

A Meeting of the Meridian City Council was called to order at 6:01 p.m., Tuesday, September 21, 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, Brad Purser, Shawn Harper, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

☒ Liz Strader (6:05 p.m.)	☒ Joe Borton
☒ Brad Hoaglund	☒ Treg Bernt
☒ Jessica Perreault	☒ Luke Cavener
☒ Mayor Robert E. Simison	

Simison: Council, call the meeting to order. For the record it is Tuesday, September 21st, at 6:01 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: Next item is our community invocation, which will be given by Pastor Vinnie Hanke. If you would all, please, join us the community invocation or take this as a moment of silence. Pastor.

Hanke: Thank you, Mr. Mayor, Members of City Council. Thank you, again, for the opportunity to come and pray for you and with you this evening and just know on Tuesday nights when I'm not here I'm still praying for you. Let's pray. Father God, we thank you for this evening. We thank you for the opportunity to gather open and in public to discuss the business of the city. Father, we think about cities across the nation who haven't had the same opportunity and privilege at this time. Pray that you would guide them -- their leaders as well. I ask for those gathered here tonight, God, you would grant them wisdom and discernment as they consider the business of the city. We thank you for the prosperity and freedom we experience here in Meridian and ask that you would receive glory from it and you would help them to steward it well. God, we think of our first responders and on the frontlines, those in our hospitals, and we ask that we continue to guide them and protect them as they serve our community, for our teachers and our students, God, as

they begin the school year under just continued pressure. We ask for wisdom and discernment as well. God, we ask that you would help Meridian to be a place where neighbors love one another and serve one another. Where kindness and love rule and reign and that you would be glorified. We ask these things through Christ, our Savior, amen. God bless you all. Thank you.

ADOPTION OF AGENDA

Simison: Thank you. Next item is the adoption of the agenda.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I would like to make a motion that we move -- I move to adopt the agenda as published.

Hoaglund: Second the motion.

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

MOTION CARRIED: ALL AYES.

PUBLIC FORUM – Future Meeting Topics

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

Johnson: Mr. Mayor, no.

ACTION ITEMS

1. Public Hearing for City of Meridian Proposed New and Increasing Fees

Simison: Okay. Then we will move into our Action Items this evening. Our first item up is a public hearing for City of Meridian proposed new and increased fees. Turn this over to Mr. Purser.

Purser: Mr. Mayor, Council Members, appreciate being here tonight. I don't have anything further to add from my comments a few weeks ago. I am here. I'm happy to answer any questions --

Simison: Can you pull up the mic so we can --

Purser: Is that better? I don't have any further comments to add to what I said a few

weeks ago. But I am here for any questions, so if you have any that I would be happy to address those.

Simison: Okay. Thank you. For the record Council Woman Strader has joined us at 6:05. Is there any questions for staff at this time?

Hoaglund: Mr. Mayor, just a quick question.

Simison: Councilman Hoaglund.

Hoaglund: Mr. Mayor, Brad, prices haven't gone up in the meantime have they?

Purser: Mr. Mayor, Councilman Hoaglund, appreciate that and not that I'm aware of. I'm sure there has been some fluctuations, but we will capture those at a later date.

Hoaglund: Thank you.

Simison: Okay. Council, any additional questions? Okay. 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 did not.

Simison: Okay. Is there anybody online that would like to provide testimony on this item? If so you can use the raise your hand function at the bottom of Zoom. Seeing no one wishing to testify and raise their hand, Council, do I have a motion to close the public hearing?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we close the public hearing.

Hoaglund: Second the motion.

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

MOTION CARRIED: ALL AYES.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: What type of motion are we looking for in this item one? Are we looking at just a

blank motion to approve new increasing fees and the Finance Department -- well, how do you -- how would you want that worded?

Nary: Mr. Mayor, Members of the Council, Council President Bernt, yes, simply that and, then, we will bring forth a resolution establishing those fees. So, we will craft a resolution with the Finance Department and, then, put that on at a future meeting.

Bernt: All right. So, is there even a motion needed this evening or are we just going to put it in a resolution?

Nary: Motion for the direction to bring the resolution back, yes.

Bernt: Okay. Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we -- I move that we direct the Finance Department to bring back a resolution with the proposed fee increases at a later date.

Hoaglund: Second the motion.

Simison: I have a motion and a second to bring back a resolution with the proposed fee changes. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it. We will bring a resolution back forthwith.

MOTION CARRIED: ALL AYES.

2. Request for Reconsideration of City Council's Decision of Speedy Quick (CR-2021-0003) by Clark Wardle, Located at 2560 S. Meridian Rd.

Simison: Next item is Item 2, request for reconsideration of City Council's decision of Speedy Quick, CR-2021-0003, and we will turn this over to Mr. Nary.

Nary: Thank you, Mr. Mayor, Members of the Council. So, you have a request in front of you from counsel for Speedy Quick asking for a review of your decision back from July 6th and that -- the counsel was interpreting the city UDC ordinance and the interpretation of that ordinance. The counsel is in disagreement with the Council's ultimate decision and with the findings that were provided subsequent to that. In reviewing -- in reviewing the decision and reviewing the findings, at least from the Legal Department's perspective, the decision certainly followed the ordinance properly. The findings are sufficient, but there are some more specific detail that could be included that would provide a little bit more detail to a district court if this were to be appealed. So, our recommendation would simply be to grant -- or excuse me. To grant the request for reconsideration only to the findings themselves and to request a new set of findings be brought forth before you. We have a draft ready to go that can be on your agenda next Tuesday for your consent and review and that not to reconsider the decision itself, but just merely the findings and to

remanded it for that new findings.

Simison: Thank you, Mr. Nary. Council, any questions?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I -- I thought the letter of August 31 that the applicant submitted with this request for reconsideration laid that out well. I think Mr. Nary's advice is well taken, that asking that -- that we grant the reconsideration to get some amended findings of fact, conclusions of law, provide a little more context to the reason statement and explanation for the decision that we made is appropriate. So, I will make a motion that we grant the request for reconsideration for that limited purpose, to allow Legal to provide an amended findings of fact, conclusions of law and final order that's discussed today.

Bernt: Second.

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

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just for that context a little bit more is -- is a little more supplement to the reason statement that explains the criteria and standards that we all considered, the facts that we relied upon and the rationale that all of us discussed and applied in coming to our ultimate decision. That the findings include some more context there for the benefit of the applicant as well.

Bernt: Second agrees.

Simison: Okay. Is there further discussion? I will ask the Clerk to call the roll.

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

Simison: All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

ORDINANCES [Action Item]

- 3. Ordinance No. 21-1949: An Ordinance (H-2020-0122 3175 N. Ten Mile Rezone) for Rezone of a Parcel of Land Being a Portion of Government Lot 1 of Section 3, Township 3 North, Range 1 West, Boise Meridian,**

Ada County, Idaho; Establishing and Determining the Land Use Zoning Classification of 1.16 Acres of Land from R-4 (Medium Low Density Residential) Zoning District to L-O (Limited Office) Zoning District 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: With that we will move on to Ordinances, Item 3. Ordinance No. 21-1949. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance related to H-2020-0122, 3175 N. Ten Mile rezone. Rezone of a land being a portion of Government Lot 1 of Section 3, Township 3 North, Range 1 West, Boise meridian, Ada county, Idaho; establishing and determining the land use zoning classification of 1.16 acres of land from R-4 (Medium Low Density Residential) Zoning District to L-O (Limited Office) Zoning District 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 that we approve Ordinance No. 21-1949 with a suspension of rules.

Hoaglund: Second the motion.

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

MOTION CARRIED: ALL AYES.

FUTURE MEETING TOPICS

Simison: Council, anything under future meeting topics? Or do I have a motion to adjourn?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we adjourn the meeting.

Hoaglund: Second the motion.

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

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 6:12 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK