effort that's been done here and I definitely appreciate the comments from the community. As we -- as an architect I look at numbers; right? And I appreciate the comments about traffic and parking and if this does go medical, the development at the end of the street that has the parking on the streets and all of those issues and concerns is medical, so the parking ratios that are allowed if this goes medical are increased parking and more parking than this project would provide. More traffic counts than this project would provide. It's just simple math. When you look at your own code and you look at the parking allowed for medical uses versus a residential use, this is the least impactful traffic count solution for the community. Another side comment -- it's clear that traffic is a problem in this -- in this neighborhood and that's -- that's very unfortunate. If it does go medical it will just increase that even more than this proposed project. It sounds maybe counterintuitive, but -- but that's what the numbers show and just in effort also and my office we currently have about 6,000 units in design, residential units, and we work with a lot of developers, a lot of builders and it is -- Jamie mentioned that slightly early on, you will see most of my clients -- most of our clients come in and it is literally a numbers game and it is how dense can I make this and what is the maximum return on my land and I have to just be honest, I know you might feel like Brent has been aloof and missing and as far as developer mentality and density and quality of project -- I work with about three clients that I enjoy working with that bring quality projects, that give on open space -- out of my 18 clients that do multi-family three will give on open space double, ten percent to 20 plus percent. That's a real gift. We have been filtering the phone calls -- I know Brent has been busy with family issues and dealing with deaths and stuff and he has not been as available. I'm not making an excuse, but those are real things that happen. COVID is real and we have filtered a lot of those phone calls and we have incorporated a lot of those things and I feel like the project has made a genuine improvement to try to be a good solution for the community with the traffic calming and the concern about driveways. There are two -- there is one lane in the middle, just those two homes don't have the driveway depth required, so it's not common throughout. Those are my comments. I'm in support of the project. Thank you.

Simison: Thank you. Council, any questions?

Perreault: Mr. Mayor, I do have a question.

Simison: Council Woman Perreault.

Perreault: Did you work on -- on the original plan in addition to this plan?

Winger: I did work on Andorra as well, yes.

Perreault: So, it went from 76 to 61, but we lost the -- the southern -- this -- the southwest corner that had some residential on it prior; correct?

Winger: Yeah. Just a few units. Yeah.

Perreault: So, is this actually more dense than the other? Because -- I don't remember how many units were -- I want to say there was probably a dozen or so -- 12 to 15 units in that bottom section on the last plan. But what -- how is this related -- I looked at the -- at the concept plan, the rendering of the last application from a couple years ago in comparison to this, just to kind of see the layout, the design. I actually liked that layout way better than this one for the residents -- the single family residential portion, but is this actually more dense than that in terms of the number of homes that are on the north side?

Winger: So, let me answer that question. Good question. So, the -- the main difference between this development and the last development is that these are all single family lots. The last development they were twin homes, they were connected, so there was more density per acre, actually, on the last development. It -- it looks more, because you see more dots on paper, but there is actually more doors for sure and more density on the last lot -- or last Andorra project, if that makes sense. Like -- like Jamie mentioned in the discussion on the -- on the west side, if you were to just add up green space, the space between the buildings, it's about triple the green space on this plan versus the previous plan. So, yeah, does that -- does that answer your question?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Yes. I -- I'm just trying to understand the -- where we are losing the 15 units, if they were all in the southern part. So, in other words, is it -- is it apples for apples from the last plan in terms of -- we had 76 units in the last application, we have 61 units in this application, but they are in -- they are single family, they are not --

Winger: Right. Right. There is -- go ahead, Brent.

Thompson: Brent Thompson. I live at 2476 East La Grasse Circle, St. George, Utah. Great question. We acquired an additional four and a half acres. So, the property that is adjacent or runs along the Magic View Drive was not included in the previous application. So, we, essentially, traded out the four and a half acres that was on the southwest --

Perreault: Okay.

Thompson: -- section. I actually went and acquired the piece to the north that --

Perreault: Okay. That makes more sense.

Thompson: -- that's along Magic View.

Perreault: Thank you.

Thompson: That's why the change in density. And I would love to answer some questions during the rebuttal period if given a moment, but --

Simison: So, I was going to -- trying not to confuse rebuttal with someone testifying who is not part of your team on both sides of it, so -- yeah. If you were part of the team it should have been during the rebuttal comments, as compared to the individual, but -- just trying to keep it clean and separated, so -- is there anybody else that would like to provide testimony on this item from the public? Sir.

Mundt: My name is John Mundt. I live in 716 South Tiburon Avenue in Woodbridge Subdivision. Mr. Mayor and Members of the City Council, access, access, access. We have, essentially, a piece of landlocked property and the only access, as Mr. Bernt has said, is Locust Grove -- Woodbridge off Locust Grove and Magic View off of Eagle and the more development you do in this piece of property the bigger the problem is. Thank you.

Simison: Council, any questions? Thank you.

Simison: Is there anybody else from the public that would like to provide testimony?

Johnson: Mr. Mayor, just for the record Deborah Nelson is raising her hand. Or Deborah Henderson. I believe you have already heard from her, so I just wanted to make sure she was aware that you knew she was raising her hand.

Simison: Do you want to see if it's the wife versus the husband?

Johnson: Great question. I will unmute.

Henderson: Hi. This is Deborah Henderson. Thank you. I just wanted to take a moment -- I live at 660 Woodhaven Avenue and my house directly backs up to this development and I just want to take a moment to reiterate what my HOA has represented and what my fellow neighbors have represented and especially with this dense community and the -- you know, the ratio of homes that are backing up to our line of homes and especially when we get into accommodating different zoning requirements and different driveway links. To me it doesn't make sense to be making accommodations for a development that seems to be adding to the problems that we already have existing in our community and in our neighborhood and in our area. So, I just wanted to reiterate the feelings that have already been stated. Thank you.

Simison: Thank you. Council, any questions? Okay. Thank you very much. Seeing no one else coming forward to provide testimony at this time, we will go ahead and ask the applicant to come back up for any final comments. If you can restate your name and address for the record and be recognized for ten minutes.

Thompson: I had a hard time at Planning and Zoning because of my height. I apologize. Brent Thompson. 2476 East La Grasse Circle, St. George, Utah. Also former Meridian

