

A Meeting of the Meridian City Council was called to order at 4:34 p.m. Tuesday, November 8, 2023, by Mayor Robert Simison.

Members Present: Robert Simison, Brad Hoaglun, Joe Borton, Jessica Perreault, Liz Strader and John Overton.

Members Absent: Luke Cavener.

Others Present: Chris Johnson, Bill Nary, Steve Siddoway, Warren Stewart, Mike Barton, Keith Watts, Shawn Harper, Joe Bongiorno and Dean Willis.

**ROLL-CALL ATTENDANCE**

<input checked="" type="checkbox"/> Liz Strader	<input checked="" type="checkbox"/> Joe Borton
<input checked="" type="checkbox"/> Brad Hoaglun	<input checked="" type="checkbox"/> John Overton
<input checked="" type="checkbox"/> Jessica Perreault	<input type="checkbox"/> Luke Cavener
<input checked="" type="checkbox"/> Mayor Robert E. Simison	

Simison: Council, we will call the meeting to order. For the record it is November 8, 2023, at 4:34 p.m. We will begin this afternoon's work session with roll call attendance.

**ADOPTION OF AGENDA**

Simison: First item up is the adoption of the agenda.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I move we approve the agenda as published.

Overton: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

**CONSENT AGENDA [Action Item]**

- 1. Approve Minutes of the October 24, 2023 City Council Work Session**

- 2. Apex Northwest Subdivision No. 4 Water Main Easement #2 (ESMT-2023-0149)**
- 3. Dutch Bros at Ustick Water Main Easement No. 3 (ESMT-2023-0144)**
- 4. Meridian Middle School Cafeteria Sanitary Sewer and Water Easement (ESMT2023-0153)**
- 5. Meridian Office Water Main Easement (ESMT-2023-0152)**
- 6. Sagarra Subdivision Sanitary Sewer and Water Main Easement No. 1 (ESMT-2023-0156)**
- 7. Sagarra Subdivision Sanitary Sewer and Water Main Easement No. 2 (ESMT-2023-0157)**
- 8. Sagarra Subdivision Sanitary Sewer and Water Main Easement No. 3 (ESMT-2023-0158)**
- 9. Final Plat for Prairiefire Subdivision (FP-2023-0023) by Kent Brown Planning Services, located at 3539 N. Locust Grove Rd., near the northwest corner of E. Ustick Rd. and N. Locust Grove Rd.**
- 10. License Agreement Between the Nampa & Meridian Irrigation District and the City of Meridian for Multi-Use Pathway in Aviation Subdivision**
- 11. License Agreement with J.R. Simplot Company for Pathway from Reflection Ridge to Mary McPherson Elementary School**
- 12. Memorandum of Agreement for Contribution to Transit Stop Public Artworks Between the Meridian Development Corporation and the City of Meridian**
- 13. Memorandum of Agreement for Contribution to 2024 Concerts on Broadway Between the Meridian Development Corporation (MDC) and the City of Meridian**
- 14. Fiscal Year 2024 Net-Zero Budget Amendment in the amount of \$8,000.00 for Meridian Development Corporation Sponsorship of Transit Stop Public Artwork**
- 15. Approval of Equipment Purchase Contract with FilmTec Corporation, a subsidiary of DuPont. for the WRRF Tertiary Filter Membrane – Equipment Purchase project for the Not-To-Exceed amount of \$6,809,834.00**

**16. Approval of Sole Source for Annual Non-Micro Water Testing and UCMR Sampling by Eurofins Eaton Analytical, LLC**

**17. City of Meridian Financial Report - September 2023**

Simison: Next up is the Consent Agenda.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Move we approve the Consent Agenda as published. For the Mayor to sign and Clerk to attest.

Overton: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

**ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]**

Simison: There were no items removed from the Consent Agenda.

**PROCLAMATIONS**

**18. Rocky Mountain High School Girls Golf Team State Champions Day Proclamation**

Simison: So, we will go on to our proclamations. Our first proclamation of the evening will be the Rocky Mountain High School Girls Golf State Champions Day. If I could get Coach Gibbs and the team to join me at the podium, please. Now, I would like to say that we are getting tired of this, but we are really not. It's -- it's great that we are here again to celebrate the Rocky Mountain High School girl's golf team. So, we will go ahead and do a proclamation and, then, just like in years past if you would state say your name on the record and the year that you were in school. I know the team is not the exact same, just the results are the same. So, it's great that we get to continue to celebrate everybody so -- whereas being a Rocky Mountain High school girls golf team player is more than teeing off, having strong iron shots, chipping up and down for par and striving for a hole in one. It is trying to build leadership, character, confidence and resilience, all traits needed succeed on the green, in the classroom and in the real world and whereas the hard work and dedication of the Rocky Mountain girls golf team and coaches has resulted in the fourth straight state title for the school and whereas the Grizzlies took the 5A Girls Golf State Championship after a dominating performance at

