

A Meeting of the Meridian City Council was called to order at 6:00 p.m., Tuesday, April 26, 2022, by Mayor Robert Simison.

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

Members Absent: Joe Borton and Treg Bernt.

Also present: Chris Johnson, Bill Nary, Joe Dodson, Alan Tiefenbach, Berle Stokes, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

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

Simison: Council, we will call the meeting to order. For the record it is April 26th, 2022. It's 6:00 o'clock p.m. We will begin tonight's regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: We had no one signed up to do the community invocation this evening.

ADOPTION OF AGENDA

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

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Things to note on tonight's agenda. Item No. 4, Black Cat Industrial Project, we have a request from the applicant to continue that to July 12th. There might be some people here -- and, typically, if there is a request for a continuation it's granted. You

certainly can stay until that is completed, but we do have that request and I just want to make that known and Item No. 6, our Executive Session, we completed our work under Executive Session after our work session, so we can take Item 6 and have it removed. So, Mr. Mayor, I move adoption of the agenda as published, with the exception of Item No. 6, which is removed.

Cavener: Second.

Simison: I have a motion and a second to adopt the agenda with the removal of Item 6. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the agenda is adopted with the change.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

PUBLIC FORUM – Future Meeting Topics

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

Johnson: Mr. Mayor, we did not have anyone sign up.

PROCLAMATIONS [Action Item]

1. Denim Day for Sexual Assault Awareness Month

Simison: Okay. Then with that we will move on to Item 1, which is proclamation for Denim Day for Sexual Assault Awareness Month. If Drew and Dara could join me at the podium and anyone else that may be here from the WCA. So, Council and community, we are here today with the WCA. I have really appreciated the relationship and partnership and engagement a little bit with me, but it's really more with our Police Department, which is really where that strong relationship which exists and, unfortunately, I'm not the best representative, because I -- I don't own a pair of jeans that would pass our dress policy for the city, so I'm going to have to work on that. But for -- but for today we are going to do a proclamation and I know we will be participating with a photo tomorrow from that standpoint. So, whereas the United States government has declared April as Sexual Assault Awareness Month and the Women and Children's Alliance has declared April 27th, 2022, as Denim Day and whereas both events are intended to draw attention -- attention to the fact that rape and sexual assault remain a serious issue in our society and whereas Sexual Assault Awareness Month and Denim Day were also instituted to call attention to misconceptions and misinformation about rape and sexual assault and the problem that many in society remain disturbingly uninformed with respect to issues of assault and forcible rape and whereas with proper education on the matter there is compelling evidence that we can successfully reduce incidence of this alarming and psychologically damaging crime and whereas the City of Meridian is an important partner in the Women and Children's Alliance efforts to educate our community about the true impact of rape and sexual assault. Therefore, I, Mayor Robert E. Simison, do hereby proclaim April 27th, 2022, as Denim Day for Sexual Assault Awareness Month in the City

of Meridian and encourage all citizens to speak out against sexual assault and support local efforts to provide help and healing to victims of these crimes. So, with that I will present this proclamation, but if you want to make any comments first.

Piccola: I just want to thank everybody for being here today. Denim Day is a really important thing for us at the WCA. We are here to educate the community about awareness of sexual assault and domestic violence. It's a huge huge thing that is happening, so we are -- we are here to support. So, I thank you very much.

Simison: Thank you, Drew.

Piccola: Appreciate it.

Hoaglun: And, Mr. Mayor, as you are headed back up --

Simison: Councilman Hoaglun.

Hoaglun: -- I just want to take this as a point of personal privilege. You know, we do proclamations quite often in this body and -- and this one is particularly important. You know, if you listen carefully the proclamation as citizens of Meridian to speak out against sexual assault and to support efforts to help and -- to provide help and healing to victims of these crimes and -- and, you know, our citizens of Meridian may wonder what -- what -- what can -- what can they do, you know. Well, I -- I have a suggestion. Primary election is May 17th. It's coming up and if you pay attention there is a statewide -- a candidate for statewide office who revealed personal details about someone who reported a sexual assault and they later lied about that under oath. That court case began today and it's going to determine whether the allegations are true or not, but that's our process. That's how we go about things. It just -- the actions of that state legislator who published those personal details I think has a chilling effect on people who need to report a sexual assault and I believe if we want to support -- as citizens of this community want to support those who speak out against sexual assault and provide that healing to victims, as we are asking our citizens to do today, I -- I suggest that they not elect this person to any public office based on their despicable actions. It has led to intimidation and humiliation of that victim and I -- I really truly feel morally repugnant by that action and so I just call on the citizens of Meridian to make your voice heard and I'm not telling you who to vote for, but I'm asking you on May 17th -- I hope you don't vote for that person. It was wrong. Thank you.

ACTION ITEMS

- 2. Public Hearing for Ruger Gardens Subdivision (SHP-2022-0006) by KM Engineering, LLP, Located at 6241 N. Linder Rd., Near the Northeast Corner of Linder Rd. and Chinden Blvd.**
 - A. Request: To Short Plat Lot 7 of the Knighthill Center Subdivision No. 2 for two (2) commercial building lots.

Simison: Thank you. With that we will move on our -- rest of our agenda for this evening. Item 2 is a public hearing for Ruger Gardens Subdivision, SHP-2022-0006. We will open this public hearing with staff comments.

Dodson: Thank you, Mr. Mayor. Hopefully this is a simple one for me for once, so -- let's hope for that. As noted this is for Ruger Gardens. It is a short plat. The existing site consists of 1.85 acres of land, currently zoned C-G. Been zoned C-G since 2013. Well, probably before that actually. Located at 6241 North Linder. It's actually in the southwest corner of Linder and Chinden. The request before you is too short plat Lot 7 within the Knighthill Center Subdivision No. 2 into two commercial building lots. The proposed short plat is for an existing lot. So, again, I kind of outlined it here for you. This larger lot, 1.85 acres, proposing to just basically split it in half for ownership purposes. The proposed lots are internal to the overall development as seen here and they have no public road frontage. All of the existing commercial buildings have an existing cross-parking and cross-access agreement for the overall development and these lots will be subject to that and staff has included a condition of approval to note that and require that on the plat. Future building sites will be reviewed through the certificate of zoning compliance and design review process for code compliance. The submitted landscape plan -- this is the short plat. The submitted landscape plans reference the original subdivision, which includes the buffer along the southern boundary. This buffer has not been completed, because that lot has not yet developed. This is that original landscape plan. So, this landscape buffer has not been completed. Staff has reviewed the proposed short plat for substantial compliance with the criteria within the UDC and the required zoning regulations within the C-G zoning district, as well as the regulations outlined in the existing development agreement and the short plat is in substantial -- substantial compliance with all of those. After that I will stand for any questions.

Simison: Thank you, Joe. Council, any questions for staff? Okay. Is the applicant here? If you would state your name and -- either one. State your name and address for the record and be recognized for 15 minutes.

Mansfield: Great. Thank you, Mr. Mayor, Council Members. Thanks for having me. My name is Ethan Mansfield. I work for Hawkins Companies. 855 West Broad Street in Boise, Idaho. We are the developer on the project. We are pleased to present the short plat, SHP-2020-0006. It's a two lot short plat on a 1.85 acre parcel located at 6241 North Linder on the southwest corner of Chinden and Linder. Joe covered pretty much everything. So, thank you, Joe, for the presentation. I will just, you know, kind of just go over some of the high points that I think are interesting. As Joe said, it's zoned C-G, general commercial, and is located within a commercial subdivision, the Knighthill Center Subdivision. Hawkins is purchasing the north one acre lot from the developer of the existing center and, of course, when a user for this parcel is identified, as Joe mentioned, we will pursue the site plan review or any other entitlements that might be necessary at that time. We agree to the condition to maintain cross-access and cross-parking and utilities are right there next to the site. So, thanks for your consideration this evening and I will stand for any questions. Thank you.

Simison: Council, any questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. Thanks, Mr. Mansfield. Do you have an idea of who a user is or what type of user you are expecting. I guess I -- a little more detail on what is envisioned would be helpful.

Mansfield: Sure. Yeah. We -- it's -- it's a -- it's a little difficult to say exactly who we are envisioning, because we have got several interested groups. A daycare user is kind of our -- our top option at this time, but, yeah, there is no really definitive answer for you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: So, would it be fair to characterize it as like a neighborhood retail type use then? Are there restaurant type uses? I just want to make sure -- kind of have an idea of the possibilities.

Mansfield: Yeah. This would certainly be kind of a neighborhood oriented use kind of to serve the surrounding neighborhood.

Strader: Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Mr. Mansfield, just a request and, granted, this may have already been resolved. I was over in that area about three, four weeks ago and noticed there is a lot of waste and refuse, it's kind of become a little bit of a dirty lot. Again, it's not right off the -- the regular street and so maybe not -- our code enforcement hasn't seen it, but maybe a request that you or your team maybe do a site visit and take care of the -- some pretty significant trash. I think there was a broken shopping cart that looked like from the Fred Meyer that had found its way over there. So, I think maybe a -- a quick review and getting that lot cleaned up would be appreciated.

Mansfield: Mr. Mayor, Council Member Cavener, we -- yeah. Noted. We can certainly do that.

Cavener: Thanks.

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

Clerk, do we have anyone signed up to provide testimony on this item?

Johnson: Mr. Mayor, only the applicant signed up in advance.

Simison: Okay. Well, if there is anybody that would like to provide testimony if you -- if you would like to come forward. You can go and have a seat and -- come -- go ahead and come on up and you will be recognized for three minutes. Just state your name and address for the record, please.

Sevoy: I'm Paul Sevoy and I run the Sevoy Gallery down the street and I support Meridian, Idaho, a lot and, in fact, your job is a tough one.

Simison: Mr. Savoy, can you speak in the mic.

Sevoy: Yeah. The question I have is there any zoning change request involved in this request?

Simison: I will just let staff answer.

Dodson: Mr. Mayor, no. Just to split the lot in two. That's it.

Sevoy: That's the only question I had.

Simison: Okay.

Sevoy: Thank you.

Simison: Thank you. Is there anybody else that would like to provide testimony on this item, either in the room or online? If you are online you can use the raise your hand feature. Seeing no one in either place, would the applicant like any final words? Okay. Applicant has waived. Council, I will turn this over to you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we close -- close the public hearing on SHP-2022-0006.

Cavener: Second.

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 and the public hearing is closed.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: After considering all staff, applicant, and testimony, I move to approve as SHP-2022-0006 as presented in the staff report for the hearing date of April 26th, 2022.

Cavener: Second.

Simison: I have a motion and a second to approve Item 2. Is there any discussion? If not, Clerk will call the roll.

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

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

3. Public Hearing for Katsura Subdivision (SHP-2022-0005) by Kent Brown, Located at Lot 2, Block 2 of the Medimont Subdivision No. 1 and 225 and 335 S. Locust Grove Rd.

- A. Request: Short Plat consisting of 1 buildable lot and 2 common lots on 3.8 acres of land in the I-L zoning district.

Simison: Next item up is a public hearing for Katsura Subdivision, SHP-2022-0005. We will open this public hearing with staff comments from Alan.

Tiefenbach: Greetings, Mr. Mayor, Members of the Council. This is a short plat. The site consists of 3.8 acres of land. It's zoned I-L. It's located on the west side of South Locust Grove Road, north of East Water Tower. You probably remember this. This came to you in 2021. This was an annexation for three and a half acres of property. So, this property here. This is an annexation for this to construct a 67,000 square foot warehouse as an expansion of the existing Intermountain Wood Products building. I'm just going to put these up just for your reference, because it's -- it's very simple, but it's confusing. So, the existing Intermountain Wood projects are within what's called the Medimont Subdivision. This is the first plat, the Medimont plat one. This was approved in 1997 and along with this came a development agreement and the development agreement required this permanent 20 foot landscape strip, which hopefully you can see the pointer on my cursor here. This was actually platted into this plat. The purpose of that was to provide a landscape buffer and the reason why is that at the time this happened all of these properties here were residential properties. This was subsequently platted into the Medimont plat two, which you can't see here, but is over here. So, this is the bottom section of that and the Intermountain Wood building, those were subsequently constructed on these lots here. Oh, sorry. Yeah. The existing buildings were constructed

on these lots here. Then in November the annexation came in before you to annex additional property to build a warehouse and that warehouse was over here. When we were originally going through all the early planning for this warehouse the Stonebridge Property Owners Association sold the applicant this little sliver of land and, then, the applicant chopped down all the trees. Again, you probably remember all this from the annexation. Staff said wait -- you need to stop on this, there is a development agreement that says you have to have all these trees, et cetera, et cetera. Came in front of you, you approved a development agreement modification, so the applicant did not have to provide those trees with the requirement that the amount of trees that they chopped down, that caliper inches has to be planted somewhere else on the property. A condition of approval of this plat was that they come in now and do a formal sub -- a formal short plat to merge and that's what sort of I believe we are here to try to make this easier for you. So, this is the short plat. The existing business is here. This is the warehouse lot that you recently approved for annexation. This is the piece of property that is being merged. It will now -- there is now a new common lot parcel here, which is what was left over from that. There is a new common lot property that is here that is left over. Both of those are still maintained by the property owners association and, then, what you see here is being merged into the property and so, again, on the left-hand side is now the short plat. What you see on the right-hand side that the applicant has subsequently already finished their certificate -- certificate of zoning compliance for the entire warehouse. The design -- everything is done and the last condition of approval of this CZC is approval of this short plat. Hopefully I explained that well, because there is a lot happening there.

Simison: Thank you, Alan. Council, any questions? Okay. Mr. Applicant. Mr. Brown, nice to see you.

Brown: For the record Kent Brown. 3161 East Springwood. Alan, could have made it really simple. We were in for an annexation, required this short plat, and we are here tonight with the short plat. In looking things over there is a couple of conditions I saw that kind of caused me concern. Condition B-1 under Public Works site specific, it's asking us to put streetlights on Ten -- South Ten Mile Road. I don't think that that's probably correct. It's probably a little closer to home I would think. And, then, everything else was kind of covered in the development agreement, but there is a Condition 12 under general that asks for us to get our mailboxes approved. Well, we only had one buildable lot and it will be a commercial building and in every subdivision we do right now we do this mailbox letter with -- with the post office. When it first came about it was because the development community was still allowing people to have mailboxes out in front of their houses and the post office wanted to go to cluster boxes and now it's just kind of become habitual that every subdivision comes in, thoughtless of what this is, and it's probably one of the hardest conditions for me to comply with. I have spent at times three months trying to get a letter from the post office to approve a mailbox and I would ask that this one get removed, because we are going to have a mailbox with the warehouse. There is -- there is no cluster boxes that are involved. I would like a bunch of them removed, but I have a final plat that is built and I'm trying to get it in and I have submitted -- I'm a month and a half now trying to get the post office -- and -- and they are busier and -- and she's always been really good at the post office, the postmaster, in kicking them out, but it's just gotten

slower and slower and I have to become pretty obnoxious and I can't even go in and have her sign something, she has to e-mail it and send it with the letterhead. So I would ask that that condition be removed.

Simison: So, just to be clear, Kent, you guys don't want to post -- delivery to this -- you want to go to the rest of the building where it already has the post office?

Brown: Most likely, yes. They could have one for this building also, but there is -- there is not a need to go find out for the postmaster -- I mean it's where am I going to put it? Well, it's going to be on the building someplace. It's -- it's not going to be out on the street. It's not going to be -- it's going to be an individual delivery like any other commercial business that takes place.

Simison: Council, any questions for the applicant or staff, clarification on those two items?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Alan, I don't think we have ever received a request about post office coordination. I don't think I have ever had anybody push back on that condition. So, I'm curious about staff's response, if you have got any feelings. I mean can we -- can we modify this for -- to not have any type of postal service? Is -- is that allowed? I mean -- I'm kind of shooting in the dark on this one, Alan. So, I'm hoping you, as the subject matter expert, might have some advice or direction for Council.

Tiefenbach: Alan Tiefenbach, associate planner. I'm caught off guard. This is actually the first time I have heard this issue. That's a standard subdivision comment usually intended for subdivisions. In this particular case this warehouse is part of a larger business. I would leave it to the applicant whether they see that -- whether they think that there is going to be additional mail sent to that address. I don't have any significant comments one way or the other about that. As far as Public Works, should have noticed that Public Works didn't delete their comment in their general comments. That might not have been a very good answer, but I'm not sure what to tell you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: So, Kent --

Brown: So, we are asking that we will have postal delivery. I'm not asking that we don't. It's just getting the -- the exact location. But what I give her is a map and put an X on it and this is where the -- and I have never had -- well, you need to move that someplace else from the Meridian postmaster. I -- I think it's really interesting, because this is red tape that I created when I was at Boise City in the '90s and, actually, we got a promise

from the postmaster for the -- the area that he would have these turned around within 24 hours. I'm doing a large development in southeast Boise -- southwest Boise and we spent six months, because it -- it kind of freaked him out about seeing the -- the -- the big picture. It's -- I know that you guys are familiar with The Oaks from stuff that's been going on. It's like locating all the post office boxes -- if I got to do this pain and I view that it's easier for the postmistress if I get it all at one time and so, then, I can do a project and not have to go to her with every single phase, I try to do it that way and I have never had Meridian come back and say move it. I have had other jurisdictions say it would be a little safer for our delivery person if they are not standing out in traffic at this location. But that's -- that's the only comments I have ever gotten in the hundreds of these that I have done.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Kent, because this is a -- at least a foreign request for me, I -- I will -- I will be honest, I'm -- I'm not supportive of your request tonight, because I would like to get some insight from the postal service kind of about this and so from -- from your perspective are you supportive of a continuance to allow us some time to engage with the postal service or you would rather take the conditions as is?

Brown: I -- I'm in the process of having the highway district sign this plat as -- as we are right now and with this approval tonight I will have the -- the health department sign in a couple of weeks and I can start sending a request to the postmistress to get a mailbox approved on this building and I will do that.

Cavener: Thanks, Kent.

Simison: Mr. Dolsby, do you have any comment on the lights on Ten Mile comment?

Dolsby: Mr. Mayor, Members of the Council, that comment -- obviously, the Ten Mile is -- I'm guessing a mistake in the comments. It was meant to be lights on Locust Grove and not on Ten Mile, if there is lights required on there.

Brown: We have already done the zoning certificate. I didn't see any requests for lights on that application, but that site plan -- couldn't see any lights -- yes. Thank you. I looked at the zoning certificate approval. I didn't see any lights shown on that plan, which staff and the -- and the architect have worked out, but that could be a mistake, too. The reason the short plat ends up being kind of interesting in this -- this mechanism is that I don't have construction drawings. I mean we have a sewer stub. We have a water stub. We connect to it. We put in a fire hydrant. It is a different animal in the subdivision world where someone's reviewing a construction drawing. There is existing sidewalk out on Locust Grove. We are not -- you know, we put in a curb approach and close the curb approach. Two curb approaches. This is what we are going to close. So, it's a pretty simple part of the process.

Cavener: Thanks, Kent.

Brown: But we are not opposed to doing lights if somebody asks us, but I don't -- I don't know that we have a light requirement. Hopefully not on Ten Mile.

Simison: Council, any additional questions for the applicant?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: So, Kent, to that condition, you know, it says a streetlight plan has not been submitted or approved. If streetlights are required on Locust Grove, the applicant would -- would comply, so --

Brown: Yeah.

Hoaglund: -- like that would work?

Brown: Yes.

Hoaglund: And just change that to Locust Grove. Okay.

Brown: Anything else?

Simison: Mr. Clerk, did we have anyone signed up on this item?

Johnson: Mr. Mayor, we did not.

Simison: Okay. Is there anyone in the audience or online that would like to provide testimony on this item? If so come forward now or use the raise your hand feature. Seeing no one, would the applicant like any final comments?

Brown: No.

Simison: Okay. Thank you very much.

Brown: Thank you. Thank you for listening on the -- the mailboxes. I have been bringing it up with staff. It is something that -- there was a purpose in it. That purpose is gone for the most part anymore. Anyway, thank you.

Cavener: Thanks, Kent.

Simison: Thank you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we close the public hearing on SHP-2022-0005.

Cavener: Second.

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 and the public hearing is closed.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Hearing all staff and applicant testimony, I move to approve SHP-2022-0005 as presented in the staff report for the hearing date of April 26, 2022, with a change to one of the Public Works site specific conditions number one for streetlights, if they are required on Locust Grove Road the applicant would comply if there is that need.

Cavener: Second.

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

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

Simison: All ayes. Motion carries. The item is agreed to. Thank you, Kent.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

4. Public Hearing Continued from March 1, 2022 for Black Cat Industrial Project (H-2021-0064) by Will Goede of Sawtooth Development Group, LLC, Located at 350, 745, 935, and 955 S. Black Cat Rd. and Parcel S1216131860.

- A. Request: Annexation of 130.19 acres of land with R-15 and I-L zoning districts.

Simison: Next item is Item 4, which is a public hearing continued from March 1st, 2022, for Black Cat Industrial Project, H-2021-0064. Would the staff like to make any comments?

Tiefenbach: Sure. Mr. Mayor, Members of the Council, if -- if you recall this has been

continued a few times. Most recently it was continued on March 1st. The reason why it was continued is that the applicant is continuing to work with ACHD to try to address the concerns of the Council in regard to infrastructure and timing of road improvements. When they came to you in March they had scenario A, B and C, which didn't go over well with the Council. This was continued to today. The applicant e-mailed me today and said we are just not there with ACHD yet. We -- there is some -- some legislation going on, there is some funding they are discussing, they really want to try to come to you with a more definitive answer in regard to improvements. That is why the applicant's representative is requesting this be continued for a more substantial amount of time to July 12th.

Simison: Thank you. Council, any questions?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: One question regarding continuance to July 12th. Are we going to have to renote this hearing?

Tiefenbach: I will turn that to Mr. Nary. I believe it's a date certain, but --

Nary: Mr. Mayor, Members of the Council, it has been the -- the practice of the Council to require renoting when there is that extended date out and normally the Council would, then, require the applicant to pay for it. It is in our code that can be directed towards the applicant since it's their request.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Before maybe any motions are made, just want to make the Council aware, I will be absent on July 12th. Not saying that we need to continue it to a different date or absolutely have it that date, just wanted -- those of you to be aware -- I won't be making the motion, since I'm not here -- I'm not going to be here for it, but I just wanted Council to be aware of that.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I may -- I may not be here July 12th. I am not as organized as Councilman Cavener. My kids will be attending something, so it's possible that I will be absent that day as well. I just don't know yet. Just FYI.

Hoaglund: Mr. Mayor?

Simison: Might you also be absent on that --

Hoaglun: I have no idea. I have no plans.

Simison: Councilman Hoaglun.

Hoaglun: Ask our clerk. What would the following week, the 17th -- the 19th look like?

Simison: I assume we have nothing on the calendar --

Johnson: Yeah. Mr. Mayor, Council, I'm double checking. I don't believe we have anything noticed that far. We do, however, have a hearing rescheduled to -- or continued to July 12th for another application already.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. That's -- that's a consideration. They have requested to July 12th. They are not here to represent themselves.

Johnson: The applicant is online, Mr. Mayor.

Hoaglun: Oh.

Simison: Okay. And they are raising their hand, so -- yeah. Yes. Would the applicant like to unmute themselves. Can they unmute?

Nelson: Mr. Mayor, Members of the Council, can you hear me?

Simison: Very low.

Nelson: How is this? Is this better?

Simison: Yes.

Nelson: Thank you for the opportunity to weigh in. July 19th works just fine.

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

Nelson: Yes. Deborah Nelson. 601 West Bannock Street in Boise.

Simison: Thank you. Okay. Mr. Cavener, how does your calendar look on that day?

Cavener: Mr. Mayor, while I -- while I do have some other scheduling conflicts for that -- that day, I still feel comfortable the 19th is the better day and I will be here for that meeting.

Maybe a request for our clerk that we maybe could limit the other application items -- other items on the 19th, maybe just holding this one particular item would be helpful, though.

Strader: Yeah. I will definitely be here.

Simison: Okay. All right. Then with that do we have a motion?

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I move that we continue the public hearing for Black Cat Industrial Project, H-2021-0064 to July 19th, 2022, and with the condition that the applicant is required to renotice this public hearing.

Cavener: Second the motion.

Simison: I have a motion and a second. Is there discussion? No. Sorry, but -- we will go back to take public comment from the public on this item. Okay. Sir, if you would like to come forward. Just state your name and address for the record, please.

Sevoy: I'm Paul Sevoy. Yeah. Paul Sevoy. Of course I am a Meridian resident. I have property on Overland Road, which is in the area that he wants to make a change to the zoning, which is Black Cat. Now, this has come up before and it's been delayed again and to me as an investor, it's a pure speculation. This is not a request for permission to build something or to provide a service, it's just to rezone a piece of land and that piece of land -- I would be bidding on it also. If you are going to take a piece of agricultural land and make some sort of commercial idea of it, you are in a -- a wonderful area of Meridian, which is -- so far has been not developed and it is a pretty area of Meridian. I would hate to see that area become commercial when there is good housing in that area and is already commercial availability of space. This to me is a pure speculation and I don't like the idea of that at all and this has been delayed more than once, so I don't understand why the party can't get their act together. Any questions for me?

Simison: Council, any questions?

Hoaglun: Mr. Mayor, no -- no question for Mr. Sevoy. Just -- just a comment. It -- it is already zoned -- it has a commercial designation, but -- already has a commercial designation. This request is to change -- to annex it based on that commercial designation, but they want to change that to I-L, instead of the other commercial Ten Mile specific designation.

Sevoy: Unless I'm looking at the wrong property, because the notice of this hearing is -- is on Black Cat Road and that area there is residential, so I don't understand it. I'm not against any particular zoning that's correct, but the way the signs are posted they are

posted in an agricultural area or residential area. They are not posting anything commercial, because I know the area.

Hoaglund: And Mr. Mayor and Mr. Sevoy, I think on the east side it is a residential. West side of Black Cat is a commercial Ten Mile designation.

Sevoy: I understand now. He must be straddling it then.

Hoaglund: And they do have an application for residential on one side.

Sevoy: I have no problem --

Hoaglund: The east side. And, then, on the west side they want to change that commercial designation to I-L. Industrial.

Sevoy: I don't think that's a good idea in that area. If you look at that area it's a very pretty area. If you are going to have commercial, you look at what is happening with Amazon and all of the -- they -- they have bunched their area there and it's well done and there is lots of areas that can contribute to the commercial development of property in the area. Doesn't have to be in some of the choice areas. In fact, on my street are the best trees that are existing still today from 90 to 100 years ago and we would like to keep that thing going and I have property right on the hill there that's residential, about ten acres. I'm not going to sell that property. I want to keep it like that for a long time. But if I get pressed in there and -- I will just sell it and go somewhere else. I just think that's a horrible thing to do to take a beautiful area like that and -- and hem it with something that is potentially commercial.

Hoaglund: And Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Follow up, Mr. Sevoy. And this is down at -- at Black Cat -- Black Cat and Franklin Road.

Sevoy: Right.

Hoaglund: Right. So, what I would ask you is to come back on July 19th. We will be taking testimony to that --

Sevoy: That would fine.

Hoaglund: -- so that would be great to have your comments on the record there during that time.

Sevoy: Absolutely.

Hoaglund: Great.

Sevoy: Thank you.

Hoaglund: Thank you.

Simison: So, with that, Mr. Council President, would you like to restate your motion.

Hoaglund: Yes, Mr. Mayor. I move that we continue the public hearing for Black Cat Industrial Project, H-2021-0064, to July 19th, 2022, and with the condition that the applicant is required to renotice the -- the hearing.

Cavener: Second the motion.

Simison: I have a motion and a second to continue Item 4. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the item is continued.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

ORDINANCES [Action Item]

- 5. Ordinance No. 22-1977: An Ordinance (Lennon Pointe Community H-2021-0071) for Annexation of a Parcel of Land Situated in the North ½ of the West ½ of Government Lot 4 in Section 1, Township 3 North, Range 1 West, Ada County, Idaho, and Being More Particularly Described in Attachment “A” and Annexing Certain Lands and Territory, Situated in Ada County, Idaho, and Adjacent and Contiguous to the Corporate Limits of the City of Meridian as Requested by the City of Meridian; Establishing and Determining the Land Use Zoning Classification of 10.41 Acres of Land From RUT to C-C (Community Business) (2.10 Acres) and R-15 (Medium High Density Residential) (8.30 Acres) Zoning Districts in the Meridian City Code; Providing that Copies of this Ordinance Shall be Filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as Required by Law; and Providing for a Summary of the Ordinance; and Providing for a Waiver of the Reading Rules; and Providing an Effective Date**

Simison: Next up is Item 5, which is Ordinance No. 22-1977. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance related to Lennon Pointe Community, H-2021-0071, for annexation of a parcel of land situated in the North ½ of the West ½ of Government Lot 4 in Section 1, Township 3 North, Range 1 West, Ada county, Idaho, and being more particularly described in Attachment “A” and annexing certain lands and

territory, situated in Ada county, Idaho, and adjacent and contiguous to the corporate limits of the City of Meridian as requested by the City of Meridian; establishing and determining the land use zoning classification of 10.41 acres of land from RUT to C-C (Community Business) (2.10 acres) and R-15 (Medium High Density Residential) (8.30 acres) Zoning Districts in the Meridian City Code; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; and providing for a summary of the ordinance; and providing for a waiver of the reading rules; and providing an effective date.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move we approve Ordinance No. 221977 with a suspension of rules.

Strader: Second.

Simison: I have a motion and a second to approve Ordinance No. 22-1977 under suspension rules. Is there any discussion? If not, Clerk will call the roll.

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

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

FUTURE MEETING TOPICS

Simison: Council, anything under future meeting topics?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: It makes sense you and the Council President engage in a future conversation or an updated memo about mailbox requests and the process with engaging the postal service and if we need to look at maybe any potential changes. Maybe a -- a meeting topic, maybe handled via e-mail, but just based on tonight a suggestion.

Simison: And Clint's in charge of that. Okay. Anything else from Council? Then do I have a motion to adjourn?

Hoaglund: Move we adjourn.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

MEETING ADJOURNED AT 6:42 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

_____/_____/_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK