

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

MOTION CARRIED: ALL AYES.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: For the reasons stated by the record and by the Council and the applicant, I move that we approve H-2021-0025 as presented in the staff report dated July 13, 2021, to include the permission to allow the Kennedy Lateral to remain open as depicted in the concept plan presented at tonight's meeting. That DA provision 8.1 and D is modified to acquire the property to be subdivided prior to issuance of the first CO for the development. That the Franklin Road access points are approved as presented. I think that was condition 1-C. And that the DA will also include a provision as represented by Mr. Nary and the applicant that has Cobalt Drive as depicted on the concept plan at today's hearing or, in the alternative, that it has one half on -- constructed one half on this project, again, as represented by the applicant and Mr. Nary prior to the preliminary plat. And to be included in the DA.

Bernt: Second.

Simison: I have a motion and a second. 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. Thank you, everybody. Best of luck on getting your next phase figured out.

MOTION CARRIED: ALL AYES.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: And thank you again for Council Member Cavener's great suggestion. This is -- the opportunity came really quick for us, but to have particular attention when these findings come back before us to make sure we have got everything crystal clear on this. So, thank you for that.

**3. Public Hearing for ACHD Ustick Maintenance Facility (H-2021-0029) by Engineering Solutions, LLP, Located at 3764 W. Ustick Rd.**

- A. Request: Annexation and Zoning of 30.27 acres of land with a request for the I-L zoning district for the purpose of constructing an Ada County Highway District (ACHD) maintenance facility on 23.7 acres

Simison: All right. Moving on. Next public hearing is for ACHD Ustick Maintenance Facility, H-2021-0029. I will open this public hearing with staff comments.

Dodson: Thank you, Mr. Mayor, Members of the Council. Good evening. Try to be quick for you here. The application before you is for the ACHD Ustick Maintenance Facility as noted. The site consists of 23.7 acres of land currently zoned RUT, located at 3764 West Ustick, which is approximately the half mile mark between Black Cat and Ten Mile. To the north of the site is the Five Mile Creek. Show it a little better here. And the city's wastewater recovery facility. To the east is the Nine Mile Creek with C-N zoning on city property, which would be this property here. Future well and water tank site. I love getting development right next to those. This just is great. To the south is Ustick Road with R-4 zoning and detached single family. To the west is RUT, which is county residential and some agriculture still persisting on the site. Mixed use nonresidential is the future land use designation for the site. The purpose of this designation -- designation is to designate areas where new residential dwellings will not be permitted, as residential uses are not compatible with the planned and/or existing uses. For example, the city's wastewater resource recovery facility to the north. A heavy industrial use that should be buffered from residential. Appropriate uses within this designation would include employment centers, professional offices, flex buildings, warehousing, industrial uses, storage, retail and other appropriate nonresidential uses. Staff believes that the proposed DA provisions, as well as the screening methods proposed, will be sufficient in mitigating any noxious consequences of the proposed use. So, staff finds that the proposed site plan, as well as the use, will be -- is generally consistent with the comp plan. The request tonight is for annexation and zoning, with a request for I-L zoning for this site. The annexation area is actually 30.27 acres, but the subject site is only 23.7. This is because the applicant is doing the city a favor and cleaning up some of our missed zoning with other applications and including the Nine Mile and Five Mile Creek areas as well, which the staff does appreciate. The proposed use for this maintenance facility falls under the public utility major use within our development code. The project is proposed over multiple phases from this year through 2028 and includes a number of different elements to the site, including decant and washout area, broom shed, salt shed, truck washing, scales, an admin building, fleet building, welding shop, as well as covered and uncovered storage areas. The proposed use is permitted -- is principally permitted within the I-L zoning district and is subject to specific use standards. Staff's analysis finds that the proposed use is consistent with the specific use standards, as well as the dimensional standards of the requested I-L zoning district, except for one point, which would be the position of the admin building in the southwest corner of the site. I-L zoning requires a 35 foot street -- street setback and they are shown at 25, but they have plenty of time and room to move that. The applicant is proposing solid fencing and the required landscape buffer is consistent with code requirements. Solid fencing is proposed on the west and south boundaries, with the open vision chain link fencing with barbed wire on the north and east

boundaries. Despite the probable noise associated with this facility, staff finds the proposed site plan offers adequate landscaping and separation from existing residents by Ustick Road and should mitigate much of the noise from trucks and machinery. Access is proposed via a connection of a new collector street that aligns with the Naomi Avenue to the south. The applicant is proposing to construct the road as a three lane collector with a deceleration lane and five foot detached sidewalk on the east side of this new street. The street here. When the property to the west redevelops they will be expected to complete the street by adding the sidewalk and have that detached as well. The submitted plans show this new road to terminate in a temporary turnaround -- temporary hammerhead type turnaround, approximately 625 feet into the site. Off of Naomi the applicant is proposing two driveway accesses, which are both to be gated. Staff supports the proposed access and road improvements. Sewer services are not currently available to the site. Therefore, the applicant is requesting a Council waiver to delay connection to city sewer. City water is readily available. It is not entirely clear at what point utilities will be available or needed for the site, but due to the phasing and lack of sewer availability the applicant did not submit any utility plans at this time. With future development the applicant will be required to submit these plans and continue coordinating with the city to connect to public utilities, including water needed for irrigation. The applicant is having ongoing discussions with the city engineer on the best path forward for the sewer needs and timeline of this project, which I will touch on soon. At the Commission hearing the Commission discussed multiple items, specifically the timeline for the use of the site per the phasing plan here. The construction of the deceleration lane and the overall phasing. We also discussed potential issues associated with having large trucks utilizing the site prior to the decel lane being constructed as part of the overall widening project, which the applicant will discuss in more detail as well. They discussed the estimated timeline for Ustick Road widening, which is currently shown -- they are proposed to be in the 2026 to 2030 integrated five year work plan, but it's being discussed to -- and that there is a desire by ACHD to move that up to prior to 2025. Hopefully 2024. They also discussed how concrete the proposed concept plan is in terms of the building placement and the phasing and they discussed the capacity of the commission and city to limit the use of the heavy truck traffic for the site via conditional approval or DA, which I did write and including a new DA provision within the -- the site which is -- sorry. Down here in J. This is a new DA provision that I created, which the applicant has noted some proposed changes. They did recommend approval of it with this change. The only outstanding issue at the time is this connection to city services. The applicant and Public Work staff did have additional discussions following the Commission hearing and have agreed to a potential option for the interim use of stormwater -- or I should say wastewater discharge, because the Black Cat trunk shed to the west is not yet constructed, so this would have to be pumped to the east a little bit, which, again, Public Works has not given their approval, but they are willing to work with the applicant and I have proposed a DA provision in line with this to make sure that the city can hold the applicant accountable. My proposed language is as such: That the applicant shall obtain city engineer approval for the interim wastewater discharge proposal prior to construction of the decant and washout areas as noted on the concept and phasing plan. Additional pretreatment may be required per city engineer review. Prior to the meeting I did discuss this with the applicant and they are fine with this language and the additional DA provision. As noted, the applicant did respond to the

Commission recommendation and noted these changes and gave these notes. With item number C staff understands the concern -- I guess that you can -- Council has their willingness to change it if they want. Staff just wants to ensure that the corridor along an arterial is well maintained and looks good as we go along, which is why we said just the whole Ustick frontage to be commercial based standards, rather than industrial. Regardless, there would be no metal allowed to face Ustick, just to be clear. Regardless if it's industrial or not. And that's not zoning, by the way, just our architectural standards. The required multi-use pathway segment, detached sidewalks along Ustick and Naomi, as well as a micropath and landscape buffers. We usually want those with the first phase. That are proposed in the second phase. It really depends on what it is that they are doing with the individual phases. As I noted I'm not necessarily married to the first phase if the first phase is not going to include the landscape buffers anyways, because of the different -- the decel lane and things like that. So, I will let the applicant discuss that a little further with you. F has already been hopefully taken care of. And, then, lastly J. That was something that I had to create based upon the discussion of the Commission and their proposed changes I think make a lot of sense. So, I'm perfectly fine with those changes as well. And just for your knowledge, this is more of a written way to talk about what they are proposing in their phasing plan. So, following this I will stand for any questions and take in -- take those in.