the District 3 tournament and whereas the girls golf team put in time and effort throughout the season and were able to see their perseverance pay off in the championship game, proving that team members were in it to win it and whereas the leadership, training and discipline of their coach helped all team members to focus their talents, passion, determination to become a winning team, with each player making valuable contributions to their victory. Therefore, I, Mayor Robert E. Simison, hereby proclaim November 8th, 2023, as Rocky Mountain High School Girls Golf Team State Champions Day in the City of Meridian, call upon the community to join me in congratulating the Rocky Mountain High School Girls Golf Team on their remarkable athletic achievement and for representing Meridian so proudly in the state tournament. Dated this 8th day of November 2023. So, on behalf of the city congratulations on your success and thank you for being here.

Hoopes: My name is Elliana Hoopes and I'm a freshman.

Nichenko: My name is Natalie Nichenko and I'm a sophomore.

Urian: My name is Maggie Urian and I'm a sophomore.

Dabell: My name is Anna Dabell and I'm a senior.

Barry: My name is Jane Barry and I'm a senior.

Gibbs: I'm Coach Gibbs. My third year coaching.

Simison: And you're under no affirmative obligation to stay, unless you really need credit for something in school. So, appreciate it. Thank you.

## **19. Meridian Veteran & Spouse Small Business Week Proclamation**

Simison: And with that we are going to move on to our next proclamation. Mindi, if you would like to come forward. So, yesterday I had the privilege of presenting this proclamation at an event that was being held by the Idaho Veterans Chamber of Commerce regarding -- and my proclamation was Veterans and Spouse Week. So, I'm going to read the proclamation, but I'm sure Ms. Anderson is going to tell you a little bit more about everything that they did yesterday and what they have been working on. So, whereas nearly one out of ten small businesses across the United States is veteran owned and are a pillar of our economy and contribute to the foundation of our nation from Main Street storefronts to virtual high tech startups and whereas veteran and spouse small business owners are resilient, disciplined and mission oriented, thanks to their military service and committed to serving our country and communities and whereas when we resolve ourselves to strengthen our communities we must empower and support the giants, the veteran and spouse entrepreneurs, are in our economy and whereas the Adult Veterans and Spouse Small Business Week highlights the programs and services available to veteran and spouse entrepreneurs through so many resource partners at the state and federal level and whereas the State of Idaho and the City of

Meridian support and join in this national effort to help American veterans and spouse small business owners start, grow and recover their businesses after disaster and help our communities arrive. Therefore, I, Mayor Robert E. Simison, hereby proclaim November 6th through 11th, 2023, as Veterans and Spouse Small Business Week in the City of Meridian and call upon the citizens to join me in recognizing and celebrating the veteran-owned businesses in our community. Dated the 7th day of November 2023. So, today I'm actually going to give you the proclamation, but we appreciate you and all that you are doing and if you would like to say a few words and we will do a picture.

Anderson: Thank you, sir. This actually started with Governor Little. He did this last year for us and we decided to take it across the state and have a couple of cities that joined in with wanting to do just this week and recognizing and just creating more awareness, really, of what this is doing for our veteran and spouse community business owners that have their different challenges and struggles as business owners and they are underserved to some degree and do need connection and resources and support. So, I just appreciate not only the proclamation that you did for us, but just all of the support. You have been at ribbon cutting ceremonies with us supporting our veteran business owners. You have been at the Purple Heart luncheon honoring our Purple Heart recipients and it's just been really great to have your support. So, I'm excited that you were elected again and look forward to continuing to work with you, sir.

## **DEPARTMENT / COMMISSION REPORTS [Action Item]**

### **20. Public Hearing for Parks and Recreation Department Lakeview Golf Course Proposed Fee Increase**

Simison: With that, Council, we will move on to Item 20 on the agenda, which is a public hearing for Parks and Recreation Department Lakeview Golf Course proposed fee increases. We will open this public hearing with comments from Mr. Barton.

Barton: Good afternoon, Mayor and Council. We were here a couple of weeks ago on October 17th and presented some new fees for 2024 at Lakeview Golf Course. At that time there really wasn't any questions and so we have noticed those fees and we are back this evening to get a resolution -- new fee resolution adopted. With that I will stand for any questions you have.

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

Overton: Mr. Mayor?

Simison: Yes, Councilman Overton.

Overton: I don't have a question, but I have a statement that I think needs to be said and goes for the entire Parks Department. I continue to be impressed about the high quality and variety of activities our Parks Department gives to everyone in our city for a variety of different activities that may not be for a whole group of people, but for a

different selection and slice of our population. For the golf course specifically these upgrades you have made to the pathway system, to the irrigation system, to the clubhouse and the future permanent upgrades to the restrooms has done an amazing job in lifting up, better than I think it's ever been, the quality of what we have as a golf course in the city and I'm a huge fan of what you have done. It's that Meridian Way bringing the quality up to what we bring to the city into every way we do it and I think these fee increases are necessary as we are providing a much better product than we have ever had in the city for our golf course and it keeps us competitive and continues to keep our revenue stream coming in.

Simison: Thank you very much. Council, any additional questions for staff? Okay. Thank you. This is a public hearing. Mr. Clerk, we actually had nobody sign up on --

Johnson: Mr. Mayor, nobody signed up.

Simison: Okay. And we have nobody but staff online. Is there anybody from the public who plays golf who would like to come forward and make comments on this public hearing? I see that -- I don't see a yes on that. So, do I have a motion to close the public hearing?

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: With no further public comments, I move that we close the public hearing.

Borton: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

**21. Resolution 23-2423: A Resolution adopting new fees of the Meridian Parks and Recreation department; authorizing the Meridian Parks and Recreation department to collect such fees; and providing an effective date.**

Overton: Mr. Mayor?

Simison: Councilman Overton. Item No. 21?

Overton: Yes.

Simison: Next item is Item 21, a Resolution 23-2423. Councilman Overton.

Overton: Mr. Mayor, I move that we approve Resolution -- Resolution 23-2423, a resolution adopting new fees of the Park -- Meridian Parks and Recreation Department, authorizing the Meridian Parks and Recreation Department to collect such fees and providing an effective date.

Strader: Second.

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

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just -- just a brief comment on it. Part of what makes what we are doing successful is it's based in large part upon a policy, the cost recovery work that was done, how our golf course is going to fit within that spectrum of cost recovery and I have been a pretty strong advocate of trying to reduce fees and lower fees for the golf course, but I also understand that adherence, once we establish an objective policy and adhere to it, that that's really important. I think what you are doing here in this resolution meets exactly what we have set forth in the policy. So, this is just one example of many we have, when a policy has been enacted, now it's for us to make the decision to -- to follow the steps that we have put in that policy. So, this exemplifies it perfectly. So, it's - it's further reason why I'm supportive of the resolution.

Simison: Any additional comments? If not -- do a roll call. My brain is fuzzy. If not, Clerk will call the roll.

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

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

## **22. Discovery Park Phase 2 Tennis/Pickleball Court Lighting Update**

Simison: Thank you for that one and I think that we will just bring you right back up for Item 24, which is Discovery Park Phase 2 tennis/pickleball court lighting update conversation.

Barton: Thank you, Mr. Mayor and Council Members. So, last week we opened up phase two of Discovery Park. It was ahead of schedule and we are under budget, which is really good news. Part of what we did during this construction is we installed conduit that go from a location over to the tennis courts and pickleball courts in case we wanted to install lighting at some time in the future. If we didn't do this it would be highly unlikely that we would ever go back, because we would have to tear out a lot of grass

and concrete and that. So, we have these conduits in place. We have junction boxes in place. We have gotten calls over time for lights around pickleball courts and so what we did -- so, part of the -- part of the guaranteed maximum price to build phase two of Discovery Park and it included the sum of all the bids, the general conditions and also a contingency amount. The contingency amount right now is largely unspent and that is four and a half percent of the total cost of the project. It's about 550,000 dollars. So, we wanted to just take the step to get some pricing to see what it would take -- because we got these -- because we have been getting these requests, we wanted to see what it would take to actually go ahead and finish this and put the lights in around the court. So, we got a price back from our low bid electrical contractor of 165,000 dollars to -- to do these lights. So, our request and our discussion here today is to see if finishing the -- installing the lighting at Discovery Park is something that you might want to use some of that contingency for. The contingency is a hundred percent from impact fees. Just -- that's noteworthy. And part of what we would do with this system -- we checked it -- it falls within our existing CZC, so there is no issues there. We would have a couple of timing sets on there. We would have a master timer, so the whole system would be energized until a certain time at night and, then, you would go to each pole and set a timer for an hour that would countdown. So, it's not like you could have -- be out there with the lights on all night long. We would determine that maybe in the summer, for instance, it could be -- the whole system off at 10:00 p.m. and, then, during the winter the whole system could go off at say 8:00 p.m. or the shoulder season could be 8:00 p.m. or 9:00 p.m. We haven't quite worked out the complete logistics, but just from the sake of keeping people in the park after dark, we already have softball fields that are lit and, then, these fields would kind of fit in that same -- same use. So, with that I would be happy to answer any questions you have.

Simison: Thank you. Council, questions, comments?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you, Mike. Does the park have hours? I just had kind of a basic question, like do we keep certain hours in the park? How does this extend the usability of the park?

Barton: So, we do. Generally it's dawn to dusk in parks, but where -- where we have softball fields that are lit we have people in the park until 10:30 or 11:00 o'clock in the summer and it's generally confined to the softball areas, but realistically the hope -- the entire park is open. It's just some of it's dark and it's -- there is a little bit of gray area there, but it's worked for years where we haven't had any -- haven't had any trouble with that and, you know, when the lights go off the park's closed.

Strader: Mr. Mayor?

Simison: Council Woman Strader.



Strader: Are you concerned at all about this kind of opening up a big gray area in terms of other areas of the park being used after dark? It just kind of -- it sounds fine, but it's like -- I just want to make sure we really thought it through.

Barton: That's a great question and I don't think that this will any more than -- than the current softball fields would. I mean the lighting is LED lighting that's pretty directional. So, it's confined to just the courts. We have a lighting study that there is very little spill into other areas. Like it's not going to -- it's not going to light the playground. So, you know, we have been by when -- when there is softball games going on and there may be a little bit of use that spills out into the park, but it doesn't seem to be rampant and people are pretty well behaved. So, yeah, I mean when -- when it's dark you can't -- you can't go over into a grass area and throw a Frisbee. It's dark. These lights are very directional.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. So, I know that all of the indoor courts get really full in the winter time. Do we have any other courts that are lit in the city?

Barton: Mr. Mayor, we -- Council Woman, we do not.

Perreault: Okay. Thank you.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, I guess maybe to piggyback on what Mike said, if we were to discover a problem that it was becoming more problematic for people sort of not -- weren't just in the area that was lit and maybe kind of the fringe around the area that was lit, but becoming more problematic with complaints or neighbors and things like that, again, our ordinance does allow us to designate this area is open and that's all that's open. So, the rest of the park still could be closed. So, we could certainly button that up in the ordinance without it being problematic. But as Mike said, we really haven't had an issue, where there really isn't people creating problems or mischief at other areas of the park while people are over in the softball areas and they are doing something else somewhere else. But if that were to be a problem we could certainly address it.

Simison: I think that there might be a few problems in parks where we do things at night, such as Movie Night. I mean -- so, I saw the lieutenant getting ready to make a comment, so I thought I would open that up for him just for information.

Harper: Mayor, Members of Council, I think the biggest thing is is proper signage designating those locations, which, then, will allow us to have the ability to enforce

those areas that aren't supposed to be being used by the general public. I think that would help us a lot, because we -- that gray area does make it challenging if we do have problems and we have -- are having to take enforcement action and not being able to because of the gray.

Simison: Council Woman Strader, do you have anymore?

Strader: I was going to be asking what the communication plan was to alert the public and just make it obvious of when -- you know, when -- when -- when and what parts of the park can be used. I feel like if we are turning lights on we are inviting people. Just want to make sure it's not confusing for people.

Barton: Council Woman, I think that's -- I think that with a little bit of increased signage we can -- we can come up with something that fits into our current ordinance and develop a sign so people do know that it's confined to lit areas only and we -- we haven't had -- you know, at Storey -- at Storey Park and Discovery where we currently have softball fields that are lit and a baseball field, we haven't really had any problem with people thinking the entire park is open. It's been pretty quiet, so -- but I think the increased signage and communication with the public is a great idea.

Simison: So, Council, would you like to see a budget amendment officially? That was the direction that occurred previously, even though there is authority. Council didn't necessarily want contingency to be used. I know the -- just looking for how you would like to see this come back or if you would like to see it come back.

Watts: Yeah, Council. I think that might have been a different project where they didn't want to use the contingency. On this there is spending authority for this. It's currently in the contract.

Simison: It was general guidance that Council didn't want us using -- that's why we are here to begin with is to try to figure out how Council wants to handle these things. Even when you have the spending authority it's something that wasn't originally contemplated as part of the project.

Barton: Yeah. So, my recollection is that was with the golf course irrigation system and the use of the contingency would be for something entirely different, such as -- it was the patio shade. So, we did bring back a budget amendment for the patio shade. Where this is -- is in the contract and we are -- we are just -- we are just asking for spending authority. Want to be completely transparent as far as our scope goes and this would be an increase over the original scope, but we have the budget and we don't need to do a guaranteed maximum price amendment of any kind. It's a -- it's an authorization to our contractor to proceed.

Watts: And I would caution to -- to not take that too far, because that's contingency for every single project. You know, that would mean that every change order would need a budget amendment. So, I want to try to stay away from that. This -- this -- like I said,

this money is budgeted. It's in the actual agreement already for our construction manager and this would just be authorizing additional work to complete a project. That the -- the wiring, the conduit, that's all in the scope currently. This is just installing -- purchasing and installing the lights I believe.

Borton: Mr. Mayor?

Simison: Was that Councilman Borton? You are on my bad eye.

Borton: I'm piecing it together. I appreciate the input from both. I think it makes great sense with that explanation and -- and I appreciate the attention to detail and -- and transparency for sure, but at least even on the public record talk about this, explain what we are doing and why. Even if it doesn't necessitate a budget amendment it seems appropriate to make it known publicly what's happening. So, it seems to fit. Impact fee funding is designated for it. Sounds like a great addition.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I would like to hear from Director Siddoway if this leaves an adequate amount of impact fees for other priorities or how this might impact other projects that he would like to do.

Siddoway: Yes. I would be supportive. I believe that this -- these are funds that have already been encumbered for Discovery Park and it's just spending them on Discovery Park where they have already been encumbered. So, yes, I believe it's appropriate.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: All right. I appreciate that. But the reason I'm mentioning it in part of the whole contingency thing is if it's not spent, right, the contingency would go back and so it could be used for something else. So, that's the reason I'm asking. But it sounds like you are very supportive of it. You feel like this is a good addition to the park. Doesn't leave you concerns about the adequacy of the impact fees for your other priorities where you might need more.

Siddoway: We can always use more impact fees, but I do feel that this is a good use, so I'm supportive. Yes.

Strader: Okay.

Siddoway: Yes.

Simison: And so, Council, would you like to -- someone like to make a motion or is a head nod -- how would people prefer to give direction on the spending issue?

Borton: Mr. Mayor? Mr. Mayor?

Simison: Councilman Borton.

Borton: Just move it through with a motion, even if it's not necessary. Couldn't hurt.

Simison: Okay.

Borton: Mr. Mayor, I move we approve the request to utilize the -- the impact fees available for Discovery Park phase two tennis and pickleball court lighting as presented.

Overton: Second.

Simison: Have a motion and a second. Is there further discussion? If not, all in favor signify by saying aye. Any opposed? The ayes have it and direction is given. Thank you. Appreciate it.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

### **23. Civic Block Update**

Simison: Next item up is Item 23, which is a Civic Block update. Mr. Miles.

Miles: Good afternoon, everybody. Just handing around a simple timeline. I did e-mail that to you all this morning, but I know many of you might not have gotten to it. Really, my job today is just to give a little bit of background of how we got here and the timeline of the Hunter Lateral relocation project, as well as -- as it relates to the Civic Block project and wanted to just make sure that you are all aware and everybody is on the same page -- the public's on the same page of where we stand today with some of the actions that have occurred through the last few months. Beginning, really, with April 18th, 2023, if you recall there was a first amendment to the Memorandum of Understanding between River Caddis, MDC, and the city that addressed allowing the city to construct a project, as well as the -- extend the MOA timeline, which gave River Caddis time to continue to work through the economic challenges they were having to see where they could make the project viable or not. That led to August action where you all approved, essentially, a placeholder budget amendment to allow for the funding to repay the River Caddis if they were to move forward. Fast forward into October we progressed through the bid process as well to help that move along. Received bids back and, then, just on October 31st we got the letter from River Caddis that they were not going to move forward and they were going to terminate their end of making the project happen. So, that sort of leaves us in a position where -- the way I summarize it there is four pending actions that are coming forward and we want to make sure that you are all aware and everybody is in general alignment of where those are going. One

being that we -- before terminating the MOA we need to consider approval of purchasing the plans from River Caddis, so that the city owns the rights to the plan and can move forward if they choose to when the project is under construction we actually have plans. So, before terminating the MOA we have to take the action in the MOA to do that. That's step one. Step two would be -- and I would look to Mr. Nary a little bit, but there is a legal action within the MOA to say we are also terminating, we agree that effort is complete and done through the MOA. And, then, third and fourth would be approving a budget amendment for the construction of the Hunter Lateral that the city would be constructing and we would just move on separately as our -- our own project, with the intent of whatever happens to the civic block is a later conversation between you all, MDC, of what's best for that property and that moving forward for the community. And, then, finally approving the construction contract. So, those are sort of the four actions that we see coming back to you next week. If there is general alignment, which I think there is, but we just wanted to come in front and let you all know where we stand and what we think are the right next steps to happen, make sure everybody is on the same page and if there is any questions, between Bill and I think we will do the best we can to answer them.

Simison: Thank you. Council, questions?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: You said four actions next week. It wouldn't -- all four wouldn't be something to act on next week, would it?

Miles: So, Mr. Mayor and Councilman Borton, that would be our intent. We could move forward with buying the plans, purchasing the plans and terminating the MOA. We could also move forward with awarding the contract and approving a budget amendment and awarding the contract as well. So, we could do separate actions, as I understand.

Borton: Okay.

Simison: And if anyone is not approved, then, the next ones don't happen. So, it's -- but those would be the four steps that would be necessary in order to do the projects -- or the project. Council Woman Perreault was next.