city resident. Thank you for your time tonight, Mr. Mayor and Council Members. It's wonderful to be here tonight. It's always difficult to present a project. No matter what project is presented it seems there is always opposition and it's very similar in your debates about the fine police officer and firefighters of the city. It's tough make the right decisions for the right -- for the city. Just to clarify a couple of things. The original Andorra project -- and I hate that -- I guess we are getting compared to the previous developer versus old developer. I actually had acquired the property under an assignment contract with the previous developer and we -- part of the original agreement was that they would get it through City Council and so I participated listening on Zoom on that approval. Part of the discussion was -- and -- and somebody can certainly go back and check the record -- was the deed restriction issues on 55 and older and that was a matter that was discussed amongst the Council Members and the concerns and might have even been Council Woman Perreault -- sorry for the mispronunciation -- I believe even made those discussions about the challenges of deed restrictions on 55 and older communities. Our target really is to get seniors. It's more of the -- I would relate it exactly to the -- not a competing product, but it is -- the Cadence projects by Brighton -- Brighton Homes. If any of you have been through those projects they are very successful. They also have an assisted living component next to it, specifically the one that's in north Meridian along Chinden. There is an assisted living center there and, then, there are adjacent homes. That's a gated community. Many of those homes are two story cottages and my mother-in-law lives in one and when I come into town that's where I stay is the upper floor and they have a main floor master and they are lovely. They love them. She moved from a three -- or a two-third -- or a third acre lot in Eagle just recently and moved into that project and that was really kind of the foundation of this is to create a high quality product. I think some of the things have been misconstrued and almost slanderous, to be honest. Excuse me. But when I was mentioning 55 and older and Planning and Zoning Commission, I mentioned that I was just turning 51 myself. I have parents that are 83 years old and they are just perfect people right now that would go into an assisted living memory care building such as this, where I, if I lived out of town, would love to have a second home where I could come and visit and -- and, likewise, there is going to be situations where there is older couples that are one -- one of the members of the couple may have to go to a memory care building and how perfect to have that right there. So, when we do say it's targeted for it, it truly is, but we cannot deed restrict it. The two story concept really comes from the Cadence product, which has been highly successful. There is another one that the city has approved over by a Costco as well. So, the market truly does state that is a viable product and the quality of development that we are doing here -- not to mention the -- the double amount of open space, the nine amenities where only one is required. We are going the extra mile and trying to make this a very high end community. These homes are likely going to be -- we are pricing them right around 650, 675. It's actually going to elevate the community, it's going to elevate the area, and we are extremely excited about it. It's tough to see so much animosity. It's -- it's challenging, because we tried to really put the best foot forward. We have already spent over 200,000 dollars in design on the assisted living building and that's neither here nor there whether you accept it or not, but just to show you our good faith in trying to move forward with this project. The only concern when it came up about -- people hear stories and make up their own stories. The only reason it came up -- we did talk to Alan about just because of

the cost of construction and so forth, we did bring up the conversation of what if we went back to what the original Andorra application was, which were really senior apartments. It wasn't a full scale memory care assisted living building like we have designed now and we since -- that was a matter of about a week and, then, we decided that that was not the direction we were going to go. So, we have gotten far down the road on design. We have gone far down the road on -- on our application here. You will see the landscape plans are very highly detailed, much more detailed than we have -- we have ever presented and I'm developing projects in Eagle. We have got a 50 acre development in Star right next to the new Albertson's along Can-Ada and Highway 44. We have got four projects going in Caldwell. We are very well heeled. We do everything with our own capital. There is nothing that's leveraged. We have closed out on the property. Unlike the previous application, the applicant did not own any of the properties that he presented and so I don't know what else we have to do to show that we are good faith. We are trying to make this work and make it really a gem for the city. The assisted living building -- excuse me -- is, essentially, coming in around 20 million dollars. It's a tremendous facility and one that's not -- there is not one like it in the area at all that I'm aware of and it's going to be a phenomenal building if it's approved and I think, likewise, this community as well. It's a higher end community. I was a little disenfranchised in Planning and Zoning. A lot of the residents were complaining about families moving in. I mean heaven forbid if we have a family that wants to live in -- in the community. But we are not targeting trampolines, we are not targeting, you know, young families. We really aren't. And any young family that can afford a 675,000 dollar house, you know, I guess more power to them. But that's really kind of where we are -- where we are at on this project and I'm -- sorry, there is always something that I forget afterwards, but if you have any questions I'm happy to answer those.

Simison: Thank you. Council, any questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, I just wanted to get clarification on -- as you mentioned, I do have -- personally I don't know that that add -- that putting a 55 plus deed restriction really -- really has the effect that the neighbors might prefer, which is to maybe have fewer cars, fewer traffic. A lot of -- of homes with, you know, 58 year olds have two cars or three cars. I don't think that putting that deed restriction is really going to cause -- is really going to create the effect of not having the traffic and not having the number of vehicles. What I think would, however, would be to have smaller footprints of homes. So, not an 1,800 square foot home or 2,000 square foot home, but a 1,200 square foot home and so my question for you is what -- what are the average sizes of the single and two stories and can you talk to us about a 12 foot setback. If you have a ten by ten patio out there, you have got two feet of space between your patio and your property line. So, can you give us some more understanding of really about how it's going to work for the resident and, then, also what sizes these are going to be and how that plays into your market?

Thompson: Sure. Appreciate it. Let me -- let me kind of address the -- the setback issue and the rear yard setback, because I think that's where this maybe disingenuous comment may have come from -- come from. After our Planning and Zoning meeting a couple of residents wanted to have a discussion about how far is their home from this -- from their particular backyard and wanting us to guarantee that it would be exactly a certain footage that it showed on a conceptual plan and I just simply was being honest, I can't guarantee -- we are not doing a condominium plat where everything is -- is laid out specifically on -- on, you know, every corner and it's just unreasonable to do so and we may have a mix of builders. We may decide to have somebody like a Brighton Homes may want to buy this development and come in and do that and it's tough for me to say to somebody that says, yes, we guarantee it's going to be 27 feet, because we just don't know. There is going to be some variation, there is going to be high end architecture, simply because we have to. We can't put in amenities with -- with 61 homes and this type of amenity package, gated and -- and expect that that's -- that's going to fly. So, it's in our best interest that we do the most high quality. As far as square footage is concerned, the architects really have those plans. Those are conceptual at this point, simply because we haven't gone into those designs, but we are going to be probably around the 1,600 to 2,000 square feet overall. Very similar to those homes that are being built in the Cadence properties, if you have seen those.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: For clarification, the applicant is referring to the Cadence project. I'm intimately familiar with the Cadence project and I would say the vast majority of homes in the Cadence project are single level. Vast majority.

Thompson: Surprisingly, many that are in the interior portion are a -- have a two story component to them.

Bernt: Some do. I mean I --

Thompson: And we are not specifically saying -- that may just say that the market says that that's what we are going to have are all single stories. What I don't want to do is say that we are not going to have any two story product.

Bernt: Right. And I totally respect that, but you said many of the homes in the Cadence project are two story and that's just not factually correct.

Thompson: True. I will just let you -- I will have to agree with you.

Bernt: Okay.

Simison: And just for the record, there is at least two, if not three, Cadence projects in Meridian, all under the same name done by Brighton. So I don't want to -- I mean there is -- just so we are also clear. I don't know where they all are.

Thompson: Yes. And I actually just bring that up just simply to kind of show where the thought process is in our design and really what we are -- we are going after.

Bernt: Mr. Mayor?

Simison: Council Woman Perreault, have you got an answer to your question? I haven't heard anything on the rear setback specifically to what you asked, but I don't know if you got what you felt you were asking.

Perreault: Thank you, Mr. Mayor. I think his answer was, essentially, it's going to be somewhere between 12 and 27 and he can't specify what the setbacks will be, because there will be homes that are -- that are -- that those decisions will be made by whoever the builder is that goes in that. He is just giving us a range, which I think is a pretty significant range, but the minimum could be 12 feet and so we really don't have specifications on that at this time. So, that's my understanding of your response.

Thompson: Council Woman, it would be just I think similar to any other project where we have traditional sides, fronts, and rear setbacks, but --

Perreault: Just wanted to clarify. I'm asking these questions, because I'm trying to get to the -- the issue that I feel is the biggest issue at hand for the neighbors and that is traffic and what's going to contribute to traffic is poor road layout. We know that's true, but the city can't do anything about that. But we can have -- you know, we can have something to do with the number of -- of residents that are living in this and if you have a 1,200 square foot home you are likely not going to have four or five people, you are likely going to have two people and now we have cut down the number of residents living in here. That doesn't -- may not work for you as -- from a -- from a business standpoint, but I just want to kind of clarify that if we have smaller -- smaller properties, then, we alleviate some of the concerns regarding traffic and -- and that's kind of the point that I'm getting at and -- so that we are not having this 55 plus discussion anymore, because I don't -- I don't think that that, for me at least, is not an element of this is whether it's age restricted or not. So, my question to you is -- is there -- would there be consideration with making the homes smaller, so that we have fewer residents in the area and that -- that resolves, in my opinion, some of the concerns and also in my opinion makes it more appealing to the age that you are marketing to and -- yeah. So, that's, essentially, what I would like to know.

Thompson: It would be very difficult if we were to limit every home to a 1,200 square foot footprint. Just simply -- part of the reason -- the old product that was designed was a one car garage and there were many duplexes and there was no storage and one of the arguments that I have had with that product is is that who -- who doesn't need storage and there is just literally one car and the floor plans weren't something that you would

want as a fee simple buyer to come and purchase. So, we have tried to come up with the best happy medium that we can come up with and the design that we have done with the homes and that I have directed them to do, which is really, in listening to the neighbors, just see the changes of the roof lines and Jamie mentioned that earlier. We are trying to soften those homes out the back. It's not going to be like the -- the standard cookie cutter homes that have, you know, kind of blanketed the Treasure Valley, to be honest, where it's just a lot of two story and there is no design on the backside of the home at all. They are just strictly two stories of vertical. We have really done the best we can to kind of come up with that design and it may just be that they -- they end up being many single level homes. I have a gated community in St. George that I developed and most of the people actually are from Idaho, mostly eastern Idaho, and it is highly desirable for them to have that flexibility to actually have -- and I know there is arguments of single story versus two story, but there are a lot of very active people that are in their 50s that can very easily go up and down stairs and want to go up and down stairs to get that activity and that's -- I mean you may say that's disingenuous to state, but that's -- those are the facts and we are really trying to hit that market and to be able to afford to do the amenities and the open space and make it as nice as we want to make it -- it -- we really need to have that additional size.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Is it Brent?

Thompson: Yes.

Cavener: Brent, appreciate your presentation. It's clear you are very enthusiastic about your project. Always appreciate when a builder or a developer has got some enthusiasm for what they are doing. You -- you have referenced the Cadence projects a lot and I look at where this is located much different than where the Cadence projects kind of exist and, really, we heard a lot of testimony, particularly from the neighbor representative, about what this part of town was envisioned to be and so appreciate the challenges of being compared to a previous application. That's always frustrating, because that's not what's before us. You are before us tonight. But I think where a lot of the questions that you are getting peppered with is because that project really supported what is kind of envisioned for that area and -- and I'm struggling to see that connection here. I think this is a really unique project. We have approved gated communities. You have got a ton of amenities. There is a lot of benefits. I'm struggling with that right location argument and you -- you were -- in your testimony you talked a little bit about you are not quite sure what else you could do and I don't know if that was a rhetorical statement or if you were really seeking feedback and the reason why I bring that up is that before we took public testimony our good Council President Bernt asked -- I think your representative about including a 55 and older in your marketing and branding and promotional materials in the DA and it sounded at the time that you were opposed to that.

Thompson: Not the branding and the marketing and so forth. Absolutely not. As far as the deed restriction, yes, because it's very difficult to enforce and that puts that burden upon us as a developer, as well as -- I use myself as a perfect example of who wants to live -- I personally want to own a home here and it's something that if my parents are at the assisted living memory care facility, I want to be able to legally live there and I'm an empty nester, all my kids are in college or married and I don't think that that demographic, because I'm not 55, should impede me or anybody else in my -- my age group from -- from buying --

Cavener: It's a state of mind. I get that. But I think that the -- the thought is is that it's not about the activity level, it is about the -- the family household level; right? And that if you are 55 it's unlikely that you have got a full house by that point. You are likely maybe an empty nester or you are looking to transition like your mother-in-law did from a larger house with a larger yard to something a little smaller. So, I think that that is supportive of kind of the concept that we are going for here. Talk to me a little bit about -- about the heights. I think my good Council Member Perreault talked a lot about significant heights in the multi-story within here and why that's so necessary for this type of a project. Again, if -- if the thought is we really want this to be a 55 that supports the memory care and the concept of this particular part of town, why these multi-story projects are so necessary -- your multi-story units are so important.

Thompson: We are not trying to force them to all be two story, we just simply want the option to have some two story product available, simply because it -- it's -- in my opinion it is needed in the market and it's proven to be valuable to the market.

Cavener: Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thanks. I just have a few questions. I wanted to clarify -- I think maybe there was some confusion. I think what Council Member Bernt was saying would be, you know, if you are stating your intention is to market to 55 and up, that we would memorialize that in the development agreement. City Council cannot do a deed restriction, from what I understand legally. I think you would have to restrict yourself if you owned that property. So, just a clarification. Could you, please, tell me what the level of acuity is that you are serving in the -- I have heard it called a lot of things -- independent living facility? Is it an assisted living facility? Is there a memory care unit? Is it skilled nursing? Just want to give you a chance to talk about what your business plan is for that piece of the property and, then, I'm just curious about this green space here in the south portion of the property. If it's serving -- I am a fan of functional turf, like functional grass, but if -- if a lot of this is not functional, just wondering about that choice and if you can kind of tell us what's envisioned for that big piece of green there. Thanks.

Thompson: Council Woman, are you referring to the green north of the assisted living memory care building?

Strader: Yes. It's in between the assisted memory care and the -- I believe what is your future office building.

Thompson: Yeah. That is actually the Five Mile Creek that runs through there. So, I imagine where the darkest screen is located, that's just a small creek that runs along there and I believe there is a path and -- and so forth in there.

Strader: Yeah. And so I just wanted to understand -- is your intention to sort of leave that a natural area with plantings? Is your -- the reason I'm asking is if we, you know, just put a bunch of nonfunctional turf everywhere it just sucks up a ton of water, just being frank. I love grass when it serves a purpose and people use it and walk on it, throw a ball on it, but when it's just -- you know, if it's the Five Mile Creek and you are just going to kind of leave that natural and, then, put grass, you know, near the assisted living facility, that seems to make more sense. But I just wanted to clarify it looks like quite a large area of your property.

Thompson: Yeah. We have got a very detailed landscape plan that should be part of the -- the package there that's all laid out, but it is a usable -- we want it to be an enjoyable space that people would come and sit next to and enjoy there. Not just all turf.

Strader: Yeah. I just wanted to make sure that there were -- you are being thoughtful in terms of the amount of turf and its usability; right?

Thompson: Sure.

Strader: And ties into the question about the acuity level. So, like to me if this is a skilled nursing facility with a memory care unit, you know, I'm not sure how much -- tell me a little bit about that and how that ties in.