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Not a question, just a comment, Joe, and I appreciate you touched on it at the end. The pro-active approach of applying kind of commercial design standards, as opposed to industrial for this particular project -- really thoughtful. I know oftentimes when staff presents before us we are asking questions, well, why did you do this, why did you just help us understand and I just -- I would like to take those opportunities just to say thanks, appreciate your kind of pro-active approach and kind of educating us on the process.

Dodson: You are very welcome.

Simison: Council, any additional questions for staff? Okay. Then let the applicant come forward, please.

McKay: Thank you, Mr. Mayor, Members of the Council. I'm Becky McKay with Engineering Solutions. 1029 North Rosario in Meridian. Business address. I'm here representing Ada County Highway District. Different job for me tonight. As Joe indicated, this particular site is within the influence area of the Meridian wastewater treatment facility, which prohibits any residential development. This property had one single family dwelling on it. It was primarily agricultural in nature. The Ada County Highway District purchased this property, as Joe indicated, is 20.75 acres. To the east of the property is a city-owned

parcel, which they plan on a -- a water tank will be located on that site. Where is the mouse? What's that, Joe? The mouse is wonky. Okay. This kind of gives you an aerial map. As you can see to the north of the property is Five Mile Creek. Along the northeast boundary is Nine Mile Creek. You can see the wastewater treatment facility. In this general vicinity there is a mixture of uses. There is a mini storage facility that I did north of the treatment plant called Ten Mile Storage. McNelis Subdivision, which I did, is to the east over along Ten Mile. You have flex space in there. You have got retail. You have got a C store. I think they are coming in with some more mini storage. To the south we do have a residential component. That's Dakota Ridge and Wilkins Ranch, which I also did years ago, when I was younger and a little more spry. So, this area has a mixture of uses. We have got the Ustick corridor here. When the district approached me to take a look at this property, doing the due diligence, I did meet with your staff, met -- I met with Public Works, Planning. They indicated they thought this was an appropriate use next to the treatment plant. You can see this is the Ustick Road corridor looking east and the Ustick Road corridor looking west. You can see the corn. They wanted me to come up with a concept plan for this, so I did tour the Cloverdale facility. Their Adams facility. It was imperative that the district, based on, obviously, the extensive growth in the Meridian area, that they have a maintenance facility in northwest Meridian to, obviously, provide better, faster service as far as the road networks are concerned, snow removal, sanding, de-icing, et cetera. So, I kind of got a crash course in maintenance facilities and worked closely with their staff, who were very talented and very helpful, to come up with this concept plan that's before you. We pre-app'd with your staff on a couple of different occasions. They had indicated, you know, the Council is going to want to kind of see some type of a concept. Obviously, this is -- this is a rough concept. They will retain an architect to, obviously, refine this, but it does include all the elements in which the district proposes on this site. So, this evening we are asking for annexation and rezone to light industrial, which is consistent with your Comprehensive Plan, which complies with the overlay of the -- the treatment facility. The property is encumbered by a floodway, a flood plain. We did take that into consideration in our -- in our site plan. We have been working with your Public Works Department as far as the flood coordinator and what their recommendations are. There was an existing house on the corner. Initially when I submitted application the house on the southeast corner was going to be used as a temporary administrative building. After further meetings with their commission they determined that they would remove the home and would not utilize that as a temporary administrative office. Laying this out we did provide for 25 foot of landscaping along the Ustick Road corridor. We have a 300 foot decel lane. We have allocated, obviously, the ultimate right of way to accommodate the rebuild of the Ustick corridor, which is in the capital improvement plan for 2025. We also matched up with Naomi Avenue to the south. So, ACHD will be building Naomi to the north, that north leg, and, then, when the property to the west develops, then, they will come off that leg and Naomi Drive will, then, go westward, obviously, to provide interconnectivity throughout that area. Right now there is currently a 12 inch water main in Ustick. There is also a sewer main and manhole in Ustick. This particular piece of property within your master sewer plan is right there at the edge of that Ten Mile sewer shed and the North Black Cat sewer shed. So, what we have been working with Public Works over the past -- probably eight weeks, providing them flow rates, providing them information on the sweeper trucks, the VAC trucks, what

they will be discharging. What the needs of the district are going to be at this facility. Obviously, in their budget it's going to be an incremental process or a phase process in developing this site and, of course, the best laid plans, you know, obviously, what happens, you get a monkey wrench or you get a new commission that may change that phasing, but -- but, obviously, we have done the best to provide information to the city on how we anticipate this to develop. Right now that North Black Cat trunk is approximately 2,650 feet to the northwest, so what we talked to Public Works about is some type of an interim -- like grinder pump, which we would -- like for -- for example, the administrative office, the shop, or some of the other facilities, do an interim pump pressure line going into the existing manhole in Ustick and, then, at such time as that trunk is available, then, the district would, obviously, extend it and, then, discontinue that interim discharge to the Ten Mile trunk. It's kind of -- it's kind of funny, properties that are right next to the treatment plants are the most difficult to serve. I had one at Nampa that was south of the Nampa treatment plant and the sewer was too shallow to serve it. It was -- and so it's -- it's -- it's kind of a funny situation. I have encountered this before. But what you see here is -- with Naomi we will have a 20 foot landscape buffer. We met with your pathways department. The pathway coordinator indicated that the city is planning for a multi-use pathway. We built it in McNelis Subdivision along the Nine Mile and the Five Mile Creek. The city has retained TO Engineers and they are designing a bridge and designing the pathway that you see running along the north side of -- anyway, running along the north boundary. There it is right here. So, the district has agreed that they will participate in construction of the ten foot multi-use pathway. We will put a non-site obscuring fence. One of the things that we talked about was something that would, obviously, meet the needs of the district as far as security for their equipment and their facility, but yet be aesthetically pleasing. So, we would do like a chain link coded -- color coded fence along both the north and, then, along the east boundary. Along the south boundary we would do like a Trex fence, an industrial height of about eight feet, and, then, along the west boundary we would do the same. And one of the things that we did incorporate that the staff did not ask us to do -- we have detached sidewalk that runs along Naomi and, then, along the landscape buffer that we have going to the north up to Five Mile Creek. I also included a five foot pathway, so people could come across Ustick at Naomi, because eventually that's going to be a signalized intersection. Here is kind of an overall phasing plan. What we did is -- is we took information from the district and, then, we created a color coded -- which kind of shows the phasing. Basically phase one for 2021 is removal of the existing home and getting, you know, design plans for some of the infrastructure and improvements within the -- within in the site. Phase two is in 2022 and that includes -- oops. So, there is phase one. You can see that the home is removed. And, then, phase two shows that we will be building a decel lane. They will be building Naomi, kind of an internal circulation. Getting the landscaping established along the Ustick corridor and, then, getting the fencing, so that the site is secure. Phase two includes -- or phase -- phase three, excuse me, includes the decant center. You can see that in yellow. And, then, 2024 is kind of the big year where they will install their -- their covered storage facilities, their sand and salt shed, their fuel tank islands, their wash bays -- and I can't read that small. Some other stuff. And, then, phase five is 2025. So, one of the things that the district was very concerned about is not being held specifically to the phases, because it -- their budget is going to dictate what they can afford to build each year. One

of the items that came up that shows you kind of the -- the Trex -- eight foot Trex industrial fence and there is the color coded fence. One of the things that came up at the Planning and Zoning Commission was when are you going to rebuild the Ustick corridor. Right now it's two lanes. You are going to be adding additional traffic, additional truck traffic, et cetera. It's important that this area has been building out at an increasing level and so the district in their capital improvement plan has the Ustick corridor programmed for 2025. Along with that corridor, then, they would, obviously, install Naomi and install the signal. All access, as Joe indicated, is taken off of Naomi. This site will not have any direct access to the Ustick corridor. We will have gated entry into -- into the facility. As you can see we have a significant amount of landscaping and pathways that will serve this. In the conditions of approval I did submit to the Council -- I apologize for the lateness of my letter, but I needed to run it past the district and -- and there is lots of cooks in the kitchen here and by the time I got everybody's -- everybody's input it was kind of late. One of the things is in our conditions of approval 8-A-1 it indicates that they would pay the 303 dollars for the development agreement. They have an interagency governmental agreement with the City of Meridian to waive any costs or fees. So, that really wouldn't be applicable. Item C deals with the design review guidelines. We designed the site so that -- and that was due to your staff's input in the pre-application conference -- to kind of put the administrative building right at the corner of the site, kind of as the anchor to the site. We would have access into the administration building. It would not be gated. The gate, as you can see, is further to the east and, then, we would have the -- the shop and, then, the weld shop attached to that. They did review the guidelines. I reviewed the guidelines. As far as application of them to that facility, we think that that makes sense. The only concern I had was the covered storage. We kind of have an L-shaped covered storage. The majority of that covered storage is oriented to the east, which will be the water tank, but we do have a leg that will be oriented to -- along the Ustick corridor. Now, staff has placed a condition on us that we will berm and fence and provide additional landscaping beyond what is normally provided along the arterial. So, we -- we just want to make sure that this isn't an excessive cost to the district for that storage building, but they have looked at using different varieties, textures of masonry, so that it does have some architectural features to keep a good aesthetic look along that corridor. We are in agreement with the Public Works condition and I guess J is my last condition. The Planning and Zoning Commission worded that such that the district was extremely concerned that they would be caught between a rock and a hard spot. So, therefore, we did provide the Council with some alternative language that -- that the intern uses that may need a building permit and do not require an occupancy, that the applicant would be able to put in like the decant center prior to the improvement along Ustick, because they kind of stuck us with you will improve Ustick by phase X and that's just not viable for the district and so what we provide is no certificate of occupancy shall be issued until phase four of the project consistent with the submitted and revised phasing plan and the decel lane along Ustick frontage is constructed. So, we just need that much -- you know, that flexibility. Do you have any questions?

Simison: Council, any questions?

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Becky, how -- how tall is that berm along the Ustick Road? I think you said an eight foot Trex -- Trex fence would be on top of that.

McKay: Yeah. We have 25 feet of landscaping. So, the berm would probably be three feet and, then, you would have maximum height -- Bill indicated in the industrial zone is eight feet and we will use that Trex fence. So, as far as viewing the -- the backside of that covered storage area, you are not going to see a lot of it.

Borton: I understand. And that's -- so I -- Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: And, Becky, so that's going to be a single -- single story type of storage building, not extra tall or a normal -- a normal height of 12, 15 feet.

McKay: Single story.

Hoaglund: Okay. And I just want to comment. Appreciate you putting in that pathway that would connect Naomi to -- to the -- the parkway, which the -- or the --

McKay: Multi-use pathway.

Hoaglund: Multi-use pathway. Thank you. And also appreciate you putting it on your property, not the other property, but so be it. And I had one other question. You had an area that was hard to read. Years ago we didn't need these things and even, then, it's kind of -- it looked like a regen area, but it also looked like an emergency access or some access point to the east to the city property and I didn't know if there was another access point for fire trucks or what -- what that was about.

McKay: Mr. Mayor, Councilman Hoaglund, that's called a regen area and I will leave -- I will leave Lloyd or -- Lloyd, can you address -- it's not an access, it's an area that they use -- they explained it to me and it was Greek to me. Go ahead, Lloyd.

Carnegie: For the record, Lloyd Carnegie, business manager at ACHD. 3775 Adam Street, Garden City. The regen is for our pieces of equipment that require regeneration for the exhaust system. So, we want to designate a safe spot for them to do that regen.

Simison: Council, additional questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Mr. Mayor. Becky, just maybe dovetailing on one of Council Member Hoaglund's questions. That is a large L-shaped covered storage. I recognize it's one story, but what's the anticipated height of that building?

McKay: We haven't designed it. I think -- I mean it's -- it's the -- the ones that I saw at -- at Cloverdale and over at Adams were less than 35 feet -- significantly less than 35 feet, even to handle their -- you know, it's to park their trucks in.

Cavener: Sure.

McKay: So --

Cavener: Okay. Mr. Mayor, follow up.

Simison: Councilman Cavener.

Cavener: Becky, help me understand which of these structures that are -- that are on your concept plan are solid structures versus -- and I know you have referred to it as a shed, but if it's what I'm thinking of that you have at the Adams facility, they are really like big kind of canopy tents, really; right? Not really? When I think of a shed I think of a shed in my backyard that's got a structure and a roof and I just want to make sure that I'm not applying what I think is in my backyard to what you are planning to build out there.

McKay: Mr. Mayor, Councilman Cavener, yeah, the -- the salt shed over at Adams Street is kind of like the ITD salt sheds that you see along Highway 55 going north up to McCall, because the -- I think it's EPA, DEQ requirements, that they have the salt covered -- salt and sand covered and, then, like they have their decant center, that's an area where --

Cavener: Can you -- I'm sorry, Becky. I don't mean to -- Mr. Mayor. Becky, can you kind of point -- I'm trying to get a sense --

McKay: Let me try to get this booger -- is it working, Joe? Is that you, Joe, or me? That's you. The decant -- the decant area -- so, that's the decant area and so that's where their sweepers come in, they discharge the material. Now, it's going crazy.

Cavener: Sorry, Becky. I guess I'm just trying to get a sense -- I don't know from the --

McKay: It's a concrete structure -- it's kind of a concrete -- it's a concrete base structure and -- that decant area, the one I toured out at -- out of the Cloverdale site was a system of concrete bays where they had to wash out for their sweeper trucks, pull up there, they wash them out.

Cavener: So, Mr. Mayor? Becky, the decant bay is a solid structure without a roof?

McKay: Correct.

Cavener: Whereas the salt tents are a roofed based structure with no walls.

McKay: Correct. And, then, you have -- you have what they call -- just in front of the salt and -- and sand shed you have what they call their racks and so that's where their -- their sanding trucks -- they have -- they have a little thing where they pick them up and put them on the truck and that holds the sand. It's like a bed. That's what I'm thinking of. A little bed area. Then they kind of had open -- open storage. Then they have -- you can see the fuel islands and, then, they have what they call their mag tanks. So, those are all open areas. Is that what's going on? We will try it. Oh, yeah. Oh, that's nice. Yeah. So, here is the racks. You can see that there are -- there are fuel islands. This is the mag tanks. So, the magnesium chloride that they have.

Cavener: Those are solid structures?

McKay: No. Those -- it's kind of a concrete pad and, then, those tanks sit on the concrete pad and, then, the trucks come in and they -- they -- they refuel them and, then, this is a concrete pad also and, then, that's like the truck wash. So, that's a structure. And, then, this particular building -- I can't read that. I got to -- yeah. The broom shed. So, that's for the sweeper trucks.

Cavener: And that's a solid structure or --

McKay: The broom shed is a solid structure that you see right there and there is the drainage truck shed and, then, we have like truck scales also included in the site and one of the things that -- that Heather was -- was insistent on that -- that we have a lot of pull through, so -- to minimize those backup beepers. So -- well, I have to give her credit. That was her idea and to make sure that -- that everything was continuous and we didn't have a lot of backing motion. Operational hours are probably going to be 7:00 a.m. to 5:00 p.m. and, then, they will have night operations, obviously, if we have a significant snow event or any type of emergency. Heather, do you have any comments that you want to -- or any questions for Heather?

Friddle: I'm Heather Friddle. I'm superintendent for the Ustick maintenance site. I'm the one that came up with the plan. So, I want everything to be a continuous flow and so that there wouldn't be a hindrance with noise or have problems with the neighbors, so trying to be very conscious of that, so --

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. I have several concerns and I will get into those in a bit, but I did have a question while we have you here. What is the quality or environmental impact of what you are discharging at this facility? You know, what are you -- what's coming off the trucks and where is it going and is that okay and who says so?

Friddle: Mr. Mayor, Commissioner Strader, it's -- we have settling tanks. It's a decanting station that we -- and we let the water in and it separates the solids from the liquids and it goes through a phase approach with the forebay has settling tanks that it goes through and it gets filtered out through a sand filter before it gets emitted into the drainage system or the storm drain system. The waterline. And we have one at our Adams facility and our Cloverdale facility. It's tested to make sure that there is no impurities or whatnot. So, we are very conscious of that. We have the DEQ. We have our environmental department that helps us with that. So, we look at that. So, we are very conscious of that to make sure that it's not something that adds pollutants.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Council Woman Strader, just to touch on that more, they are going to be required to do some environmental permits that the city does not do, but at the federal level. So, all of that will be permitted outside of our purview as these come online. In addition to floodplain permits as well, because the north half of the site is in a floodplain, which is why they moved the decant and washout area from the northwest corner. So, they are -- they are well aware of the environmental impacts that this could and may have, but that will be handled outside of what our review is here in the state of Idaho.

Stewart: Mr. Mayor? Mr. Mayor?

Simison: Yes, Warren.

Stewart: Yeah. One of the other things -- this is Warren in the Public Works Department. One of the other things that we talked to Becky about is that at some point we will want to get our hands on that information with regards to the concentrations and so forth that they are going to be discharging. So, we can analyze whether there needs to be a pretreatment permit. We have talked about that. That's one of the conditions that was added that, you know, we will want to make sure that we have a good idea of what's coming out of there and if there needs to be a pretreatment permit with the city. So, we haven't got that yet, but I think we can work that out and certainly we can develop a pretreatment permit if that's what's required.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I will just outline my concerns right now and we will hear more, you know, testimony and everything, but I just -- I just want to get those out there, so that you and your team can address them, but they may be challenged. You know, to me the basic of development has always been that we don't develop until the sewer is ready. I view this as a pretty big departure from normal practice. I am concerned with having a DA provision to enforce things. We just had a big meeting about our DA provisions and specifically

issuing a certificate of occupancy is not an adequate enforcement mechanism to ensure that things happen. So, I have some pretty significant concerns about the sewer being ready and, then, in addition, you know, hopefully, waiting for Ustick to be widened until 2024. You know, if this is a different applicant I don't know how I would view that. But clearly we are not really using big trucks and this is within the applicant's control and I want to see Ustick fully widened all the way to Owyhee High School and so I want to see I think to be supportive, I guess, a plan for ACHD to do that faster or for that to happen before I approve this. Or for you to work with the city -- somehow get that accelerated, but right now to me, you know, waiting until 2025 for this, I just don't think it makes sense, considering the state of that road.

Simison: Council, any additional questions or information for the applicant to consider before we get into public testimony, if there is any?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: More additional -- Becky, is this facility coming online because of the growth in the county and the need to expand? Is this relocating another facility? What's -- what's the basis of this particular project?

McKay: Mr. Mayor, Councilman Cavener, the district has basically outgrown both of their sites. The needs of -- the growth that -- that -- that we have seen in the valley, this is -- the needs for this to be a satellite site and the third full maintenance site is part of essential services and, obviously, the Council and the Mayor have always been supportive of -- you know, we need to provide essential services to take care of the growth that's taking place. Obviously, hampering the development of this site is hampering essential services. Concerning the sewer. We have been working with Public Works closely. This is right there on the -- the borderline of two sewer sheds. We have dealt with this issue on multiple occasions. We have had situations where we have had an interim service. Obviously, we are -- we will work with your Public Works Department, your city engineer. We have provided a significant amount of information data and since this will be coming on incrementally it's not like we are going to be overloading or surcharging that Ten Mile trunk by -- by this plan. As far as the improvements, the district has assured me they are going to do everything they can to accelerate due to the fact that Owyhee High School is coming online to accelerate that Ustick corridor widening. If at all possible they will try to move it up. However, they qualified that -- that they have got to purchase right of way. They have to design the arterial and there is just a lot of steps and even the best laid plans sometimes get delayed if you get a hiccup. They -- they are going on the record that they will not have any trucks going into this facility unless they have installed this decel lane to accommodate getting those trucks outside and with this being over a -- you know, a seven or eight year period, you are going to see this site develop incrementally. It's not like it's coming online instantly and there is no improvements on Ustick Road. That is not the case. That is not what the district is -- is asking the city to do. All they are doing is taking this first step to get this property annexed and, then, start working on acquiring

right of way, design plans, working with Public Works, getting an architect online. This is just the first step in a multi-step process and that we asked the Council and the Mayor support it, because, obviously, your priority area in northwest Meridian is going to put even more of a significant burden on the district and its resources and so they need to get out into this area.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Strader: Becky, appreciate -- and Council Member Strader appreciate you also kind of addressing some of the questions there. I just -- I want to make sure that I heard you right. This is a third location, not a combination of your two existing facilities?

McKay: No. It's a third location --

Cavener: Okay.

McKay: -- with a new manager. It's going to have new staff and that's one of the other things that they -- they qualified with me is as they bring on each phase they are going to be hiring new employees for those tasks. New mechanics, et cetera.

Perreault: Mr. Mayor, can Becky speak in the microphone, please.

Simison: Yeah. Can you repeat that, Becky.

McKay: As each phase comes on and -- and they start building the -- this incrementally, the district will be hiring new employees to work at this site. It's not like they are transferring employees from other sites to here. This will be a whole new independent third maintenance facility in Ada county.

Friddle: And adding equipment to accomplish that.

McKay: And adding equipment. That's the other thing. They have to budget equipment -- significant amount of equipment, employees, and, obviously, infrastructure and buildings.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Council Woman Strader is mentioning, you know, a point that I think is of concern is the road widening and the decel lane is great to have, but I'm curious as to when the center turn lane -- when trucks are coming from the west to make that left turn. As you know, I live one mile exactly to the east and when that light changed I know on Linder you are going to wait a while and I have got a car I'm turning left and I can sit there

in the center lane, but this is going to backup traffic immensely, depending on time of day. So, I want to make sure I understand the phasing plan. Phase one cleaning up the house and the property. Phase two looks like you are doing the paving, getting things ready. Phase three -- so, it looks like to me -- and I could be wrong -- the decant area and a washout -- so, there will be some trucks coming in there, the sweeper trucks and whatnot. So, we will have trucks starting -- can you give me some idea how many trucks that would be? I know emergency situations are kind of the other. But for -- for those other facilities -- for normal operation.

Friddle: It's probably going to be no more than ten, if that, you know. It's just -- as we progress, so it's just going to be a site out there for existing ones that can come out -- if they are in area that can use that. But they will be primarily still using the other sites that they are located at until we get that completed.

Borton: Okay. And, Mr. Mayor, follow up?

Simison: Councilman Hoaglund.

Hoaglund: And, then, just to keep moving forward, then, in phase four, 2024 -- and, again, understand budgets and whether they slide this way or that way, you are going to be constructing the covered storage and the bulk of the facility with that -- in that phase and to me that means definitely there is going to be a lot more truck traffic, it's going to be almost fully operational -- quite -- quite a few trucks, but the -- if I understood correctly, the road widening is scheduled for 2025?

Friddle: Yes. In the CIP -- in the CIP, but if -- depending on when we can -- budgets allow we will move that up, so --

Hoaglund: Correct. And so anything that we would condition with the phase, it would just stick with that phase, whether it gets moved up or moved back, is that how -- I mean that -- in my way of thinking that's how we would do it, but -- not tied to a year, but to a phase. So, if you move up a phase and we asked for something to be done in that phase, that would happen when that happens. So, it doesn't -- doesn't matter on the year, because it may get delayed and that requirement, then, would also be delayed to that phase -- tying it to the phase, so --

McKay: Yes. Go ahead.

Daigle: Mr. Mayor, Members of the Council, Paul Daigle, chief of staff over at the Ada County Highway District. One of the things that I cannot promise -- because the -- the phases are part of the budget process, yeah, if we condition things to a date, I cannot speak for the commission. The commission are the ones that will be ultimately responsible for saying proceed with this project. So, I can't sit here and promise you that, yes, you condition that Ustick widening the base here is going to have a -- we cannot say that. I cannot speak for the commission along those lines.

Hoaglund: Right. And, Mr. Mayor, follow up.

Simison: Councilman Hoaglund.

Hoaglund: And to that point -- so, if we say, hey, in 2024 if this is going to happen you are going to have this many trucks, however we -- we discuss it, we want to have a center turn lane and that gets delayed, so that center turn lane would be delayed, but also that phase, because the phase was delayed. But if you move the phase up, then, that's going to be part of the requirement for that phase, depending on the budget and -- and we remind the Mayor of that all the time, that, you know, he can't --

Daigle: And you folks have the perfect opportunity when we have joint meetings to remind the commission of some of your wants and wishes as well.

Simison: A question for --

Perreault: Mr. Mayor?

Simison: One second. From a very practical standpoint how do you operate this facility with no employee parking? Which is in the final phase. I mean that's what -- that's what -- one of the things I look at is like -- is it only going to be interim traffic in 2028, final phase, or final phase is when you actually become an operational site?

Friddle: Mr. Mayor, yeah, we are going to set aside an area for temporary parking for the employees on the site when we do the -- you know, there is going to be an area where they are going to do that in the interim, so --

Hoaglund: Okay.

Friddle: -- put that on the plan, because I was just making the whole conceptual plan.

Borton: Okay. So, that would be when paved parking in theory is on there, but not necessarily -- okay. Well, that helps us -- okay.

Friddle: The whole site will be paved.

McKay: The whole site will be paved.

Friddle: Eventually. Yes.

Simison: Council Woman Perreault.

Perreault: Yeah. I'm tracking with my fellow Council Members questions and thoughts on this, but I would also like to see kind of an overlay of a timeline of road development and the amount of truck traffic that will be coming through. Obviously, right now they can drive on Ustick Road, there is no limitation of -- you know, we see construction trucks all

over the place, but I did not have the knowledge of how much that changes the -- the size and level of intense use of this area would be really helpful to know. The one thing I wanted to point out along with what Councilman Hoaglund -- where he was headed, is that let's say that this is correct and 2024 is primarily when the majority of the infrastructure -- of the structures are built and developed -- yeah, it's in the five year plan for ACHD to build that section of road -- to widen that section of road, but that's just the design phase -- my understanding it starts in 2025. So, we could be out in 2025, really, until that actually is constructed, so now we don't have a year, we have three years, so I guess I just -- I wouldn't mind seeing some sort of timeline that pieces together for us of what to expect in relationship to the phases, in relationship to the construction of Ustick and I realize, again, that it was a budget thing, but over the years that I have been watching this happen I feel like ACHD has gotten a lot better at actually sticking to the -- the fiscal year and the five year plans that have been created, seeing fewer modifications of those -- and maybe I'm imagining things. But I think it's good for us to at least have -- have some idea of -- you know, we -- just as you do, we -- if you have been listening to our entire meeting tonight there has been a lot of conversation about being open with the public and, you know, putting out there what it is that -- that we expect to have happen and so we feel that obligation to do that for our residents. So, I just want to say I -- I agree, I would like to see some more information, to the best of your ability, as to what to expect for a timeline over the next eight years and the phases involved.

McKay: Mr. Mayor, Council Woman Perrault, one of the things that --

Simison: Becky, if you can get a little closer to the mic.

McKay: One of the staff members brought up is that that section of Ustick right in front of the site is already three lanes at this juncture. As far as the Ustick Road rebuild and signalization and all that, that 2025 date is a construct date, not a design date, so -- so, it would not be started in 2025, it would be accomplished in 2025. Correct? Construction started in 2025. Design in '23.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: To build on this more, I would want to reiterate that one of the DA provisions that were added by the Commission does address this, at least in some way, to say that none of the buildings that will require any kind of CO cannot occur until the deceleration lane is constructed, which should help with some of these truck issues. Again, it's tied to the phase, which is shown as phase four, which includes the -- probably what would bring the most amount of trucks, as you guys noted, with the salt shed and the covered storage and all those things. So, Commission and staff have worked through some of those issues for you guys. So, I did want to just reiterate that.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: So, Joe, just maybe to get some initial feedback, we had a meeting earlier today where I -- I thought it was pretty clear that at some point we are obligated to issue a CO and a TCO when all -- there is not a life safety issue in any of the buildings and so -- I appreciate that we may have some leverage point here, but I don't know how it works at peak hours or the number of trucks coming into another facility, what's to stop us from -- what do we do if 40 trucks come through here and a building is not constructed? What leverage do we truly have to -- to enforce this to ensure that it happens?

Simison: Mr. Nary, I think that's for you.

Nary: Mr. Mayor, I was afraid you were going to say that. So, yes, as we spoke of earlier, tying the COs to that are -- can be a staff challenge to address, but I don't have a good answer to the fact that if there is no buildings there, but the truck traffic is coming there, for whatever purpose, to just drop their loads off and leave the site, not -- not work on that site, I don't have a mechanism to enforce that. I don't have a code enforcement officer that could sit there and count trucks and I have neighbors complaints and I have letters to them and at the best, if necessary, we would go to court and try to enforce that through our -- through our development agreement. But, otherwise, it is -- it is a significant challenge to use a DA for that type of enforcement.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: You know, first off, grateful for our strong partnership with ACHD and for all they do for us. I really appreciate it and wanted to say that on the record. With that said, I -- I'm looking through my notes here from this past weekend and, again, yesterday, just going over some last bit of items and Council Woman Strader has hit on almost every single one of my concerns that I have written down, so I just wanted to state for the record that I share the same concerns as well.

Daigle: Mr. Mayor, if I may address a couple of the questions that came up. Currently even at our Adams and Cloverdale facility we don't have 40 or 50 trucks coming and going. The trucks leave in the morning, go out into the field and they typically operate out in the field. Some of the drainage trucks and some of the sweepers do make it back to dump their loads and take on water and go back. At each of the facilities you are probably looking at -- I think we have about 12 to 15 of the heavy dump trucks and they are not coming and going. It's the 12 or 15 sweepers that come and go. Some of the drainage trucks come and go. There is not going to be a whole lot of traffic, especially before we get all the buildings built. You know, some of the sweepers are going to be out in this area. We will use a decant station. You know, you are probably looking at maximum six or eight a day. You know, as we start to get some of the facilities built and we start getting people stationed out there, you are still not going to get truck traffic as you are talking about with 40 trucks a day. As I said, the trucks will be out in the morning, they come

back at night, and there will be a few times when they are coming and going. Winter ops, you may get a little bit more, because you are having to come back for salt and sand loads. But nowhere near that the 40 trucks a day coming and going from the facilities.

Simison: Council, additional questions for the applicant at this time? Thank you. This is a public hearing. Mr. Clerk, do we have anyone signed up to provide testimony on this item?

Johnson: Mr. Mayor, we do not.

Simison: Okay. Is there anybody in the audience who would like to provide testimony on this item? Or anybody online? Which I doubt that to be the case seeing who is online.

Siddoway: Mr. Mayor, this is Steve.

Simison: Mr. Siddoway, are you public, testifying as Steve Siddoway from your home, or are you staff looking to make comment?

Siddoway: Staff.

Simison: Okay. Let me just make sure -- yes, I think we are good. Go ahead, Mr. Siddoway.

Siddoway: Okay. First of all, I would like to -- one statement and two question -- clarification questions regarding the pathway and I would also like to start off expressing some gratitude for the many partnerships we have with ACHD. But my -- so, my -- my statement about this pathway is that -- this is a -- a key segment for us and one that I'm very interested and, frankly, excited to see the possibility of it moving forward. It is a -- it does fill a key gap between the existing pathway on the McNelis Subdivision on the west and the Quartet Subdivision extension of this pathway to the east. My two questions for clarification -- one is related to the bridge over the Nine Mile Creek to the west -- sorry. To the east -- east of the subdivision and I -- in preparation for tonight's hearing and I go through the staff report and I noted in a couple of locations Item J under pathways and M under waterways, a reference to the bridge. It says the applicant has proposed to build the required multi-use pathway, as well as to construct the pedestrian bridge over the Nine Mile Creek to the east. Staff appreciates the added cooperation with the Parks Department on extending pedestrian facilities. I haven't heard any reference to that bridge over the Nine Mile Creek, so I just wanted to clarify if that is intended to be constructed along with the rest of the pathway or not. My second question is just regarding the phasing plan. I noticed -- I noted in the proposed changes in the conditions that it will move from phase one to phase two. I don't have any particular heartburn over that, but I also noted the desire not to be held to any particular phasing plan, so I don't know how to -- how to do this. I am sensitive to the fact that any phases are subject to the conditions of approval of budgets, but if it could at least be tied verbally to that, you know, first phase of paving on the site, which is currently shown as FY -- as 2022, I think

that works and so I just wanted to try and get some clarification related to the phasing and, then, also the clarification on anything to do with that bridge. Thank you.

Simison: Thank you, Steve.

Dodson: Mr. Mayor?

Simison: Joe, are you going to try to answer those questions?

Dodson: I can answer the -- yes, I will try. And, then, Becky can back me up. I will admit a mistake of discussing the pedestrian bridges in the staff report. I was mistaken while writing that they are not proposing to construct the bridge. They will construct our segment and, then, the Parks Department was going to construct a bridge per the conversations that I have -- I was not privy to, but have heard about between the pathways coordinator and the applicant. That was a mistake by me to discuss that so directly in the staff report, and which is also -- thankfully I didn't put a specific condition in there, but that was my fault. And, then, also with the -- with the phasing I think what -- they requested changes to saying that the pathway gets construction with phase two, which would be the paving. It makes sense. I believe, Steve, that that's what they are trying to do. If we want to change the language a little bit to include with the first phase of pavement that would make sense as well, to include that additional language.

Siddoway: Okay.

Simison: So, did you get your questions answered sufficiently to your knowledge?

Siddoway: Yeah. It does. I was, obviously, hoping for that -- to see that the bridge was part of it, but I do -- it looks like it might be actually an off-site improvement now that I'm looking at this version of the phasing plan. Looking at the previous one it looked like it might be at least partially on their site and maybe it made sense for some shared costs, but if it's an off-site improvement it -- maybe it does belong to us and I just don't have those details right in front of me. So, I wanted to clarify it while we are on the record.

Simison: Okay.

Dodson: Yes. Mr. Mayor, to confirm it is off site. It is within the irrigation district's land completely. The bridge would be.

Simison: Thank you. Becky, are you coming forward for the final --

McKay: Becky McKay. Mr. Mayor, Members of Council. The bridge off site. It is on Nampa-Meridian Irrigation District property, not -- no portion of it lies within this site and we were told that TO Engineers had been retained by your Parks Department to design and that that would be part of the city's portion of improvements out there. But yet they expected the district to construct the multi-use pathway along all of their frontage of Five Mile Creek and make connection and they wanted to make sure that that bridge that we

hooked up to where it was coming across, so they sent us their CAD drawing and, then, phase two would -- that's what we are asking for, since phase one doesn't include really any improvements, other than removing the home, phase two would include the multi-use pathway. So, that we could get that online and get that pathway moving westward.

Simison: Becky, was that your closing remarks? Okay. Well, the applicant's closing remarks as well and the clerk already started your timer, but --

McKay: Oh. In the closing remarks one of the things that was brought to my attention is at that full build out of this facility ACHD determined, based on the ITE, that there would be 28 vehicle trips during the p.m. peak hour and as far as the level of service right now on Ustick it's better than E and I guess my closing -- my closing comments are, you know, we want this to be a partnership with the district and the city to make this happen. I mean we come before you guys and we talk about fire stations and police stations and sewer capacity and water capacity. ACHD is a part of that infrastructure that we all benefit from and we use and it's their desire to work as a partner with the city to make this site happen to better serve their constituents, which are also the city constituents. So, we would ask for support of this annexation, so they can move into their -- their design working with your staff to -- to, obviously, make this happen. I think this -- there is no better location than this one as far as I'm concerned. It's perfect for north Meridian, being by the plant, by the water tank, along the Ustick corridor. It's obviously targeted for a significant upgrade.

Simison: Council, any final comments? I think you should stick around.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I was just going to say that as -- as we discussed this, I think I would like to leave the public hearing open during our discussion, just because to me this is more about a timing and what goes where when and how that all works together and I think we might have more questions and have some dialogue on that. There is -- there is a lot of good things about having this in that location in north Meridian and needing a facility, it's just a matter of how do these things work together with the roads and other -- other phases, so if Council's okay with that to have those discussions, be probably a lot easier.

Simison: And I will piggyback. I know you are representing the applicant, but when we talk about fire stations and police stations and what we -- what we often talk more about is lack of roads. Not lack of street sweepers, you know, and it's road infrastructure -- if I'm ready what I'm hearing tonight it's the road. That's going to be a big question mark about -- to Councilman Hoaglund, he's talking about timing.

McKay: Mr. Mayor, I fully understand.

Simison: Yeah. That's the infrastructure needed.

McKay: And the district has assured me that upgrading that Ustick corridor is -- is a top priority to them. They realize the -- the significant need for it. When we had our neighborhood meeting we only had three residents that attended. None of them objected to the site and the only item that came up was when are you going to rebuild Ustick. So -- so, yes, it's -- I think it's on the minds of everyone. Obviously, that's within their purview, but they need the time to -- like I said, purchase right of way, design the facility, build the facility and I think what they are saying to you is the latest we would start construction would be 2025. If at all possible we will accelerate that and, hopefully, start in 2024. This site is going to take quite a bit of time for them to retain an architect, retain engineers and get their EPA, their DEQ approvals, work with your Public Works. I mean it's -- it's -- it's going to take time. It's a complicated kind of process. I was surprised when I toured both our facilities. I guess I didn't realize what -- all the things that happen behind the scenes, but -- but we need those things as a community. Meridian needs them and the district is here to provide them and we just need to find a mechanism and a way that we can do that. Thank you.

Simison: And what I will say from a practical standpoint, I think we all can agree that this is not going to look like the Cloverdale facility. I mean I have driven by that for years and it's -- I appreciate the effort that has been done here to try to keep from view what that looks like, because it's -- you know, it is an eyesore for parts of our community. I'm not going to say our wastewater treatment plan is a beautiful thing to look at in an open -- we don't have high walls guarding the, you know, view of that, it's tucked back and so the elements of this that are tucked back -- you know, I can get that. The stuff that's up closer, though, I think that even if you look at our -- Mr. Siddoway was on here, our parks maintenance facility that we have, you know, that's visible from the road. It's back. It's a pretty nice facilities at the same time and so I think the quality of what's built, whether it's screened or not, I think that's an important component, especially as you rise above, you know, the dismal heights, because -- sorry. When I drive by Cloverdale -- what do you see? That's not what I think our residents want to see for a price point that is conscious of taxpayer dollars at the same time, but --

McKay: And, Mr. Mayor, I think -- I think you -- you hit the nail on the head. One of the things with the Cloverdale site is that's an old site and they have purchased additional property and, then, obviously, tried to, you know, install landscaping, but it's kind of been a retrofit. The Adams site is kind of the same way. This particular site they have the benefit of designing it from the ground up and they are, obviously, committed to making sure that this is not an eyesore, that it complements that Ustick corridor and they are willing to spend some additional monies to make sure that aesthetically it's pleasing and that's why we -- you know, we, obviously, oriented some of these buildings up there next to Ustick and next to Naomi, you know, and it's not just a sea of parking like you see at Cloverdale and Emerald, that -- you know. And they are willing to add additional landscaping, up the ante on fencing. Their commitment is here and I have been pleased with -- with how much they have -- they have worked with us and the staff.

Simison: I think that's clear and I think it's just making sure that we don't lose sight of that as this moves forward.

McKay: Sure. Understood. And I think that they will take that message back to the commission and back to their superiors.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: I just want to touch on two finite points real quick, just to make sure that they are clear. One was regarding the landscaping. I'm not requiring a berm, just to make that clear. No berm. Just denser landscaping with landscape beds to help mitigate the noise associated with that. Trees. As we all know, you go anywhere near the coast, trees help so much more than pretty much any fence you could think of for noise mitigation. So, that's why we are wanting the denser landscaping. And, then, lastly on the sewage and the potential -- using the grinder pump to pump into the Ten Mile trunk shed, preliminary models have shown that it can handle what's shown as a potential flow from this site. So, there should be no issues there from the Public Works perspective as well.

Borton: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Joe, real quick. That south covered storage that's along Ustick and you talked about not having metal. So, does a roof have to be asphalt or some other material or can they utilize a metal roof for that particular facility?

Dodson: Great question, Councilman Hoaglund. The roof material is not discussed as much in the architectural standards manual, it's more the wall material. The roof can be metal roof. Correct. It just can't have high reflection. They don't want to blind people driving down the road.

Simison: Councilman Cavener.

Cavener: Becky, I guess one more question if I can. I guess maybe two questions. You had talked about a berm, so my assumption is that you -- the applicant, they are not opposed to a berm as well. I know it's not in -- conditioned in the staff report according to Joe, but is that something that you are --

McKay: Yes, they are comfortable with -- with some berming. But with the -- obviously, with the height of the fence we don't need a huge berm.

Cavener: Sure.

McKay: We can do three foot berm, 11 foot fence and, then, have planter beds, landscaping, you know, go through the full CZC process and have the staff provide comment on the architect. Technical standards. They look through your design standards and, you know, there were some masonry buildings, which had different materials and

textures and colors and they said, you know, we can do that on the back of that -- of that building, you know. So, if you are envisioning like an RM Steel Building, that's not what their intent is, no. Not on what's exposed to Ustick. No.

Cavener: One more, Mr. Mayor.

Simison: Councilman Cavener.

Cavener: Becky, is that your -- your right turn lane there -- you know. And you have always heard a lot of feedback from Council tonight about concerns about the road. Would your client be opposed to having access off Naomi onto Ustick only be right out until Ustick is improved?

McKay: I have to defer to my client --

Cavener: Maybe the question can be answered later. I just --

Strader: Mr. Mayor?

Simison: Councilman Strader.

Strader: Maybe an idea -- I'm not sure, Becky, what -- what direction you and your client want to go. We appreciate the partnership with ACHD. I just -- I'm wondering if you guys want to consider a continuance to go back and discuss with the commission if they are able to accelerate the plans to widen Ustick. If you want to take the opportunity to see if that's possible and how that could be accelerated or if it can't be accelerated, if they want to try to work with the city. I know the Mayor has often suggested plans to accelerate improvements and, then, come back to us with something more fully flushed out. I can't speak for the rest of Council. I'm -- I'm not comfortable -- you know, widening Ustick is within ACHD's complete control and I'm not convinced that a CO issuance or these DA provisions give us any enforcement whatsoever to make sure that these issues are mitigated. So, that's my concern. So, I just wanted to throw that out there. If you want to go back and -- and get a timeline more fully flushed out where you could perhaps accelerate and reprioritize Ustick to make it, you know, one of the top priorities.

Daigle: Mr. Mayor, Council Members, again, Paul Daigle, chief of staff. With regard to the meeting, as I recall you guys have just sent us a letter asking for a meeting to discuss some sidewalk issues. So, it would be a perfect opportunity for us to continue this discussion with the commission, especially with regard to accelerating the timeline. With regard to the right-in, right-out, at least initially, since there is not going to be that much truck traffic there, I think we could -- we could go along with that at least initially until we start getting a little more traffic through there. So, I will give you a tentative, yeah, we can probably go along with that.

Simison: And just -- I don't want to run afoul. Mr. Nary, I assume we don't want to -- would we have to notice a public hearing for a joint meeting to have a conversation with ACHD about items related to this?

Nary: So, Mr. Mayor, Members of the Council, I mean that's -- that's a great question, because, again, we are mixing up a land use record with now a joint meeting record and that's a little more problematic to do -- I mean without really running afoul of trying to combine them, if there is a reason to. So, although I appreciate the offer, I don't know how we could do that. I think it's problematic. I think that's why the Council's request was for the staff to go back and talk to the commissioners and come back and report it as part of this hearing, rather than try to put it back on the Council to do that as part of a hearing. Now, again, if the Commission President wants to come on behalf of the commission or a commission representative wants to come and give testimony on behalf of the Commission, maybe that would be a cleaner way to do it.

Simison: Thank you.

Daigle: And, Mr. Mayor, Council, I will take that message back to the commissioners. I will be meeting with them tomorrow, so --

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just a brief comment. Councilman Strader's comments with regards to Ustick I think is a critical piece for me as well. The reference to completing that to Owyhee. This is a corridor that's going to have now, amongst everything else, you have a pile of kids all over this road. This is intense use. It really is. I mean there is going to be a lot of trucks. This is a forever decision. So, that, among other issues, is a critical issue for me as well, so having that commitment accelerated and defined clearly is key.

Dodson: Mr. Mayor, one of Council Woman Strader's points regarding CO, understood I wasn't there for the conversation, but I understand the premise of that. My original language, if you look at J, does say no building permit can be submitted, which is more restrictive. We are not holding a CO at that point. We are not even letting them apply for a building permit. So, it's more restrictive. It might mitigate some of those issues. Obviously, the applicant doesn't want that, but that's why they are requesting some changes, but we do not have to allow that. So, just wanted to leave that on the table for Council as well.

Simison: Thanks, Joe. And I'm not going to put words in Council's mouth, but I'm going to put words in Council's mouth. What I'm hearing is no building period. No certificate until, one, Ustick is constructed, not -- so, I think that there is probably a --

Dodson: Sure.

Simison: -- whether it's phase four -- but that's what I'm kind of hearing.

Dodson: Understood.

Simison: So -- and just from my standpoint, you know, I'm -- I'm seeing -- I'm counting votes just like you are. As I already mentioned, the roads -- the road priority is bigger than the street sweeper priorities in my book, so if you are counting where the Council is right now I think it continues to be a great option for this -- to figure this out.

McKay: Okay. Well, I appreciate the opportunity to -- for the staff to go back to the commission and, hopefully, we can gather some additional information and, you know, give you more breakdown of the trip data based on the phasing and -- and come back with some better answers for you. So, I guess I would ask that you defer this item, give us an opportunity to -- to gather that information and have the staff go back to the commission.

Simison: Council, would you like further comments?

Hoaglund: Mr. Mayor, just for Becky to find out what -- what time -- how much time is needed to -- to accomplish that?

Dodson: Mr. Mayor?

McKay: Two weeks they are asking.

Dodson: Sorry. I was just going to say not August 17th, because I will not be here. Please. My wife and I will finally do our honeymoon, so --

McKay: I don't want to impinge on his honeymoon.

Dodson: Please don't.

Cavener: Joe doesn't want that either.

Johnson: Mr. Mayor, July 27th is available. August 3rd is not. And, then, August 10th is as well. Although August 10th is pretty crowded, so I would recommend going beyond that to Joe's honeymoon or two -- to two weeks as requested.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Unless I misunderstood some of the direction, it sounds like the ask is a really big one. Not so much staff level matrix on the use might not be as intense as we think. I think if we assume that this is extremely intense and there is lots of trucks and it's -- and it's more of the policy consideration, perhaps, of the commissioners to say, you know,

would you agree to a specific provision that has this commitment to accelerating Ustick Road from Ten Mile to the high school prior to a building permit for phase four; right? Where the uses really would even begin. It's a really clear, but hard ask.

McKay: Okay.

Borton: I don't know if that allows them to even gather within two weeks necessarily to talk about the pros and cons of that, but --

McKay: Okay.

Borton: -- I think to be clear that's what I felt like I was hearing from us. That might necessitate a little more time on your end perhaps.

Daigle: If I may, I would still like to go for the two weeks. I want to try and get commitment from our commission and get you folks some answers. If I find out that it's going to take a little longer, then, I will beg your forgiveness and -- and we will ask Joe when it's convenient.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Just for schedule's sake, I would -- I would put it at least until Joe is back from his honeymoon, whenever that date is, according with how it looks with our already scheduled evenings. I will leave that up to the clerk to let us know what that is.

Johnson: Yeah. I can let you know, Mr. Mayor. The 27th has the continuance of the UDC text amendment application and that is the only land use hearing on that night and, then, moving beyond that we will be looking at August 24th, due to National Night Out and another hearing scheduled.

Bernt: Joe, when is your honeymoon?

Dodson: I will be back the 24th. That's my first day back, so --

Bernt: 24th of July?

Dodson: August. Sorry.

Bernt: I know that Councilman Cavener is going to be out of town, too.

Cavener: Mr. Mayor, Members of the Council, yeah, I don't want to hinder the process. It's important. But I wouldn't be here on the -- on the 27th, unfortunately.

Bernt: I would -- I would continue this -- I don't believe we have a meeting on the 31st. So, it would be -- it would be September 7th would be the first date that we have available. Truly. We don't -- Becky --

McKay: I'm thinking, because I --

Bernt: Mr. Mayor, Becky, we don't -- we don't have -- we are not meeting on the 31st. We don't meet on the --

McKay: Right.

Bernt: -- the fifth Tuesday of the month and so --

McKay: So, September 7th. Okay. I hope I don't have a conflict. I have a lot of hearings in Eagle and Star and Nampa and -- I think I'm okay. So, September 7th? They say thumbs up.

Simison: So, Council, motion?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we continue Item H-2021-0029 to September 7th.

Hoaglund: Second the motion.

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Just real quick. Again, I appreciate Council President making sure -- we get an application before us, we kind of -- blinders come up about who is behind the application and -- but I appreciate the Council President -- a good reminder of just how much we appreciate the commission and everything the highway district does for our citizens and, Paul, you have got a great team. It's great having you here. I think we are all little partial to your communications manager, but we appreciate having you here in this building nevertheless. So, thanks for coming out tonight.

Simison: All right. Any further comments? If not, all favor say aye. Opposed nay. The ayes have it and the item is continued.

MOTION CARRIED: ALL AYES.

Simison: Council Woman Strader, did you have something you were wanting to save? Sorry.

Strader: Yeah. I am supportive of continuing, obviously. I likely would not be here on September 7th due to a family holiday. So, I hope you are in good hands just, so -- yeah.

Simison: Okay. Thank you.

Cavener: Mr. Mayor?

Simison: ACHD, you may want to stick around for a second.

Cavener: Mr. Mayor, if we -- if we are continuing it all the way up to September to account for my schedule, I have got to -- I'm feeling guilty about that, only to find out we have got another Council Member absent that particular date. So, we know sometimes -- we are a team of six and votes land where they vote and there is no hurt feelings, I think, if -- if it doesn't go the way we go, because we are not here and so I would hate to prolong it all the way out to September and encounter the same issue that we are having, so I don't know, Council, maybe -- Mr. Mayor, I know that I'm maybe kind of getting out there on the ledge a little bit, but maybe if there is an opportunity for Council to at least have a discussion about what we just passed and potentially make a motion for reconsideration, so that we can better discuss this and make sure that we are picking a date that either we can all be here or that we can at least accelerate based on the request from ACHD for two weeks and give them that opportunity. But I don't know how the rest of the Council feels. But I just -- I saw some furrowed brows when we heard the Council Member Strader wasn't going to be here and at least before we adjourn for the night just have that conversation.

Simison: Mr. Nary?

Nary: Mr. Mayor, Members of the Council, again, I know you don't have a fifth Tuesday meeting. You can schedule a special meeting on the 31st. It doesn't have to be at 6:00 o'clock. It could be at any time you wish. If you want to do that versus moving it past the 14th or past the 7th, but that's just an option that you have. I don't think we have any other conflict to have it on that date and you are not required to hold it at night. You could hold it at noon if you wanted to.

Bernt: Mr. Mayor, what's the process of doing what Councilman Cavener mentioned as far as a reconsideration is concerned? I don't know if I have ever done it.

Nary: So, Mr. Mayor, Members of the Council, all you need to do is one of the members who have been on the prevailing side, which you all voted in favor --

Simison: To reconsider.

Nary: -- is simply make a motion to reconsider -- have to have that seconded, have that approved by voice vote and, then, you can make a new motion.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move we reconsider the previous vote taken on the setting of the public hearing -- continuance of the public hearing of the previous item.

Borton: Second.

Simison: I have a motion and a second to reconsider the previous motion. Is there any discussion? If not, all those in favor of reconsidering so say aye. Opposed nay. The ayes have it.

MOTION CARRIED: ALL AYES.

Simison: And the item is open for reconsideration.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I'm supportive of a continuance for two weeks, if -- I agree with Council Member Borton, I think that's a -- it's a big ask to get answers back in two weeks, but I would just ask the highway district staff if they think they can get it done they will get it done and, if not, then, at that point in time maybe we look at either a fifth Tuesday or deeper in September perhaps. I don't know how the rest of the body feels.

Strader: Mr. Mayor?

Simison: Council Woman Strader, can you be here in two weeks?

Strader: Let me check. Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yes, I will be here. I am sorry. I feel guilty, but I mainly -- I didn't mean to -- I trust all of you to make decisions whether we are here or not. I hope you didn't think that's what I was saying, because that's not at all how I feel. I trust you guys to make the right decision when I'm not here or here or whatever. It's just Rosh Hashanah. So, it's a family holiday and I can't be here on the 7th, but -- it's a big one, but any other day generally, except for when my kids are in summer camp I will make it happen, so --

Simison: Well, here is my -- my -- my honest belief is there is not going to be any resolution on the 27th and it would be good to have a general direction. We could continue it until the 27th and, then, look at resetting for a day at that point in time if necessary. A special meeting. Yeah. I think we can -- and, honestly, I think ACHD can communicate through staff and we will know well in advance if that's even an option, so --

Dodson: Mr. Mayor, correct. If we cannot make the 27th we will know before and we can request continuance even before. Perfectly fine.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we --

Simison: Just make a motion to continue it.

Bernt: Mr. Mayor, I move that we move this item H-2021-0029 to July 27th.

Cavener: Second.

Simison: Motion and second to continue this item until the 27th. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it. The item is continued until the 27th.

MOTION CARRIED: ALL AYES.

Simison: Okay.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Do we, then, need to close the public hearing?

Simison: It's already been closed. Or I'm sorry. We didn't close it, because it's been continued.

Perreault: Oh, we are going to leave it open, because it's being continued. Okay.

Simison: Did we close it?

Nary: We wanted additional information.

**ORDINANCES [Action Item]**