Perreault: Mr. Mayor, thank you. Could you clarify the role of the city and MDC in these four steps and, you know, which party is doing what and, then, is -- are we to understand that -- that none of the funds are coming from -- from MDC dollars, this is just going to be funded entirely by -- by general fund monies?

Miles: Mr. Mayor and Council Woman Perreault, that's my understanding at this point in time. The city's in the driver's seat of the project and funding.

Simison: Council Woman Strader.

Strader: Thank you, Mr. Mayor. Is there a discussion around the purchase price of the plans?

Miles: Mr. Mayor and Council Woman Strader, there has been and so through the Public Works Department they have been working with River Caddis. The purchase price that has been invoiced and reviewed by the Public Works -- invoice by River Caddis and reviewed by Public Works is roughly 93,000 dollars. That includes their design work, their architectural fees that they have gone through. The bid price from the construction is roughly 618,000 dollars. So, you add those two together, along with contingency and there is construction services and some fees for street lighting as well. The budget amendment you would be sitting around is 801,000 dollars that you would be seeing, with the construction price, again, being the 618 that was at opening.

Strader: Uh-huh. And if we were to purchase our own plans how do we think that price compares. Is it similar?

Miles: Mr. Mayor, Council Woman Strader, that's a good question. I think general standard practice is you are in that ten to 20 percent range of the project costs. Do the -- the math of whatever the project --

Simison: Dave, can you get closer to the mic?

Miles: Sorry. General -- general practice in that ten to 20 percent of a project cost for design plans. So, you are probably right in that ballpark.

Strader: Okay. I think what I'm struggling with a little bit -- at some point it makes sense to do the Hunter Lateral. I think the main driver of that was the civic block project. That project is not moving forward. I don't -- I guess I don't really feel that there is an urgency, besides perhaps urban renewal, around the timing. So, I -- I -- I don't really know if I view it -- I guess maybe clarification whether you all are advocating for steps one through four or some of the steps, because it doesn't seem like they are, you know, all required to happen; right?

Miles: Mr. Mayor, Council Woman Strader, I think at this point in time staff are advocating to move the project forward and primarily what -- what we think about is knowing that a project is -- wants to be considered or something eventually will happen, the property becomes much more useful, more attractive when there is an improvement made to it. If there is Hunter Lateral relocation -- from what we heard from River Caddis has been that that was a big component of the challenges they were facing. So, you have a much more usable project -- or property with one of the infrastructure impediments out of the way and that's been the discussion the city's been having of, well, do you improve the land to the point where it becomes easier and more acceptable for a project to happen, whatever that project is, by getting the Hunter Lateral to a point where it's now not a factor in developing that piece of land.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. Just -- I think it can -- I have a couple of concerns -- a concern that I have is I don't -- I don't view it that the Hunter Lateral is the main obstacle to the success of a project on this site at this time. It looks like construction costs, financing costs, interest rate environment are a big factor. I don't know that the Hunter Lateral cost in the scheme of a project of this size would -- would be a main impediment. It's also where we are using our current community center, the small -- and I guess Steve Siddoway would say the inadequate community center, but that is where we are -- where we do have a community center and it may take us time, you know, to -- to get our ducks in a row to find a way to pay for -- for a bigger one and I think we should take our time. I don't think there is a rush. So, I -- I -- I guess I'm struggling around the urgency around timing why we need to do this now. Makes sense to me that, you know, at some point we need to back out of the MOA, like that -- that seems pretty obvious. If the other party is, then, we need to do that. But if I'm just not -- and maybe I just need to think about it more, but I'm not understanding why we would move forward on the Hunter Lateral at this time. I don't see how it's in our best interest.

Simison: Just from a practical standpoint, I think one thing we found is the Hunter Lateral can only be done during a certain time. So, unless you align a future project you could still delay a project by up to a year without it being done. You are correct, we don't know when we are going to move forward, but we know if this -- this can only be done during certain times of the year in order to achieve the goal for that right opportunity. Don't disagree. It may not produce a product in the next year or two, but it doesn't impact the community center. There is no impact to that. It actually could make it a viable place to put the community center if we wanted to put it there in the future, because we have eliminated that -- that challenge of not being able to build over that space. Makes the property more valuable for -- if we do put it out for an RFP. So, we will recoup the cost and unless Warren wants to tell me differently, construction prices are not going down. So, eventually, it will cost somebody more. If -- if the viewpoint is it would be the developer side of it, that's okay. But I think that -- I would like to think that we are going to recover a good portion of our costs from doing this, because the price of the land that would be done through an MOU would be different than the 300,000 that we were doing before. What will the price of that land be in two years I couldn't say, just like the construction cost. So, it is just really why we are preparing this for what we think we want it to ultimately become or do we not and we may have a similar situation where we got to wait a year for a project. Depends on the timing, which is sometimes going to be out of everyone's control and we got to what we believe is a great price for the low bid.