Thompson: Yeah. We have a separate operator that's going to be operating the facility, but they have -- and I could have our architect speak more directly to that, the number of memory care units versus assisted skilled nursing areas, but there is a number of -- maybe I could invite them to come up. Jamie did speak a little bit about that as far as the memory care numbers.

Strader: Mr. Mayor, if that's okay with everybody else, I would love to hear in a little more detail more about that piece of property.

Simison: Go ahead.

Koenig: So, the area in question north of the assisted living is Five Mile Creek and that will be just left natural grasses, much as it is now. In fact, we can't do anything for the distance of 50 feet on either side of that. As far as the -- the assisted living and memory

care, I believe there are 12 beds, eight units that are memory care, and the remainder are assisted living.

Perreault: Mr. Mayor?

Simison: Council Woman Strader, did that answer your --

Perreault: Are they skilled nurse -- is it a skilled nursing facility?

Koenig: Skilled nursing is a higher level of care.

Perreault: It is in a higher level of staff and a higher level of --

Koenig: Yes.

Perreault: -- space not used for living, so that's kind of what I think Council Woman Strader is getting at, is there was a comment made by one of the neighbors about, you know, how many nursing stations and whatnot. So, just trying to get a feel for -- is this mostly just residences and there is just very little interaction with medical staff or is this an actual skilled nurse -- because memory care is very heavy on -- on medical staff, so it seems to me that if you have just sort of an independent slash assisted living facility and memory care, they are two really different uses.

Koenig: In the eyes of the code I guess they are very similar, but you are right, that the memory care does require more -- more care and more oversight because of the condition. But it's a pretty minimal percentage of the building.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. Thank you. That helps me understand where you are coming from. I don't -- you know, 12 beds doesn't -- doesn't seem like a huge heavy use in terms of the acuity to me, so I appreciate you explaining a little bit. Yeah. I mean I don't know if you guys have given anymore thought to, you know, some of Councilman Bernt's comments and now with the clarification that -- that I don't think City Council -- at least I personally would not be asking you for a deed restriction, but I think if your business plan is to market to a 55 and up community, to memorialize that in the development agreement to me seems to make more sense, just given the traffic and other issues in this area. I don't know if you have thought about that anymore. I will let you maybe mull that over, but I'm -- my thinking is along those lines as well. I think some other Council Members may be leaning that direction.

Thompson: Yes. And I think what I'm hearing from Council Members -- and I appreciate your feedback -- is, you know, can we do single levels and so forth and I know that that's something the residents would -- would prefer. Maybe a concession or something that

we can compromise on would be as -- something along the Woodbridge border that we do single level homes, but we have not -- we would require that we -- we are able to use, you know, the lot as intended, meaning that -- I'm not sure exactly what those setbacks are going to be, but to allow for the design, because they are only 40 foot wide lots and we need to have that flexibility if we were to go to all single level on that. Sorry. On that side. That's something that I would be willing to -- to do and certainly with our marketing and the development agreement. We are not trying to pull any -- any fast ones. Our assisted living building -- if Jamie were to show you the detail and so forth of these rooms, they are not something somebody is going to want to come in and use as -- rents as an apartment or -- or anything else. So, it's strictly for that use. And our operator is out of St. George and I'm sorry they are not here to answer those questions and I -- I'm not qualified in that regard.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: If I'm hearing you correctly, you would consider a DA restriction to single level on the west side?

Thompson: Considering all the -- the feelings about it and kind of the direction of the Council and I believe where -- where I feel everybody wants this project to be, I think we could still make it a success, but I cannot have a one hundred percent single level, because it would be too much of a burden, if that --

Perreault: Yes, that --

Thompson: From a real estate perspective.

Perreault: That's a fair concession, which I appreciate very much. I understand the significance of what that gives up for sure from a market standpoint. Is there going to be any integration -- it just feels like two separate applications to me. So, I'm kind of trying to get my head around, you know, that -- if it really is to -- I mean it kind of just feels like two totally separate uses and are they intended to be -- like you said, the intention would be that you have a parent in memory care or assisted living and maybe a younger -- I have an aging parent, I'm making accommodations for their housing as we speak and I'm not making long-term housing decisions for myself based on a parent that will be in a skilled nursing -- or in an assisted living facility for a year or two. I'm just -- you know, that -- that isn't exactly -- I probably wouldn't buy just because I had a parent that was going to be in -- in an end-of-life -- it's not a -- it's not really an end-of-life facility, but -- but it kind of is. I mean last -- I mean I think on average assisted living is one to two years or so. So, there is that element of it, as far as you are talking about, you know, having individuals that might move into those homes, because they have a family member in the assisted living, I don't -- I don't anticipate that that actually would be a true correlation, but if you have market information that says that it will, that's -- that's totally fine. I -- I don't think that Council is trying to -- we are not intentionally trying to limit you. I think most of these

questions are trying to understand, so that we can make a good decision and for -- at least I am -- I am making comparison to the past application, not because I intend them to be the same -- and thank you for clarifying that you -- you bought that on assignment, because I was under the assumption that it was the same owner, but for the purpose of there was a lot of support -- I was actually not a Council Member, I was Planning and Zoning -- I was Planning and Zoning chair when that application came through and there was a lot of support from the -- from the neighbors and there was a lot of support from the community and so -- and there was support from Council. So, I'm -- I'm kind of trying to figure out what did we do right -- what was done right in this, so that we can help understand what to do in this, why did we get support there and we -- you know. So, that's the only reason that I'm asking those questions, not -- not because we are expecting you to recreate that past -- and, then, could you address further Councilman Cavener's concern, which is also mine, about how this sort of fits into the overall area. It seems to me like the way -- I mean, to be honest, the way these roads are done, there is not sidewalks, it feels rural out there a little bit still, you have these business buildings, you have these medical buildings, then, to put a really nice -- you know, a really nice neighborhood that are nearly 700,000 homes, it just doesn't kind of get that to fit.

Thompson: Really it's -- the location -- I think it's a wonderful location where you don't have to deal with some of the challenges of Eagle Road as far as living in Eagle or in north Meridian and we think that people are going to be attracted -- and, again, that's why I think the 55 and older community will be attracted to it, because of the proximity to the hospital and all the medical buildings and so forth that are there. There is really -- out-of-state buyers are probably our main target that are going to come and -- and live there and there are going to be a lot of out-of-state buyers that will be bringing their aging parents and so I do think that -- that that is going to be a market that is viable.

Simison: Just a few comments for -- feedback from myself on -- for whatever reason I cannot quit looking at the center with the three units that backup to the pool and think that that is -- is a wise decision from -- from just a -- even if it's older or younger, you know, having homes that backup that close to the pool just seems like a challenge in my opinion and, then, combine that with the fact that -- at least from what I understand all the homes on Alley A don't have the parking -- the driveway, in essence. So, I know Council doesn't like to redesign, but I'm sitting here saying why not pull that down, remove those three homes and put the parking back into those alley load lots by extending it out. It loses three potential homes in this facility, but it also puts parking in the ones that are likely as the -- the two story. Those will be ones that may have more use all the time. It seems odd that those are the ones that we have the least parking around from that standpoint. Thoughts? Comments?

