

Meridian City Council Work Session

April 27, 2021.

A Meeting of the Meridian City Council was called to order at 4:31 p.m., Tuesday, April 27, 2021, by Mayor Robert Simison.

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

Also present: Chris Johnson, Bill Nary, David Tiede, Mark Ford, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

☒ Liz Strader	☒ Joe Borton (4:33 p.m.)
☒ Brad Hoaglund	☒ Treg Bernt
☒ Jessica Perreault	☒ Luke Cavener
☒ Mayor Robert E. Simison	

Simison: With that, Council, I will call this meeting to order. For the record it is April 27th, 2021, at 4:31 p.m. We will begin this afternoon's work session with roll call attendance.

Johnson: My apologies. We were muted to the outside world. Shall we start with attendance, Mr. Mayor?

Simison: Yes, please. And Councilman Borton should be joining us any second from that standpoint.

ADOPTION OF AGENDA

Simison: Next up is the adoption of the agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

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

Hoaglund: Second the motion.

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

MOTION CARRIED: ALL AYES.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of the April 13, 2021 City Council Work Session**
- 2. Approve Minutes of the April 13, 2021 City Council Regular Meeting**
- 3. Final Plat for Lavender Heights No. 2 (FP-2021-0016) by LH Development, LLC, Located Approximately ½ Mile West of S. Eagle Rd. and on the North Side of E. Lake Hazel Rd.**
- 4. Final Plat for Mile High Pines (FP-2021-0013) by Baron Ten Mile, LLC, Located in the Southwest Corner of N. Ten Mile Rd. and W. Pine Ave.**
- 5. Final Order for Teakwood Subdivision (FP-2021-0009) by JBI Elemental, LLC, Located at 1835 E. Victory Rd.**
- 7. Development Agreement Between the City of Meridian and Larry Kine, IAG Sadie Creek, LLC (Owner/Developer) for Aviator Subdivision (H-2020-0111), Located Near the Northeast Corner of N. Black Cat Rd. and W. Franklin Rd., Directly North of Compass Public Charter School**
- 8. Resolution No. 21-2268: A Resolution Reappointing Stephen Lewis to Seat 5, Tracy Hopkins to Seat 6 and Jared Smith to Seat 7 of the Meridian Transportation Commission**
- 9. City of Meridian Financial Report - March 2021**

Simison: Next item is the Consent Agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: We need to take Item 6 off the Consent Agenda and strike that or vacate that -- that item from the agenda. Other than that, there are no changes and I move that we approve the Consent Agenda as amended, for the Mayor to sign and for the Clerk to attest.

Hoaglund: Second the motion.

Simison: I have a motion and a second to approve the Consent Agenda, taking item -- removing Item 76. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it and the Consent Agenda is agreed to as amended.

MOTION CARRIED: ALL AYES.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

Simison: So, under -- that item was vacated, it was not asked to be moved; correct? Or do we need to move it -- take action under moved items?

Nary: No, we don't need to take action.

Simison: Okay. We don't need to take any action. So, there were no items moved.

ACTION ITEMS

10. City Clerk: Appeal of Denial of Mobile Sales Unit License 21-0060 by Brandon Slater of Barrier Pest Control

Simison: So, next item in under Action Items is a city clerk appeal of denial of mobile sales unit license 21-0060 and I will turn this over to Mr. Nary.

Nary: Thank you, Mr. Mayor, Members of the Council. So, what you have in front of you is a request for -- to overturn the decision of the clerk's department in denying a license to Mr. Slater and so he -- we have explained to him what the ordinance says and what the circumstances of our ordinance and what -- why he was denied and he would like to explain his current circumstances and we did explain to him that that isn't -- isn't in the ordinance specifically, but he still would like to speak to the Council about it.

Simison: Okay. For the record Councilman Borton joined us at 4:33 p.m. Do we have Mr. Slater present?

Johnson: Mr. Mayor, we do not. Not online or in person.

Simison: Should we move on to the next action items while we wait to see if he shows up?

Nary: That's certainly your prerogative, Mr. Mayor.

Simison: Council, what say you? Would you like to move on, table this item for a few minutes? Councilman Bernt.

Bernt: I don't have any problem with that.

Cavener: I agree.

Simison: All right. Then we will come back to this item if Mr. Slater does appear.

DEPARTMENT / COMMISSION REPORTS [Action Item]

11. Information Technology: Fiscal Year 2021 Budget Amendment in the Amount of \$18,135.00 for Reclass of Web Developer to Software Engineer

Simison: So, next item is the Information Technology fiscal year 2021 budget amendment in the amount of 18,135 dollars for reclass of web developer to software engineering. I will turn this over to Director Tiede.

Tiede: Thank you, Mr. Mayor. Happy to be here this afternoon, Mayor and Members of the City Council. Here before you to talk about a budget amendment that the Mayor mentioned. This request is to reclass our web developer position to a software engineer. We have recently had this position vacated and through this process we realized that we did not have the correct skill level that we need for this position and so in talking with some of our employees that use the tools to manage the website we found that they are cumbersome, they don't allow them the flexibility to edit and control and do integration with media and other things on the website that they would like to do. So, right now a lot of that is being handled by a web developer, rather than our employees that can do that task right now. So, with this direction we would also like to move to an open source CMS that will give them a lot more flexibility in how they are able to maintain the website and the position as -- as proposed would also be able to handle managing this tool, as well as handling forms and other website needs, which will continue to advance our website to the next level, which we feel is necessary for the City of Meridian. So, with that I will mention that I did send a memo mail out to you and happy to read that in full if you would like. But, otherwise, I stand here for questions regarding this amendment.

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Just one question. Dave, does -- does this position, then, kind of indicate that we are moving towards kind of a redesign of the city website? Is that what's intended as well?

Tiede: Councilman Cavener, that is definitely on the radar. That is something that the communications team has brought up and that team is headed up by the communications manager. That position is currently vacant. So, that is on the radar. It is not something that will be addressed immediately with this position, but it is something that is on the radar and is slated to be evaluated this year for redesign.

Cavener: Thank you, Dave. Thank you, Mr. Mayor.

Simison: Councilman Cavener, I will just add my two cents onto that. My -- my perception is that once we complete a redesign you should already be thinking about your next one. When and how it's implemented, though, is always subject to time, availability, other

things, because by the time we decide what our direction is it takes a year to implement with the crossover and changeover and, you know, technology, what can change in a year or perception. So, it will constantly be on the radar from my perception. Council, any additional questions? If not, do I have a motion?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Move that we approve the budget amendment for the fiscal year 2021 in the amount of 18,135 dollars for the reclass of the web developer to software engineer.

Cavener: Second the motion.

Simison: I have a motion and a second to approve the budget amendment request. 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 amendment is agreed to. Thank you, Dave.

MOTION CARRIED: ALL AYES.

12. Parks and Recreation Commission: Annual Report

Simison: Okay. I do not see our item for number ten individual in the room at this point in time, so we will move on to Item 12, which is the Parks and Recreation Commission annual report. I see we have Commissioner Greer here to provide that. So, we will turn this over to her.

Greer: Good afternoon, Mr. Mayor and Council Members and Council Members at home. My name is Jo Greer. I am the current Parks and Recreation Commission President. I am pleased to be here before you to present the Parks and Recreation Commission annual report for 2020. Also because I have the opportunity to be in front of you I wanted to personally thank the city for how gracefully you handled the past year, not only from announcing protocols to finding all -- but also to finding alternative methods to hold meetings. Not that you need accolades, but it was appreciated and it made me proud to be a resident of Meridian and thank you for that. Before we go through the 2020 Parks and Rec Commission report summary I would like to also emphasize how the Parks and Recreation Department really showed up over the past year. As people sought refuge from the hovering gloom of COVID by being outdoors, the entire department came together and delivered alternative activities and/or modified existing activities to provide community engagement. Sports classes, camps and special events activities were added or modified to allow for residents of all ages to participate throughout the entire year. They even saved Christmas. Fun. Okay. Now down to business. Every year the Commission

develops a list of annual goals. The following items highlight the applicable goals and, of course, they are only possible due to the tremendous efforts of the Meridian Parks and Recreation Department staff. Pathway connectivity across Meridian was the Commission's top priority for 2020. For the annual Parks and Recreation Commission pathways tour we traveled from Renaissance Park to Bear Creek in South Meridian by bicycle, then the Mayor joined us and Councilman Hoaglund to gain individual perspective of the current status and conditions of the pathway system. This year we plan to visit several key pathway locations that were completed last year, including the St. James Court sidewalk widening -- a mouth full -- and the Ten Mile trailhead. This property tours will be -- tour will be on Wednesday, May 12th, 2021. You are all welcome to join us. Just bring a bicycle and a helmet and smiling faces if we can see those if we have masks. The Commission has also been engaged with reviewing over a dozen pathway segments currently going through project development. We are hopeful that many of these will be ready to move forward towards construction next year. Discovery Park phase two design was placed on hold last year. However, the Commission supports to the current concept plan and design phase to include areas for activity play, softball teams and a bike park. Once it is complete we hope to see construction begin sometime next year. From what I understand -- understand Council has requested recent updates to the concept plan, including the expansion of the skate park and bike park areas. I was pleased to see something for teens, although my son has kind of outgrown the park system and we didn't really have a lot in place for that. The Commission has viewed and discussed the preliminary concept ideas for the community -- community center. We support and look forward to the future design concepts and feel this would be a tremendous asset to the community. The Commission also participated in a partnership with the Meridian Arts Commission to add themes and identity in the form of art to Renaissance and Champion Park and we look forward to continuing the partnership for the Ten Mile trailhead. We gladly participated in the design of the Heroes Park parking lot expansion. Anyone who has tried to park there you probably are excited as well. This project has been designed and bid and is scheduled to begin construction this summer. It will be between sports seasons to avoid creating more of an issue with parking. Before I stand for questions there were so many items that I wanted to cover, but I wanted to keep it short and I did want to add that Kleiner Park has a new pollinator garden near the community garden. A new six piece gym, which most of this stuff you guys are already aware of and also the arborist is working on a self-guided tour. Also if you haven't heard, the Lakeview Golf Club is officially being operated by the city and we try to reserve the facility for April meeting to view the condition of the course and to learn more about the operation and future plans for the facility. If you haven't been out there it looks -- looks really great and they are putting a lot of efforts into it. Other than that I stand for any questions you guys might have.

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

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Not a question, but a comment. Jo, thank you for the report and I'm glad that the Commission is keeping that community center on the radar. It's no surprise, but -- I mean it's in the CFP and it's -- whether it's downtown or somewhere else we -- it's just a critical part of the Parks Department and what our community depends on. So, I think it's fantastic that the focus still remains on that and we keep that commitment to ensuring that resource is available to our community. So, thank you for that.

Greer: Thank you, Councilman Borton.

Simison: Council, any additional questions or comments?

Perrault: Mr. Mayor?

Simison: Council Woman Perreault.

Perrault: Wanted to say a quick thank you to the Parks and Recs Commission and any chance that we have to thank our volunteers I -- I know that we will take it, because they -- this Commission just has this huge heart for our community and I love seeing and I love that they want to make a difference and they have had great leadership over the last few years and I just want to say thank you very much as your liaison and as a member of our community for the commitment that's been made and the time and energy and phenomenal amount of care and thought that's gone into the role that you serve. So, thank you very much.

Greer: Thank you, Council Woman Perreault.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Good to see you, Jo. It's a real pleasure to have fellow commissioners on the commission come and speak for us and I just -- I just want to echo what my fellow Council Members have said in regard to your effort and the time you spend, your volunteerism. You have done such a great job in -- in all things parks and rec, especially the Christmas stuff that you originally got involved with a long long time ago and so you do such a great job and I just wanted to say thank you and if you could express that to your fellow Commissioners I would really appreciate it as well.

Greer: Thank you, Councilman Bernt. I -- I started out because of you, as you know with the Christmas activity and definitely will pass that along. I'm glad I'm wearing a mask, because you guys are making me turn a little red.

Simison: Thank you. Thank you, Jo, and I was hoping that Councilman Bernt would say due to his long-standing relationship and involvement with the Parks and Rec Commission, but kudos to all you guys do.

Greer: Thank you, Mr. Mayor. I hope to see you guys at the parkways tour; right?

Bernt: Oh, Mr. Mayor?

Simison: Councilman Bernt.

Bernt: What is that date one more time?

Greer: It is May 12th. And if you want further information we can get that sent out to you.

Bernt: Okay.

Greer: I don't know that we have identified a time. I believe that we are leaving from the trailhead. TBD. We are going to talk about it.

Bernt: Awesome.

Simison: Thank you, Jo.

Bernt: Thank you, Jo.

Greer: You guys have a good evening.

10. City Clerk: Appeal of Denial of Mobile Sales Unit License 21-0060 by Brandon Slater of Barrier Pest Control

Simison: Okay. So, Council, we are back to where we started, but our interested party is not here. So, would it be appropriate to vacate or would we like to hear from Sergeant -- sorry -- Lieutenant Harper on the situation. What would be the most appropriate step at this time?

Nary: I think that would be the best course of action. We could at least explain why. The letter is in the packet as to the reasons as well, but -- then the Council can decide if you want to make a decision or give the opportunity -- another chance to come back.

Simison: Mr. Harper, at your pleasure.

Harper: Mayor, Council, thanks for having me today. I will be very short and sweet. After reviewing this applicant's application for a mobile sales license we denied him based off one of the subsections in regards to why we deny applicants based off of the applicant's past. So, it was very clear cut. The clerk's office did an excellent job explaining it, as well as legal explaining it to him. We verified that it was him that put the application in and the information we had in regards to his past was accurate and he just wanted to be heard. We tried to explain the rules and how things worked, but he wanted to be here today, but it was not to be, so that's about all I have.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Yeah. I guess for the purpose of the record at least the -- the applicant did have all of this explained to him as well and as Council recalls we have just recently went through this ordinance and changed some of the lifetime restrictions, we changed some of the years, brought some of them down a little bit to do that. What I discussed with our deputy Emily Kane and spoke with Lieutenant Harper briefly before the meeting, is we may -- it may be in this city's interest to be specific in what you can appeal, because unless it isn't you or unless the judgment was expunged -- you may recall last year we had one that the judgment had been expunged, but our records didn't indicate that. He went and got the proof of it and we went ahead and issued the license. So, unless it isn't you or it's expunged. There is no other discretion for Council to grant these licenses in the current ordinance. So, if you would like us to bring back a change to put those specific grounds in there so that -- again, I sympathize with folks, I understand, I appreciate people whose have changed their lives, but we have taken a position on where these belong, whether people should be going up to people's houses, in their backyards, in their house, what types of history we would prefer they not have or at least not recently. We could certainly do that.

Simison: Mr. Nary, that's where I was going to go with the conversation was either to make it clear that it's not appealable altogether or to clearly define what is appealable.

Nary: Well, from a due process standpoint, Mr. Mayor, it is a little concerning to us to make it unappealable. If there is some grounds to appeal it -- but, clearly, the Council has the discretion to say a person with this particular charge within this particular time period can either never have a license -- if it's certain types of offenses they can never have a license or they have to wait three, five, ten years, whatever it may be.

Simison: Councilman Borton.

Borton: Well, Mr. Mayor -- and this one in particular seems very clear. The direction from code is clear. The facts are relatively clear. His absence doesn't add anything to it. So, I don't know of a decision other than denying the appeal.

Simison: Does Council have a position on what Mr. Nary stated regarding should we limit what appeals are hearable?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just a quick comment on that. It's hard to pre-judge and pre-vet what may be appealable. You almost -- you almost error on the side of due process and if an individual wants to come to Council and have something that shows it wasn't them, as -- as Mr. Nary

is describing -- unlikely, but if they have that right, if that rare circumstance ever exists. It's probably a lot easier for us to administer the extra hearing that allows that to happen than try to foreclose the right to even request it on the front end. So, every now and then I think we are just going to get snagged with a hearing like this that might be easy to resolve, but it's the lesser of two evils.

Simison: Well, then, with that do I have an official motion from Council?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we deny the appeal of mobile sales unit license 21-0060 by Brandon Slater of Barrier Pest Control.

Hoaglund: Second the motion.

Simison: I have a motion and a second to deny the appeal. Is there any discussion? If not, all those in favor signify by saying aye. Opposed nay. The ayes have it and the item is denied. Thank you, lieutenant.

MOTION CARRIED: ALL AYES.

Simison: Council, we have reached the end of our work session agenda. Do I have a motion?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we adjourn.

Hoaglund: Second the motion.

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

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 4:54 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON
ATTEST:

DATE APPROVED

CHRIS JOHNSON - CITY CLERK