Miles: And, Mr. Mayor, if I may, just to add one more. Appreciate your comment about is it the right time to do that. We have just been operating under -- the staff has been operating under the guidance of trying to move the product forward. So, I think it's a fair question for you all to consider, but to the Mayor's points and we are working

underneath the bid contract as well. If this is the direction we are going we do need to take action, so that we can award a contract within a timely range as well. So, that's sort of how we have been operating. But it's a -- it's a valid point and I appreciate the comment and I think that's something for you all to consider.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: It's been a few years since the details were presented. Can you remind us if there is benefit to other properties outside of the civic block perimeter? If I recall correctly there -- there are going to be benefits beyond just that site for other parcels or other properties in downtown by finishing this; correct? Or is my memory poor?

Miles: Mr. Mayor and Council Woman Perreault, I might defer a little bit to Public Works if they are sitting there behind me. I think ultimately when you improve a piece of infrastructure there is a benefit to everybody that's served by that, but that's -- that would be the -- the first thing that I would --

Simison: Phone a friend.

Miles: Yeah. There is Warren.

Stewart: Mayor, Council Woman, there is value -- anytime you replace and put in new infrastructure there is value in that. You increase the longevity of that infrastructure and that serves the downstream users -- or that benefits the downstream users. I think the one thing that is important to keep in mind is at one point this project contemplated going additional blocks to the north. Because of the cost of that that was scaled back. So, the benefit to those properties further to the north is not what it used to be and so there's really no other project -- or no other parcels that are directly impacted besides those at the civic block. But I can say downstream users will benefit from the fact that there is new infrastructure delivering that and that's going to provide better service.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: What -- what other benefits -- and I'm not -- Dave, I'm not sure if you are the right person to direct this to, but what other benefits are there to the city besides -- I understand if we -- if we put, you know, money into something it's worth more. That -- that -- that -- that's always going to be true, though, and I have concerns around the timing. But what are the other benefits of doing this? Is there something around the -- the site -- that this improves the site? Like how does it make it more usable? I guess help me understand what other benefits -- if -- let's say that we never build -- and I hope not, but let's say that we can't figure it out, there is no good way to pay for it and we



don't build a community center for ten years. How could this site be improved to make our existing community center more usable?

Miles: Mr. Mayor, Council Woman Strader, maybe a question. How could -- how does this improvement improve this site?

Strader: Yes.

Miles: Again, taking a piece of infrastructure that currently bisects the project across diagonally --

Strader: Uh-huh.

Miles: -- anytime anything's going to happen there into the future you are going to have to deal with it and so by doing it today in today's dollars you are not going to pay tomorrow's dollars. That's -- that's really the simple explanation of it. If nothing else happens and this is just the relocation, you are getting new infrastructure that services that piece of infrastructure and those downstream users and you are clearing out a site that says there is a vacant site that has one less impediment to it. That's the best way I can describe the -- the long-term benefits of doing just this project and nothing else.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I was thinking more along the lines of -- and I just don't have it in front of me, but here is how -- you know, here is the square footage of the site that becomes usable that's not accessible right now. You know, we could expand the parking, we could expand the footprint of the building, I'm assuming those things are all true. I just -- I don't recall how much of the site is dissected.

Miles: Mr. Mayor, Council Woman Strader, I don't have the -- the specifics off the top of my head. We can get them for you.

Strader: Okay.

Miles: I think ultimately if you think about various improvements, you know, do you plant grass, pavement over the top of infrastructure today with agreements? Yes. That can sometimes happen, depending on where the irrigation district lets you go. The second you start talking about footings and electrical, plumbing, sewer, those types of things, you are digging into the ground and so now you -- you are -- again, not knowing the specific -- not recalling the specific project off my -- property off the top of my head, but it's tough to say where you are going to put a building over the top of a piece of infrastructure without impacting it.

Simison: We can provide the diagnostic that showcases the amount of space that would be opened up for a building, because to your point, even if we want to do -- it would be difficult for us to expand our current facility, even if we just wanted to take half of it, because of where it cuts through. Is it 30 feet or 40 feet that cuts through that property, because of the lateral?

Strader: Mr. Mayor?

Miles: Or I can phone a friend.

Stewart: Mayor and Council, I don't recall. It's at least a 30 foot easement that encompasses that irrigation line. It's a fairly large line. I think the pipe that we are replacing it with is a 30 inch diameter -- 36 inch diameter pipe. So, it's got a fairly significant easement across it and it runs across the center of that block. Almost the center. It's slightly to the west, I believe, closer to our existing building. So, you couldn't expand very much until that became a problem, because you can't build over the top of it. So, any kind of a building you are going to put there is going to be limited in size on either side of that easement.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Sorry. Just one more question. Forgive me. Maybe this is not -- given that a parks facility exists on the site and will potentially in the future, is there a reason that we can't use impact fees for this project?

Miles: Mr. Mayor, Council Woman Strader, I defer a little bit to Finance and Steve, but my understanding is if it -- if a project is identified inside of the impact fee study you could use impact fees for a project that's identified in there. I don't know if you can --

Simison: We will let Steve answer that question, because it has a little bit more to do --

Siddoway: Mr. Mayor, Council Woman Strader, you cannot use impact fees to renovate or replace an existing facility.

Strader: Oh.

Siddoway: It has to be new -- part of a new project that -- it does have to be capital. This is capital. But it doesn't do anything to provide a new facility that's growth related that the new folks will be paying for.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: That's kind of what I was getting at. So, would that be true even if -- like let's say that we were to do this project and it resulted in expanded parking facilities, because the area available at the site has now expanded and it is more usable. Would that -- would that count or is that -- or does it have to -- help me understand --

Siddoway: If there was an impact fee for a parking facility I suppose you could.

Strader: Right.

Siddoway: But not in the current fee.

Strader: Okay. Well, let's take it offline. I want to dig into the details. Thanks.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: To prepare for a discussion on this topic next week or in two weeks it could help -- be helpful if -- if any Council Members have information that they would like, whether it's a map showing the location of it, whether it's confirming there is no alternative funding source use of impact fees, things like that, I think it would be great to ask you that now, so you have -- or we get what we are all looking for, so we can discuss it with that data next week. The thing that I would ask for is the timetable. One of the benefits would be if what you are recommending were to be approved, just provide us that schedule that says if it's approved, then, we would presume that construction would start this month and be finished this month and that's the window where there is some benefit to hitting this particular window when you could do it. That would be helpful to see.

Miles: Mr. Mayor, Councilman Borton, I appreciate that comment. Rough timeline. The construction season is now until March 15th due to the irrigation season. So, I'm guessing --

Borton: Again, I'm not -- not asking you to figure it out now, but just to be able to describe here is when it could fit and it could fit and it could finish -- if you approve it now we can finish it by X date.

Watts: And one more thing to consider, we have a current bid that we have issued and that bid will expire on the 17th, next Friday. So, we will open ourselves up to possible escalation charges, as we -- you know, unless the contractor is willing to hold his price further and that would be something I would have to do between Tuesday and Friday if we don't move forward.

Simison: Which is the reason why next week is really the week to make decisions one way or the other. Either to say no to the bid and I'm not going to presume what it means to River Caddis with the purchase. Yeah.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. I appreciate Councilman Borton bringing up specifics. For me I would specifically like to know the pros and cons of leaving this for the next purchaser or developer of this property versus doing it now. The Mayor mentioned added value. If there is a way for us to get an assessment of what value will be added to the property by -- by doing it. Just -- just a rough current valuation. I realize that we can't project in the future. But let's talk with our real estate contacts about, you know, how much value that does bring. Whether -- whether the value is monetary or not and also -- or is it just value of marketing. It would -- you know, if we -- if we were to -- to put out an RFP for the development of it again, is that going to bring us more applicants, because it's done or not, that kind of thing.

Miles: We can do that.

Hoaglund: Mr. Mayor? Mr. Mayor?

Simison: Oh. Councilman Hoaglund. Thank you.

Hoaglund: Yeah. You know, where is that adage about time is money and by not moving it. This URD expires in 2040. You know, next year that's 16 years. You are not going to be pulling the revenue in over that longer period of time and if -- if we get -- there was another interested party that was a part of that request for proposals and bids previously. If they come in next year and it's irrigation season, they have to wait another year to make that move. Time is money and we are losing out on revenue. So, if there are things that you think, well, maybe MDC should reimburse the city or other options we can explore that. But, again, any delays is going to delay any activity on that site and doing something that generates revenue to our economy, to our downtown and the vibrancy and if someone comes in -- and I know that the commercial markets are somewhat questionable, but there might be someone coming in who -- they don't have to rely on those commercial markets quite as much. So, who knows. That's all I have to say on that.

Simison: And if it's a financial issue, the city could -- as was mentioned, we could enter it into a reimbursement agreement with MDC if that's an important component for the city to consider.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I would like to understand some of the details around the reimbursement agreement and whether that's a viable option.

Simison: We will ask Ms. Squyres to reach out to you with that, because I know she's listening.

Strader: Great.

Simison: Okay.

Miles: Thank you.

Simison: Thank you, Dave. Council, we have reached the end of our work session. Do I have a motion to adjourn?

Perreault: So moved.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 5:25 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

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

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

ATTEST:

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