Thompson: In regards to the parking, as Alan reiterated, is it -- you know, we are -- we are well overparked than what's required. It would be very difficult for us to lose any units at this point. We -- and I appreciate the comments, Mr. Mayor. It's -- we have -- this has taken over a year to kind of come through redesign after redesign and we have tried to accommodate the neighbors as much as possible and we appreciate it, but we are to the point where we are -- we are just -- we are exhausting everything we can do and including

the concession that I just gave up. Otherwise, we would have to figure something else out I think. It's just too difficult and we -- we actually eliminated an alley there to get those homes next to the pool and it actually improved the -- the open space that we had and that was some feedback that Alan gave us and such, but --

Simison: Okay. My other concern larger for Council is the piece of property that's missing to the west and how that will be incorporated into this area in the future. Honestly, that's probably my -- my biggest concern overall with this -- this concept.

Thompson: It may be helpful if I just give a little bit of history with that is when the previous applicant came through with it it was no longer under contract and they did not disclose that to the Council when the approval came out, in which I was surprised as I was watching it. What ended up happening is -- our understanding was is we were going to go and acquire that property that was there to the west and, in turn, the previous developer tried to go acquire it the very day that we closed on our assignment and so it was a little bit of a challenge for us to deal with that and we have -- we have done the best we can. We have acquired this piece to the north, which we feel is a much better arrangement, rather than leaving a four and a half acre piece that's on Magic View that would have been left there to be designed as -- as I don't know what. I mean this way it's integrated and we feel it's a much better project the way that it is now with that piece. The ladies that own that property were not interested in selling it at the time and we have tried, we gave them the exact same offer. We offered to close in a week after we acquired the property and they just simply decided they didn't want to sell. The previous applicant bought that remaining acre piece that's on the north part of the canal. I'm not sure why, but they acquired that on their own through a -- what I deem is an illegal lot split or a metes and bounds purchase and it complicated the project and so we have done the best we can with what we have. We acquired more property to make it a better project and that's why, Mr. Mayor, I'm just kind of saying that we have -- we have really done everything we can, even though it may not seem so, we have really bent over backwards trying to -- to make it work.

Simison: I understand that, but I think it still leaves the question of how would that property integrate in with this long term and that's a question you can't answer when you don't own it.

Thompson: Correct. And we stubbed the street to it. We have tried with this pathway to work with it. The cul-de-sac even on that northern piece we actually even tried to work with that. I even tried to buy that from the applicant several months ago, but was notified by the city staff that there was -- we could not bring that in without bringing in the other piece, which we could not control. So, we have -- we have gone the extra steps to try to make this as -- as good as possible. We have tried to integrate that property into the -- into the project, because it would make it a better project, but, nonetheless, we are -- we are kind of where we are at in regards to that and in terms of what can be developed there, something very similar to a building we are doing in memory care. It's about the same size. They have the ability to do that there.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Brent, you mentioned that you are willing to make some concessions there on the west side. I hate designing things on the fly. Mr. Overton, the HOA representative -- representing the HOA had talked about making sure about the 27 foot setbacks, two story, and I think it was 12 for single -- whatever that was. There -- there are some issues -- I don't think the questions have been answered, because you don't have the right people here for the -- for the memory care, the 91 units, and the breakdown and what that looks like. I'm thinking do you need some more time to kind of put something together and come back and make sure the neighbors are completely understanding what you are presenting as -- as we would also understand what that would look like for those units to the west, as well as have someone be able to answer questions about the memory care facility and any other changes you might want to -- want to make to this? I mean there is good things about this project. I mean I think there is -- we see, you know, developments all the time and for these folks it's an impact, but not realizing 21 units backed up to 61 units is an awfully good ratio. We see it, you know, three to one quite often, if not more. There are issues with traffic that doesn't matter what we put here won't resolve. So, I'm just trying to think through some of these things. Do you want one more crack at this or do you want us to go ahead and thumbs up or thumbs down tonight and -- because I'm not quite sure exactly what you are proposing for the west side. With your concession what does that mean, what does that look like, what does that include for setbacks.

Thompson: I appreciate the question. The setbacks themselves would just simply be what's allowed in the TR-D zone -- I forget the -- TN-R zone and that's just simply due to feedback and everybody wanting, you know, single family homes along -- or single level home, excuse me, along that border. We would have to develop the architecture of that, which we already have in our renderings what a single level home would look like. It would be very similar to what most product is here in the entire Treasure Valley. Very similar to it. So, I don't think we need to go back to -- to kind of figure out what that rendering would be. I think that's in our rendering package there. As far as memory care and assisted living, I'm not sure if we -- we didn't answer that correctly. We have an operator that's in place. I don't -- I don't know if in the past that's -- how deep you want to dive into that, but we could certainly -- certainly do that, but --

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Follow up on that. Yeah. Because I'm not familiar with memory care, you know, it's not something we do very often in terms of what does that look like. Ninety-one units and there are 12 beds related to some sort of nursing capabilities or assistance. What does that look like for the rest of the building, you know, that's -- those are the types of things I'm just wondering about that -- you know.

Thompson: I can understand that.

Strader: Mr. Mayor?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: You know, I -- I agree with Councilman Hoaglund. I -- there is a lot of great things about this -- this application. I love the open space. I think that your amenities are -- are spot on. I love the pathways. There is a lot of rural -- there is a rural aspect of that side of the town just because of the creek and I think that everything looks great. The only -- the only thing that wouldn't make me support this application tonight is the fact that you are not willing to make it a 55 plus community. That's the reason why I supported the last one and I know you don't like it when we -- that we -- that we are comparing the last one to this one. I understand. And I don't mean to do that, but that was -- that was -- that was a big deal and I think Councilman Cavener nailed it on the head when he said that it's not necessarily the footage, I guess, but the amount of bodies that -- inside the homes that will make that type of a difference and so if you are willing to make that concession for me I will be in support. If you are not, then, I won't be and I just want to be -- I just want to be up front.

Thompson: Are you -- are you saying, Council Member, that we have a deed restriction of 55 and older?

Bernt: I'm saying that, yes, in the development agreement that you make this -- agree to have this project 55 years old or older.

Perreault: Mr. Mayor?

Bernt: I don't know what that has to do with the deed. I'm not a real estate person. I'm not that smart.

Simison: Mr. Nary would like to say something.

Nary: Mr. Mayor, Members of the Council, two things. So, on that question on the 55 and older, without it being a deed restriction, from an enforcement standpoint through the development agreement it would be very difficult for us to enforce that. So, we wouldn't be able to do that without a deed restriction. So, they could agree in the DA to create a deed restriction for it and that we could verify. So, that's the only way we could enforce it. I mean, obviously, they can enforce it themselves if they wish, but the other thing I was going to mention -- and, again, depends on where we go tonight or a future with this, talked a great deal about one story, but as we have mentioned before, we really have to talk about with the height limitation that you want, because we really don't deal with stories in the building department, it's really height, and so I don't know what the height limitation is in the TN-R district. I'm sure Alan does, but that would be the height limit that they

would be allowed, unless they restrict themselves down to a lesser number. That I guess they would need to decide if that would work, too.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: And I would be in favor of anything that would be able -- where we would be able to enforce that. So, what -- if that's a deed -- whatever Mr. Nary spoke of is what I'm -- is what I would like to be supportive of this project.

Thompson: Okay. We would have to consult with our attorney, because I do not know what the ramifications are if we have that as a deed restriction and, then, later down the road it -- the property is sold and how that's enforced and we need to make sure that that's -- my understanding was is that we cannot do that anymore, but --

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I had a couple questions for the applicant and, then, a question for Councilman Bernt if that's okay.

Simison: Can you make sure your mic --

Perreault: Is that --

Simison: Yeah. Just get close to your mic.

Perreault: So, what -- what is the purpose of -- this is a mixed -- or, excuse me, medium density residential in our Comprehensive Plan and you have chosen to request a TN-R zoning. If you are not doing the three foot -- three foot setbacks why the TN-R? Why not do an R-8? Is that because of the rear setbacks that you would like them to be shorter versus what the R-8 may require or what's the reasoning for -- for doing the TN-R?

Koenig: I think our early conversations with Planning and Zoning it just seemed to fit the best for both the three story building and the single family homes.

Perreault: I'm sorry, could you repeat that? With the single family homes and what?

Koenig: With the single family homes that we are proposing it just seemed to fit for TN-R in both instances.

Perreault: Okay. I would welcome planning staff to maybe share their thoughts on that if they wouldn't mind.

Tiefenbach: Alan Tiefenbach. Meridian. There was quite a long discussion about it. Part of it was the advantage of having -- having parkways and some of the sidewalks that are required with TN-R. Part of it is that there is different dimensional standards in the TN-R zone district for the way the streets have to be laid out, the way that private streets have to be built, because they wanted to do private streets. Another option they could have done was to rezone the northern half to residential, but they -- they wouldn't have been able to do assisted living and some of those residential zoning districts, as well as the office building. So, there is any -- there is any different variations of things, but this was recommended for mixed use neighborhood and TN-R is a zone district that is consistent with what they wanted to do and what the comp plan recommends.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: A question regarding the entrance off of Magic View Circle. Was there consideration made of -- of actually having that come in off of Wells, which is a wider street that doesn't really have as many parking challenges and if -- if not why not. Was that a limitation that ACHD gave you? And, then, what is the distance between the entrance to the development and the entrance to the undeveloped property that CBH owns on the north side?

Thompson: Can we -- I misunderstood the question. Why can we not --

Perreault: Enter in on Wells Street versus on -- off of Magic View. There is an area where you have a pathway in between -- the route in the middle on the east side, why not put the entrance to the development there versus off of Magic Circle?

Thompson: I believe that's probably Fire Department and Planning staff.

Simison: Deputy Chief, would you like to respond, since you raised your hand?

Bongiorno Sure, Mr. Mayor and Council. Yeah. The fire code calls for -- when you have over 30 homes, the two entrances have to be at least half the diagonal apart. So, that's the purpose of having two -- the entrances. I don't know if -- Alan, if you can put the map up that might be a little easier to look at. Thank you. I don't remember where -- oh. So, we only have one entrance. So, I think -- no. There is two. Yeah. That's right. There is one on each end. Sorry. I get all these projects mixed up. So, they could do it as long as we meet that half the diagonal rule.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Again, not trying to redesign your project. However, Magic View Circle -- or Magic View Road, it -- ever since the -- I remember when we did the application for the

-- the nursing facility on the north and we were told over and over again, no, there is not going to be parking problems on Magic View. No, we are not going to park our construction trucks there and it's been a nightmare and I don't even live in that area and I'm aware of how -- and it didn't go away when they finished. I don't know why, but there are people that park there constantly and it isn't safe. So, the neighbors aren't making a big deal out of that. It really truly is a problem and there is not anything that the city can do about that and so for the sake of trying to help, you know, with -- with an approval is there consideration of -- if I'm looking at this correctly, you could potentially bring that in off of Wells and still accomplish what you are trying to accomplish and I think that would -- personally Wells -- I think Wells is a much better location to -- I think that will also encourage people to -- to not go onto Magic View at all and really will probably likely be more likely that people will take Wells, make a right out, and to -- to head towards Eagle Road than to go through Woodbridge. Just by having the entrance off of Wells versus Magic View I think you will significantly change the traffic patterns. I just -- I know that area really well and that's just a recommendation of mine. That's not -- that's not something that would make me consider a no vote on your application to be clear, I just think it's a really good idea.

Thompson: Councilman Bernt -- and you mentioned you live in Woodbridge; is that correct?

Bernt: Depends. Yeah.

Thompson: You mentioned it earlier on that it was obvious to everybody. I wasn't aware of that --

Bernt: Yes, sir.

Thompson: -- that you are in Woodbridge.

Bernt: Yeah.

Thompson: The typical part is is we cannot have ex-parte communication with -- with council members, with mayors, in regards to our projects and --

Bernt: Sure.

Thompson: -- it's difficult when we have a -- a community that -- not only in our neighborhood meeting, but in the Planning and Zoning Commission and so forth have said that they -- they have voted down every project that's put forth to the City Council and as if they are the City Council and that's -- that's been demonstrated to us and we are starting to feel that that is -- is the case as well, that they have a lot of influence on the project and it's -- it's concerning and so when it asks do we want to go back to them and discuss with them, it's really not. They have been very consistent with the Snorting Bull plat, to be honest, and I hate to say that, it's not my nature to talk about that, but it feels very unfair for us when we have presented a very high quality project and it's been

picked apart simply because of the challenges that we cannot fix, the traffic in Woodbridge and --

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: So, just a thought. Are you -- are you -- what -- what did your question of me living in Woodbridge have to do with the ex-parte -- I'm trying to make a correlation between what you are saying and -- and your question toward me?

Thompson: I feel -- I feel almost as if we are disadvantaged, because there is communication that -- that -- that appears to happen between the neighbors and so forth and we just feel like -- I feel like I'm disadvantaged --

Bernt: Mr. Mayor?

Thompson: -- with this application.

Simison: Councilman Bernt.

Bernt: I -- I don't know what you are talking about, but I will be very clear that I have had zero communication with any member of the Woodbridge board, Mr. Overton, who is the Woodbridge president, or any type of discussion anywhere else. I have been doing this for a long, long time and we actually go through training as a -- as a newly elected official the importance -- through ICRMP the importance of ex-parte and what that means. I hope you are not inferring that I have had ex-parte communication with my neighbors with regard to this or how I wield any type of influence over them at all and I don't know if that -- I just -- for me, sitting in my seat and the decision making that I make, it's really important that I'm super clear about that and I think that you understand. I'm not saying that you were inferring that, I was just making it very clear on the public record.

Thompson: And I just wanted to have that understanding as well.

Bernt: We are good?

Thompson: Absolutely. The challenge is is that we do not have the ability to talk to Council or Mayor and so forth and see what you really envision in this. This is the first time I have heard that this is a medical area, that somebody wants to have a medical building there, or any of that -- that discussion. We haven't had any feedback from the city as to that, hey, this is exactly what we want, other than the cottages that were -- that were presented. But in this market and with the building costs that are what they are right now we cannot build those cottages with one car garages and sell them and be able to make a return on those.

Bernt: With -- Mr. Mayor, with regard --

Simison: Councilman Bernt.

Bernt: -- to my comments, they are very consistent and I think that's the very -- I think that's the most important thing when -- when dealing with the development community is that when you come here you are -- that you understand the consistency of who we are and what we represent. So, I take that really seriously and if you were to go back I think I -- I think it's only been one application on this particular property and my -- my comments then mirror the comments now and the comments that I made are well known throughout the entire city. You don't have to live in the city of -- in the Woodbridge community to know how that subdivision out -- God bless our Planning Department, all right, but we did a terrible job designing that section of our city over there. There is just --

Thompson: And that's what I said in the meeting when I was accused of saying it's broken and I threw up my arms.

Bernt: And I have no idea --

Thompson: It's not our problem. We cannot fix that.

Bernt: And I'm not aware of discussion between you and them and if they disagreed or if you disagreed with them.

Thompson: Well, it was public record in the Planning and Zoning minutes. But all I said was we cannot fix the problem, the poor planning that had happened in Woodbridge and to allow that to become a collector, when it wasn't intended to.

Bernt: I respect that comment.

Simison: And maybe to bring it back to your -- the question about the medical, I think we do have our planning manager here, we are going through the comp plan and part of the conversation that -- when we redid our comp plan was the connection between ICOM and ISU and the hospital and the area that is the county to the west of this property, how that can all play into the connection from that standpoint. Now, I don't know that it meant everything had to be medical in the area, but it -- to see as a continuation of healthcare-related opportunities and connectivity was a big part of what that would lead to. So, I don't know if Mr. Hood has a thing that he would like to add, just so we have a better understanding all at the same level. Did I miss something?

Hood: I don't know that you missed anything, Mr. Mayor. I was just going to add a little bit of history, one, just to defend ourselves a little bit. No one on my team was here when Woodbridge was built. So, that is generations of planning and, quite frankly, as Mr. Overton pointed out, it was the developer, actually, that proposed to split that corridor and create the position that we are in today, so it wasn't planners that did that. That was a developer that did that with phase two of Woodbridge. We have been trying to rectify or at least help that so we don't put a developer in a situation where they are put on the spot to correct an existing deficiency in the transportation network. I will just refresh your

memory or if you didn't know, this used to be part of the Med-Tech District, which we no longer have and, quite frankly, when we meet with developers we don't go through all the history of Meridian, because that's past history. That doesn't exist anymore. Really it doesn't come into play anymore. So, someone may have bought a lot out here ten years ago and that was a thing. It's not a thing anymore. We don't have that Med-Tech District and that alignment with St. Luke's and the rest of the medical district that's there today. It's what the Mayor just said, with the new Comprehensive Plan in the designation, we do envision some more office and medical office going in here, but there are a range -- a whole host of different land uses that can be appropriate within this whole area west of Eagle Road and up to Woodbridge Subdivision. So, I know that didn't add a whole lot to the conversation, but I just felt the need to add a little bit of the commentary there.

Simison: Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. I wanted to get clarification, something you said about -- we understand and frequently hear how challenging it is to invest the -- the cost and the time to get to Council and, then, have this conversation about completely changing the project. This is -- it's sort of this -- we have -- we have talked a lot about is there anything that we can do to help -- we are frequently asking our Planning staff to, please, try to disclose to an applicant anything that they are aware of that Council would likely have a discussion about and so that's what our Planning staff we feel like diligently does. They, obviously, can't make those decisions for us, they can only apply what code says. So, we -- I feel for you. I get that. This is a conversation we frequently have. I wanted to address, though -- you said something about you are not wanting to go back through the process again. I think when Councilman Hoaglund was talking about giving you an opportunity to make those changes, it would just be a continuation, you would come back before Council, you wouldn't be going back through Planning and Zoning again. So, I just wanted to clarify that if that's what you were referring to.

Thompson: That would be, again, public hearing again or just simply coming back to a vote?

Perreault: We can -- yes, there would likely be another public hearing. We can limit the public hearing --

Thompson: That's okay. I'm just clarifying.

Perreault: Yeah. We can limit the public hearing only to the changes that we are recommending. We have done that in the past. We can -- we can say, you know, we are only accepting commentary on anything that's been changed from what the original application is. That's something that we have done. Not that that would have to be Council's decision, but --

Thompson: I appreciate that and I just wanted to clarify one thing of what I was saying earlier about the subdivision and -- and the situation that we feel somewhat in an unfair position. When we met with the Planning and Zoning staff and we have gone through our application, we have got -- all the details are in our packet, you know, in regards -- and the details of the streets and the widths and we have gone through Police and Fire Departments and all those things have gone through. We have gone through the P&Z meeting where we were unanimously approved through that process and didn't get the same kind of feedback and I understand it's different and so forth, but I'm just wanting to express it felt a little different tonight and I apologize, Councilman, but it's the introduction of, hey, I'm in Woodbridge, everybody knows how I feel, it was kind of -- set an environment where, to be honest, if I were in that position I would have recused myself, simply because there is a large Council here, the Mayor is here, and it's -- it's something for me I honestly feel disadvantaged --

Bernt: Mr. Mayor?

Thompson: -- and I just need to express that, because that's -- that's exactly how I feel and I understand that you are not, but I also feel it's important that I be able to have my voice as well in regards to that.

Simison: Councilman Bernt.

Bernt: Mr. Mayor. Come on. I mean I didn't say that I -- that I had already made known what I feel. I said that what I -- I wanted it to be known where I lived and I said that everyone in the room probably knows already where we -- where I live and it's not only -- no -- no. One second. Let me talk.

Thompson: Absolutely.

Bernt: Thank you, sir. So, the reason I said that -- and I have said it in other applications and other Council Members have used that example in other applications -- referring to traffic with Woodbridge, because it's terrible.

Thompson: Absolutely.

Bernt: Okay. So, that's what I was talking about and I would appreciate it this night that not one more single word about ex-parte and me. All right? Unless you have evidence, unless you -- listen. Listen to me. Unless you have evidence of ex-parte information of me speaking to any member of my community -- all right? Enough. Are we on the same page?

Thompson: I did not say that you had ex-parte --

Bernt: Answer my question. Are you willing to make -- are you -- are you willing to -- are you willing to make that commitment to me tonight? We are done talking about it unless you can provide evidence.

Thompson: I did not say ex-parte. I said that I feel disadvantaged and that's a fact. I feel that way.

Cavener: Mr. Mayor, I would like to make a motion.

Simison: Councilman Cavener.

Cavener: I would like to move that we continue this for four weeks to September 14th to allow the applicant to take the feedback they have received from the City Council tonight and the public, to continue this conversation. It's well past 10:00 o'clock. I think that the applicant and the Council will be best served to continue this to September the 14th.

Thompson: Councilman, you don't need to give me a stare down.

Cavener: There is -- there is -- there is a motion on the floor, sir.

Simison: Do we have a second? Do we have a second?

Hoaglund: Second the motion.

Cavener: Sir, your time -- we have given you ample opportunity to speak tonight and I'm struggling here. I'm giving you an opportunity to come back in a few weeks to take this feedback from the Council and if you have got a concern with myself, with fellow Council Members, you are welcome to send me a letter. My phone number is 208-695-4536. You are welcome to call and talk to me about my conduct, but I will not allow this continue any further, sir.

Thompson: Thank you.

Simison: I have a motion and a second. Is there any discussion on the motion? All those in favor signify by saying aye. Opposed nay? The ayes have it and the motion is continued -- the hearing is continued.

MOTION CARRIED: ALL AYES.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Apologies for not following parliamentary procedure. Appreciate your forgiveness.

Johnson: Mr. Mayor, also I didn't catch the second on that. Thank you. Thank you, sir.

6. Public Hearing for WRRF Map Amendment (H-2021-0041) by City of Meridian, Located Approximately ¼ Mile South of W. McMillan Rd., Midway Between N. Black Cat Rd. and N. Ten Mile Rd.

Simison: Okay. Next item up is public hearing for WRRF Map Amendment, H-2020-0041. We will open this public hearing staff comments.

Hood: Thank you, Mr. Mayor, Members of the Council. The application before you is a Comprehensive Plan map amendment. Really there are two requests associated with this, the headliner or the main request is to change the future land use map for -- on approximately 80 acres located north of the city's wastewater treatment plant -- can be shown on -- this exhibit shows it pretty well. Currently it's designated as mixed use nonresidential, that brown color in the top exhibit.

Simison: Mr. Hood, nothing is being shared.

Hood: Alan was here last, so -- sorry. Thank you. Thank you. So, as I was saying, the -- the top exhibit on -- on this slide shows the 80 acres just north of the waste -- the city's wastewater treatment plant that is currently designated mixed use nonresidential. The application actually proposed to change 40 acre -- approximately 40 acres to mixed use -- or, excuse me, to medium density residential, the yellow color on the map and industrial. After talking a little bit more internally, we thought the civic designation to match the existing wastewater treatment plant was a better designation. So, the application stated industrial, but we talked to Public Works and internal staff and decided that civic would make a better designation. There are some other administrative changes that we are also proposing, since there was an opportunity, the city was the applicant on -- on the map change here, to make some administrative or cleanup-type changes if you will to slightly tweak some symbols and some of the notes on the future land use map. They are largely cleanup. They are called out in the staff report. I won't spend the time tonight, unless you have questions about them, but just as an example it's things like Keith Bird Legacy Park being a future park to be an existing park. So, just kind of things like that that, quite honestly, we should have probably caught in 2019 when this was adopted, but they really are just cleanup things to really reflect where a school was built or where a park was built or where a fire station is planned, those types of things. So, pretty administrative. I don't have a lot. The request for the change -- I think I will let Laurelei kind of walk you through that a little bit. I know she presented the odor study results that were done earlier this year, but that really is the basis for the requested change and why planning staff supports the change on the future land use map. So, with that, unless there are any other questions, I think I will end my presentation there.

Simison: Thank you. Laurelei, are you part of Caleb's presentation or are you the applicant? How do we treat this public hearing appropriately, Mr. Hood?

Hood: She's on our team, Mr. Mayor, so she can be part of the presentation team and the applicant.

Simison: Okay. So, Laurelei, I will just let you continue the conversation.

Cavener: Maybe Council President Bernt to present.

McVey: All right. Well, good evening, Mayor and Members of Council. My name is Laurelei, Public Works Director. I do have a copy of the odor study presentation I can run through it. I have already gone through that with you, so I think I will skip that for tonight, but that is the main reason for us changing some of these designations. We did hold a neighborhood meeting and had 13 attendees. Generally very favorable. Their largest concern was just making sure that the -- the land use that we are changing to propose to residential wouldn't go into high density apartments, which we assured them that this really wasn't an appropriate area for that. Most were supportive of that change. One of the exciting things I did want to share with you guys, though, is the feedback we received from those neighbors about the odor at the facility and their feedback that over the past several years odors have been significantly reduced and that was really encouraging for me to hear that the investment that we have made and you have made as Council is making a difference and is working, which is what all of our goal is, to be the best neighbor we can out there. So, really exciting to hear that piece and, essentially, this land use change just changes the future land use map and allows us to maintain adequate buffer around the wastewater plant, while releasing area that we don't necessarily need to maintain as a buffer. So, I can answer any further questions if you have any.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. My only question -- I guess maybe a little bit of a concern. I know -- at least it felt like the direction that we were moving to eventually was to limit Comprehensive Plan changes to once a year or twice a year. Just help me understand I think from Planning staff's perspective the importance of timing on this. Maybe I view this a little differently, because we have been working on it for a long time and the overall study, but it does feel a little bit out of the norm in terms of where we are going as a city. So, I just wanted you to comment, please.

Hood: Yeah. Mr. Mayor, Council Woman Strader, yes, we actually did amend city code. That was approved by Council just within the last six weeks or so and that ordinance is in effect. This application has actually been in process -- is what predated that. But any future changes to the map do have that six month window. So, June and December are the cutoff dates. But, again, this one was submitted before the new ordinance went into effect. So, anything coming forward -- actually have one more that was in the queue that's coming up before. It needs to actually still get through Planning and Zoning. But going forward largely that six month window for any map changes is in effect as of today.

Strader: That's great. Thanks for that response.

Simison: Council, any other questions for staff? Okay. Perfect. This is a public hearing. Mr. Clerk, do we have anyone signed up to provide testimony on this item?

Johnson: Mr. Mayor, we did not.

Simison: Okay. We have nobody in the room to provide public testimony. Is there anybody online listening that would like to provide testimony either from ACHD or from our Community Development Department?

Hood: Mr. Mayor, I did actually want to add one more thing, if you don't mind.

Simison: Wait for just a second. Just to confirm, no one's signed, now we are turning this over for the final comments from the applicant.

Hood: Thank you, Mr. Mayor. I did just want to call out that we did actually work with Brighton Corporation. They own the 40 that's half of this application. So, the western half is Brighton, the eastern half is the city. We did coordinate with them and they have consented. You have information in your packet supporting this application and Jon Wardle was at the Planning and Zoning Commission, too. So, I just wanted to make you aware of that, that we did talk with them about this application, because there is a change on property they own, they consented to this as well.

Simison: Thank you, Mr. Hood. Council, you have heard the public testimony this evening from our fine city staff. Do I have a motion to close the public hearing?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we close the public hearing for H-2021-0041.

Cavener: Second the motion.

Simison: Motion and 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. The public hearing is closed.

MOTION CARRIED: ALL AYES.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move approval of the amendment to the Comprehensive Plan future land use map to change the designation from mixed use nonresidential on 40.9 acres of land to

medium density residential and 39.8 acres to industrial based on the results of the most recent odor study and as detailed in the material presented by staff tonight.

Cavener: Second the motion.

Simison: I have a motion and a second to approve the item. Is there any discussion?

Borton: Mr. Mayor?

Hood: Mr. Mayor?

Simison: Councilman Borton.

Borton: You said industrial. Did you mean civic? Is that what you were catching?

Simison: Yes. To civic. Let me -- I amend my motion that the 39.8 acres to civic.

Cavener: Second agrees.

Borton: Thank you.

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

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

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

MOTION CARRIED: ALL AYES.

Hood: Thank you.

FUTURE MEETING TOPIC

Simison: Thank you. Council, anything under future meeting topics or do I have a motion to adjourn?

Bernt: Maybe -- no. I move that we adjourn.

Hoaglund: Second the motion.

Simison: Motion and second to adjourn the meeting. All in favor signify by saying aye. Opposed nay. We are adjourned.

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 10:20 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

_____/_____/_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK