

A Meeting of the Meridian City Council was called to order at 6:04 p.m., Tuesday, January 4, 2022, by Mayor Robert Simison.

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

Members Absent: Joe Borton.

Also present: Adrienne Weatherly, Bill Nary, Caleb Hood, Sonya Allen, Joe Dodson, Scott Colaianni, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

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

Simison: Council, call the meeting to order. For the record it is January 4th, 2022, at 6:04 p.m. We will begin this evening's regular City Council meeting with roll call attendance. We want to make sure Council Woman Perreault can hear us. Do we have a way to turn up the external volume going out of the system?

Perreault: My volume is all the way up.

Weatherly: Mr. Mayor? Mr. Mayor, I have been told by our technical department that any external audio is on their end. I -- our -- our audio is up -- if I turn our audio up it only turns our audio up in the room.

Simison: Okay.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Do you want to give Ms. Perreault an opportunity maybe to reboot her computer or do something, so that she -- headphones?

Simison: Or would you like to call in on the system, Council Woman Perreault?

Bernt: I will call her.

Perreault: Were you speaking to me, Mayor?

Simison: Yeah. We were.

Perreault: I -- I'm trying to use a Bluetooth speaker, but that's also not working, so just try and speak up I guess.

Simison: Councilman Bernt is calling you right now.

Perreault: Hello.

Bernt: Do we have a quorum still?

Simison: We have a quorum. She's going to reboot. We will go ahead and do the part of -- the next few items.

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: Our next item is the community invocation. Do we have Pastor Hanke with us online or otherwise? Make sure --

ADOPTION OF AGENDA

Simison: It's not looking like online, so we will go ahead and move on to the adoption of the agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Other than the change that we will take care of in the Consent Agenda, there are no changes to the agenda, so I move that we adopt the agenda as published.

Strader: Second the motion.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of the December 14, 2021 City Council Work Session**
- 2. Approve Minutes of the December 14, 2021 City Council Regular Meeting**
- 3. Approve Minutes of the December 21, 2021 City Council Work Session**
- 4. Approve Minutes of the December 21, 2021 City Council Regular Meeting**
- 5. Adler Industrial Site 32 Sanitary Sewer Easement No. 3**
- 6. Adler Industrial Site 32 Water Main Easement No. 1**
- 7. Adler Industrial Site 32 Water Main Easement No. 2**
- 8. Sawtooth Landing Office Condos Sanitary Sewer and Water Main Easement No. A and B**
- 9. Final Plat for Gander Creek North No. 2 (FP-2021-0051) by Kent Brown Planning Services, Located on the South Side of W. McMillan Rd., West of N. McDermott Rd.**
- 10. Final Plat for Gander Creek North No. 3 (FP-2021-0052) by Kent Brown Planning Services, Located on the South Side of W. McMillan Rd., Approximately a Half-Mile West of N. McDermott Rd.**
- 11. Final Plat for Southridge South Subdivision No. 1 (FP-2021-0059) by The Land Group, Located on the South Side of W. Overland Rd., ¼ Mile East of S. Ten Mile Rd.**
- 12. Final Plat for Winco Wells No. 1 (FP-2021-0057) by The Land Group, Located at 2700 E. Overland Rd.**
- 13. Findings of Fact, Conclusions of Law for Outer Banks Subdivision/The 10 Meridian (H-2021-0063) by J-U-B Engineers, Inc., Located at the Southwest Corner of W. Franklin Rd. and S. Ten Mile Rd.**
- 14. Findings of Fact, Conclusions of Law for Pera Place Subdivision (H-2021-0056/H2021-0091) by Leavitt & Associates Engineers, Located at 4600 W. Daphne St., 4546 W. Daphne St., and Parcel S0427325702, Near the Northeast Corner of N. Black Cat Rd. and W. McMillan Rd.**

- 16. Addendum to Development Agreement Between the City of Meridian and Intermountain Pacific, LLC (H-2021-0022 Gramercy Commons MDA) for Property Located at 1873, 1925 and 2069 S. Wells Ave.**
- 17. Development Agreement Between the City of Meridian and Banks Group, LC for Intermountain Wood Products (H-2021-0042) for Property Located at 255 and 335 S. Locust Grove and 300 and 330 S. Adkins Way**
- 18. Development Agreement Between the City of Meridian and Toll Southwest LLC (Owner/Developer) for Oaks North and Oakmore (H-2021-0058), Located on Over 200 Acres on the North Side of W. McMillan Rd., Between N. Black Cat Rd. and N. McDermott Rd.**
- 19. Artist Acceptance Agreements for the Display of Artwork in the Initial Point Gallery February 2022 - July 2022**
- 20. Artist Acceptance Agreements for the Display of Artwork in the Initial Point Gallery July 2022 - November 2022**
- 21. Agreement to Accept Payment in Lieu of Installing Streetlights at Sky Mesa Highlands No. 1 Subdivision**
- 22. City Utilities and Streetlight Improvements Reimbursement Agreement Between the City of Meridian and High Desert Development Linder Village, LLC for Project No. A020(594) US 20/26, Linder Rd. to Locust Grove Rd. – Phase 1**
- 23. Idaho Certified Local Government Grant Memorandum of Agreement Between City of Meridian and Idaho State Historical Society for 2021 Grant Award**
- 24. Recycled Water User Agreement Between the City of Meridian and Adler/Grand Jr. for the Use of Reclaimed Water for Landscape Irrigation and the FedEx/Amazon Buildings on Franklin Rd.**
- 25. Sole Source Purchase Contract for G&W Insulated Pad Mounted Switch Gear and Associated Parts for the Not-To-Exceed Amount of \$205,508.00 and Authorize the Procurement Manager to Sign**
- 26. Resolution No. 22-2304: A Resolution Declaring the Intent of the City of Meridian to Convey to the Ada County Highway District for Right of Way Purposes a Portion of Certain Real Property Located at Discovery Park Off of E. Lake Hazel Rd. Approximately 1.66 Acres; Instructing the City Clerk to Establish and Notice a Hearing to Review the Proposed Conveyance; and Providing an Effective Date**

Simison: Do you want to stop there or would you like to do the Consent Agenda? Okay. Next item up is the Consent Agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we vacate Item 15 on the Consent Agenda. With that said, I move that we approve the Consent Agenda -- amended Consent Agenda, for the Mayor to sign and for the Clerk to attest.

Hoaglun: Second the motion.

Simison: I have a motion and a second to approve the Consent Agenda, except for Item 15, to have it vacated. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it and the Consent Agenda is adopted.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

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

PUBLIC FORUM – Future Meeting Topics

Simison: So, the next item up is Public Forum. Madam Clerk, do we have anyone signed up on the Public Forum?

Weatherly: Mr. Mayor, we do not.

Simison: Okay. Then we are to Department Reports. Since Council Woman Perreault did have questions on this item I would like to wait here, see if we can get her reestablished.

Bernt: There she is. Can you hear us now, Jessica?

Simison: You're -- you're on mute.

Perreault: Oh. Just barely. Just do your best. I mean I can -- I can hear you just a little bit. I can dial in, too, if I need to.

Bernt: That's what I was going to say. Do -- do you want to dial in?

Perreault: Okay. What's that?

Bernt: Would you prefer to dial in, since that would --

Perreault: I will -- yes, I will try.

Bernt: Okay.

Perreault: Okay.

Bernt: Okay. We are going to wait for you to dial in, because of Action Item 27. It's the police one, so -- I know you had some questions.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Bernt: There you go.

Simison: Can you hear now? Council Woman Perreault, are you able to hear us through this --

Bernt: Jessica, can you hear us?

Perreault: No. I keep getting -- I keep getting a message that says that the host would like me to unmute my microphone on my telephone and it's not muted. So, just carry on with the meeting and I will keep working on it.

DEPARTMENT REPORTS [Action Item]

27. Police Department: Fiscal Year 2022 Budget Amendment in the Amount of \$121,500.00 to Replace Two Totaled Patrol Vehicles (Unit 111 and Unit 154)

Simison: Okay. So, with that we will move on to Item 27, which is the Police Department fiscal year 2022 budget amendment in the amount of 121,500 dollars to replace two totaled patrol vehicles. Captain.

Colaiani: Can you hear me? Okay. Happy New Year. It's been a while since I have been here and --

Bernt: Happy New Year.

Colaiani: -- it's good to see everybody and I appreciate the time tonight. In front of you tonight is a budget amendment in the -- for 121,500 dollars for the Police Department to replace two totaled vehicles that were totaled in a pursuit of a DUI driver back in August and the process has taken us a bit of time to get to this point where we are now in a position that we need to order these vehicles and replace them. One of the vehicles was a 2016 with about 95,000 miles on it. So, obviously, costs of everything has gone up over the years as everybody recognizes in this economy. So, we are now purchasing a 2022 vehicle to replace the 2016 vehicle. Because the body style has changed over the years a lot of the equipment that is in the 2016 vehicle will not fit in the '22 vehicle, so we have

to buy new equipment. The other vehicle that was totaled in the pursuit is a newer vehicle. It's two years older. Most of that equipment will transfer over. We submitted one claim through ICRMP and paid one -- I lost the word for it. We -- we paid one -- deductible. Thank you. We paid one deductible for the vehicles that were totaled. As part of ICRMP's process they go through and look at like a Kelley Blue Book or NADA to look at the conditions of the vehicle at the time of the accident and give us the value of that. Obviously, with having to buy new vehicles and the value we were given of the vehicles there is a gap in pay in order to get the new vehicles ordered in the sum of 121 dollars 500 and zero cents and so we are coming to you tonight for your permission to move forward on this process.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Maybe just a basic question. So, will the insurance company, then, take action against the individual responsible for the DUI to recover that or how does that typically work?

Colaianni: It's -- it's a fair question. It's a good question. So, I would leave it up to ICRMP to answer that, but -- and maybe Nary can -- Mr. Nary can weigh in. But my guess is, yes, to recover some of those costs. It's like if an uninsured motorist hit you, your insurance company would take care of you and, then, that insurance -- your insurance company would go after them to recover those costs. Whether that -- that person is going to be able to pay back these costs is unknown. I would leave that up to ICRMP to pursue and that's what we pay them for, quite honestly.

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, Council Member Strader, so --

Simison: Get in close.

Nary: Is this better? Okay. So, ICRMP will go after the insurers -- the -- the perpetrator's insurance if he has any. Otherwise, the court also will order restitution from them as well. So, we will collect whatever we are able to collect back. But, yeah, we definitely will pursue that as much as we can.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: So, is it typically part of our process in a situation like this to collect the restitution? Is this part of our standard processes?

Nary: Yes.

Strader: Okay. Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Question from Council Member Perreault. Curious if the insurance coverage that the city has is the same as private owners coverage.

Nary: So, actually, it's better, because we -- we cover our entire fleet of vehicles. All city vehicles are covered. All the equipment in there is covered. So, it's better than you would normally purchase for yourself through ICRMP. So, yeah, all of that is covered -- covered. We have -- again, we have one single deductible that we have to pay for that and, then, the rest of it all is paid back by insurance.

Cavener: Mr. Mayor, follow up.

Simison: Councilman Cavener.

Cavener: Bill, when we -- when IRCMP goes after the perpetrator and we seek restitution, is that for the cost that ICRMP pays for the car or the cost that ICRMP pays for the car plus the 121,500 that we are potentially going to approve tonight?

Nary: Two -- two different accounts. So, we have an insurance account that all recoveries that we get go through Finance and, then, that account is reconciled with the General Fund at the end of the fiscal year. We purchase from a different account, so they don't necessarily match one to one. So, it really is -- we get back -- we recover whatever we can recover. That goes through that and it goes, then, all back to the General Fund as one big --

Simison: Yeah. I think we are only allowed to recover fair market value of the assets which were destroyed at the time.

Nary: Correct.

Simison: So, we are paying -- we are paying the leasing costs of those 95,000 miles.

Colaianni: As we all know with cars, as soon as you drive them off the lot they start to depreciate; right? And so that's what happens. And just to clarify, when we purchase these cars and we put in all this equipment, all of that stuff is covered. We package it up and we get a cost and we send it over to -- to Legal and give it to Michelle Albertson and say we -- we have put this car online, it has all this equipment in it, it costs this much. This is the value of it to make sure everything is encompassed in that.

Simison: Council, any additional questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Move that we approve the fiscal 2022 budget amendment in the amount of 121,500 to replace two totaled patrol vehicles.

Hoaglund: Second the motion.

Simison: I have a motion and a second to approve Item 27. Is there any discussion? If not, Clerk will call the roll.

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

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Colaianni: Thank you.

ACTION ITEMS

- 28. Public Hearing Continued from November 16, 2021 for Centerville Subdivision (H-2021-0046) by Engineering Solutions, LLP, Located at 4111 E. Amity Rd. (including the outparcel to the south) and 5200 S. Hillsdale Ave., at the Southeast Corner of S. Hillsdale and E. Amity**
 - A. Request: Annexation and Zoning of 40.49 acres of land from RUT to the R-8 (13.38 acres), R-15 (24.17 acres), and C-C (2.95 acres) zoning districts.
 - B. Request: A Preliminary Plat consisting of 249 total lots (124 single-family residential lots, 79 townhome lots, 4 multifamily lots, 4 commercial lots, 34 common lots, and 4 other lots) on 38.95 acres of land.

Simison: Next item is a public hearing continued from November 16th, 2021, for Centerville Subdivision, H-2021-0046. I will turn over this to Joe.

Dodson: Thank you, Mr. Mayor. I'm not entirely sure how deep you want me to go in, considering the depth that we went into last time. I don't know if you want me to give an overview just to refresh everybody or how -- how you guys -- how Council would like me to handle that.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Simple overview is good.

Dodson: Sounds good. All right. So, again, yes, this project was continued from November 16th. In general the site consists of 40 and a half acres. It's currently zoned RUT in the county. They want -- the applications before you are for annexation and zoning and a preliminary plat. It is located at the southeast corner of Hillsdale Avenue and East Amity Road. The proposal before you is to rezone 13.38 acres to R-8, 24 acres to R-15, and almost three acres to C-C zoning districts. The concept plan includes 219 single family units and 16 multi-family units and the preliminary plat consists of 249 total lots, which is 124 single family residential lots, 79 townhomes and four multi-family lots. Four commercial lots, 34 common lots, and four other lots on 38.95 acres of land. No CUP for the multi-family was submitted with this application, so that would be required at a future date. Quick recap. It was discussed at Commission twice. It was continued. They modified the site plan and removed all the apartments and, instead, included only townhomes. So, now, again, it's all -- except for the 16 units along Amity -- as you can see this was the original plan on the left. This is the revised plan. Except for these 16 units here everything is single family. At the -- well, the project meets all the minimum code requirements and exceeds a majority of them. They are required to install an interim signal at Hillsdale and Amity, as well as turn lanes on Amity for the entrance on the -- near the northeast corner and install a HAWK signal here. They are required as a condition of approval -- you know, what is RFB -- rapid beacon flashing signal thing for the kids to get to school safer there. Since the last Council hearing there were no changes to the plan that -- that was not discussed from my understanding that any -- any kind of changes were going to be required to the plan itself, but there was discussion about school capacities, as well as what are the number of units in the area that we have approved as a city. So, with that long range planning dug into some numbers and spent a considerable amount of time finding even the, quote, unquote, simple data of the total, because once we start digging into some of the older stuff it's a little hard and some of it was not well kept and that's our fault. Staff needs to be -- and we have been much better the last couple years about maintaining our records and keeping accuracy of the lots. So, after the analysis Miranda had done all of the residential projects completely south of it I-84, not just in a square mile around this, but everything south of the I-84 and it would be all the projects within city limits approved since March of 2018. There have been approximately 4,176 single family units approved and approximately 1,224 multi-family units approved. Of those approved units and -- and lots 1,265 single family building permits have been issued and 112 multi-family permits have been issued -- 112 units multi-family. So, again, those are -- there is some differences there, probably about a third of the single family and a tenth of the multi-family units have currently pulled building permits. Staff specifically did not include a timing on this, because it can be so fluid and it is just incredibly difficult. I -- I was afraid and long range was afraid of giving you a time frame and, then, it will change tomorrow. It's just not worth it to give you guys that kind of data on the timing, because it's just not going to be accurate automatically. So, with

that that is the -- that is the main component of why it was continued from staff's perspective. I know that there have been ongoing discussions with the West Ada School District and they have revised their letter, including some additional information in general that they are going to continue to put in the letters. The representative from the school district is not here tonight, but we do have long range planner -- planning to answer any of those questions if you have them. I can do my best as well. But they did revise the letter and I hope everyone got a chance to look at that. In addition, the applicant did provide a different letter that included their phasing plan with the estimated generation of each phase. I can pull that up if you would like as well. But as for that I am assuming Becky will speak to that more than I can. But I -- that's all I have for my presentation tonight.

Simison: Thank you, Joe. And for the record, Council Woman Perreault is watching on YouTube where she has a better audio feed to hear the conversation. We will see -- and it sounds like she will be communicating a little bit maybe through Councilman Cavener if there is a question or if she wants to come in we will bring her in only for her to do that to -- for that. But she's trying to get her -- oh, there she is.

Perreault: I think I have it figured out.

Simison: All right. Can you hear us all right? All right. Issue resolved. Perfect.

Perreault: Thank you.

Simison: Becky, turn the time over to you.

McKay: Mr. Mayor, Members of the Council, Becky McKay. Engineering Solutions. Business address 1029 North Rosario. Appreciate the Council taking the time to consider this project due to the complexity and the questions that were asked at the last hearing. I am always a proponent of -- you know, if there are outstanding questions you better -- you know, it's wise to take the time to try to get answers and try to clarify the issues. I was surprised the day after the hearing West Ada School District reached out to me because they watched the hearing the next morning, because word got back to the staff, and so Jonathan and Marcy did watch the Council hearing. They watched and listened to the Council's comments and concerns and the additional questions that they had about school capacity and they invited me to go to lunch with them and Dr. Bub to discuss the school district's concerns and situation and, basically, what they indicated to me is they -- they, basically, stated that the information they provide in their letters is a snapshot in time, because it can change one week later if somebody with six kids moves into a house -- you know, those numbers go up and they go down and so they -- they basically said to me, you know, we -- we felt that it was a disservice to you and your project to, obviously, be focusing all of the district's capacity issues on one project and -- and we -- we are sorry that -- that, obviously, you -- you got the firestorm. Well, I have been doing this 30 years before Meridian, so I have had a lot of firestorms and I said, well, you know, I was -- I was -- I was surprised, you know, in some of the testimony, but I said, you know, I have always been a proponent of what's best for the city and what's best for West Ada School District

and what can we do as a development community to make things better and improve things and -- and so they said, you know, the -- the information that -- that we provide in these letters is -- is an estimate and like -- like Marcy said, it is -- you know, it's -- it's information that's a snapshot in time and the new letter that you received was requested by me, because the original letter, one, it was months ago. Two, it was based on my original submittal, which had the multi-family component and had a different mix of residential and so I -- I sent Marcy what is before the Council now and I -- I requested that letter and I said could you, please, update your letter. She said sure, I, will update that letter and I will try to be more descriptive of what -- where our position is. But she said, you know, no project should be approved or denied based on our letter. Our letter is just information. She said we are not a land use agency. You know, we -- we are independent and we have to deal with the situation and -- and Dr. Bub was very very informative and he said, you know, we do have tools in our toolkit, but they are limited and he said, you know, our tools are -- our toolkit includes boundary adjustments, it includes portables, it includes busing, it includes bonds and he said -- but we would like to expand our toolkit and get impact fees like the cities have and I said, you know, I have -- I have asked this question for years, since impact fees were implemented, why is the school districts left out of that impact fee pot? Why -- you know, growth -- I have always been a proponent that growth should pay for itself and I said what can we do as a development community to help you? He said, well, you know, when the next legislative session begins he said we would like to propose legislation that will allow us to implement impact fees and we would like the development community to step up and support us and I said I'm there. I said I will go to the Building Contractors Association, I said I will be there for you, whatever you need me to do, because education and our children are our future and -- and so I said whatever you need I will do and I kind of explained the process to them of the mitigation impact that we are dealing with with ITD, that the city of Star and the city of Eagle have now started accepting what a mitigation fee would be for the impact of a project on the state transportation system. I have had multiple projects and like I told them, I said I have one project in Star that -- for Toll Brothers, which the impact fee was 658,000 dollars and I said if the school district -- I mean if you can't get actual impact fees, I said you could look at mitigation fees. Yes, we can handle your project, but we need to add a portable and that's 100,000 dollars. So, you know, what we have seen in Star and Eagle is the developers at first push back on that. But, then, they said, you know what, we understand, now we get it, that the city is on board and the city wants to make sure that the state transportation system can handle the traffic generated and there is a formula that ITD does to calculate what that impact is. I sent all that information to West Ada School District and the impact fee agreements that my clients have signed, so they can see how that's set up. So, if the -- if the impact fee route is not available, you could go a mitigation fee route that is part of that -- the development agreement that's where it's put in. It's part of the DA. Hang on. Give me a minute. Oh, dang it. Where did that go? Sorry. I'm kind of challenged. One of the things that -- that I did is I wanted to understand from West Ada -- and I asked a lot of questions at that two hour lunch meeting about their service area. Obviously, you know, when you go on the West Ada website it says an elementary is intended to serve approximately one and a half miles. But, eventually, it serves a mile. When they opened up an elementary school -- they don't open it up just to serve 50 kids. So, the boundary is large, because they want to maximize their dollars.

They want to be just as efficient as they possibly can and as the sections develop, then, that boundary starts shrinking and shrinking and typically it will shrink to a mile if we have normal densities and residential development and so this vicinity map that you see shows our Centerville project right here. It shows the Hillsdale Elementary kitty corner to us. And, then, West Ada owns this site kitty corner in a northwesterly -- so, that's a future middle school site. So, not only are we adjacent to an elementary, but we are adjacent to a future middle school site and we are well within the middle of that one mile radius and Dr. Bub indicated to me, you know, from an efficiency standpoint, obviously, we want projects approved closer to the elementaries than further and I know it was testified by -- by Ms. Johnson that, you know, busing is not an option. In that meeting I had they clarified busing is an option. We have, obviously, with COVID and disruption of elderly retired people being bus drivers, we have struggled to find enough bus drivers, but busing is still an option and they said -- I said, you know, would you rather have me out in the periphery, like the Daybreak Subdivision -- oops -- that you approved with 315 dwelling units or would you rather have me right -- right kitty corner to the school. They said we want you kitty corner to the school and so, you know, I think when you are looking from that macro position, you know, where are these developments in relationship to the schools. The other thing that I prepared -- and I did send to Joseph was a projected student generation rate based on the current data used as a guide and they emphasize a guide by West Ada School District. So, they basically take my 125 dwelling -- single family dwelling units and they estimate that generates .64 kids per dwelling unit. The townhomes are the same. They don't differentiate them if they are two or three bedroom. There is .64 also. The multi-family, they calculate that at .51. Where did they get those calculations? That's based on the one mile. In that particular section what they are seeing as the number of students generated by single family dwellings, townhomes, or multi-family and that's how they have derived at that. So, what I have -- what I have done there is I basically listed what each type of residential development will generate and so in that letter it's 138 students -- it's basically 138.06. They break that down by students, because they have 13 grade levels, K through 12, and they do six, three, and four to determine the distribution of elementary, middle and high schools. So, then, I took it further, because in -- Councilman Borton said, you know, we would like to have some breakdown in what is the true impact as you phase through this project. Phase one has 80 single family dwellings and nine townhomes and you can see there that the projected elementary kids generated would be 28. Right now we are seeing from design to recording our plat, finishing construction, it's taking dang near a year. So, 2022 will be design and build. We won't see homes going up -- and I checked my other projects that I have in the hopper for CBH and for Toll, looking at the number of permits and how many homes are going vertical. Eighty single family dwellings, nine townhomes at the -- at the rate they are going, we -- they used to have a 90 day build -- it's 130 days. That's what it is right now based on material shortages, labor shortages. So, we have projected elementary students with our first phase of 28, middle 14, high school 18, and that would be between the year 2023 and 2024 and from there I went through each phase and at the rate that they are building this project is getting stretched further out into 2027 and you can see the number of kids that are being generated. Aegean Estates, for example, we designed it, recorded it, built it last year. They have nine homes out of 50 lots going vertical right now. I got a confirmation on that this morning. So, you know, we are seeing delays at all levels and,

obviously, delays it, design, build and occupancy of the homes has an impact on how many kids we are feeding to the schools. The West Ada School District did send me the Gem Prep packet that they -- for their charter school. They do have an attendance area. That attendance area is from Highway 69 over to Cloverdale and from -- I think it's Victory south -- oops. And so we sit also within the Gem Prep Meridian south attendance area. This is out of their Gem Prep and this shows in the fall of 2022 they are going to be able to accommodate 312 kids. Over a five year period they are going to be able to accommodate 574 and that is K through 12. They were approved in their document for 676 students and I was surprised when I went to the -- the lunch meeting with the school district, we went over to Gramercy, which I did for Greg Johnson and Craig Groves and the Broadview University that I did is now a Gem Prep school, which I thought was awesome. So -- I will go ahead and try to wrap up. I guess I would like the Council to -- to think about the fact that there are other education opportunities within our valley. There St. Mary's, St. Mark's. St. Ignatius is new. Cole Christian is expanding to a new campus, so that they can take on more students. Ambrose School is expanding and we have additional charter schools coming online. We are seeing the private sector and we are seeing the public sector trying to catch up. I know Meridian is being stressed with the growth. The whole valley's been stressed with the growth. We have 53,000 more people moved in here in 2021. Not all those people have kids, but some do, and I have always done my best to try to alleviate the issues and what's before you is a great project. An excellent project that is integrated both commercial -- and one of the questions was on the flex space and I didn't have time to address this last time and Amy Johnson got 21 minutes and I had less time to explain the project. This is the flex space that we are talking about and one of the questions was what is flex space. Flex space is versatile. What I showed you is an insurance agency, a barber supply distribution company, a coffee shop supply company, skincare laser treatment, Edward Jones Brokerage office, Pivot Education. It can be sandwich shop, plumbing business, hair salon, accounting firm. It's a mix of very low traffic generators. In this particular project I have reduced my traffic by 396 vehicle trips per day by the changes that we have made. We have reduced our number of dwelling units by 108. A question came up about how are you going to do this flex space? You don't have any parking. I have 104 parking spaces and I have given a breakdown here. We have 30 for the four-plexes, 42 for the flex space, seven for the daycare, 12 spaces for commercial parallel off-street parking. Guest parking in the townhomes nine. And pool facility four. The architecture that we planned for our flex space is very similar to what we see right across the street within the Century Hill commercial component, this part of the Hillsdale Subdivision. I have done everything right in this project. I have hit every -- every -- I have checked every box and I have come up with a very good integrated plan and I even received calls from other developers after that hearing -- and you would be surprised how many developers watch these hearings and don't have a project and they said, you know what -- Toll Brothers was one of them. That is the best integrated project I have ever seen. You took -- you took a 40 acre parcel and you basically have townhomes, you have multiple types of single family dwelling --

Simison: Becky, I'm going to ask you to --

McKay: -- and you have integrated flex space.

Simison: -- please wrap up you comments.

McKay: Yes, sir.

Simison: If Toll Brothers wants to testify, I will let them get three minutes.

McKay: And I ask the Council to look at the broad spectrum. If not here where? I don't think -- if you can't -- if you can't approve a project kitty-corner to this school, across from the Y, next to commercial areas and -- and employment centers that are just north of us, where can you logically approve a project in south Meridian? That's my question to the Council.

Simison: Thank you, Becky.

McKay: I'm sorry, Mr. Mayor, I went over.

Simison: Council, any questions for the applicant?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Thank you, Becky. One of the -- I think -- I think the root cause of maybe the consternation is -- has to do with density and so can you help me -- can you walk us through the multi-family portion of this project and what that looks like and how that is attributing to the gross density of the project?

McKay: Mr. Mayor, Councilman Bernt, that's a great question. So -- how come I'm having -- there we go. So, what we did -- the staff stressed to me that, you know, you can't come in with just a single product, we want to see diversity. With that mixed use residential or neighborhood, we want to see some type of a commercial component. So, what we did here is we have our flex space and we have our daycare here and, you know, I have done daycares in other projects and they have been very successful. The only multi-family units I have are these four four-plexes that are right here along Amity, which is an entryway corridor and arterial. Everything else is our townhomes and these homes all front on open space and that segregates my open space. I have parallel parking that is outside the drive aisles. It's separate. I have parking all along here and, then, these -- and we have pathways that link it and, then, they take access right here on like an alley load. Then as they front on the public street there is -- there are no driveways. Absolutely none. And, then, we have the townhomes here and we keep them in pods of threes and fours. And, then, we have a significant linear open space with amenities, with pathways. So, I have tried on -- every townhome is on open space, whether it be a collector buffer, whether it be linear open space like we see here, or whether it be right here where we have detached walks and we have along here. The question arose on these townhomes that I have here on the south end -- as you know I matched lot lines for lot lines all along the perimeters, Rockhampton and within the Hillsdale -- what is it? Howry Lane

Subdivision and here we have townhomes. I have a common lot that's 43 feet wide all along here. The question arose what is the separation between this and the road? Forty-three foot landscape buffer. They have a 30 foot landscape buffer. There is 73 feet to their road. Not to their home, to the edge of the right of way. So, what we have done is when we abut the residential we started transitioning to our large single family dwellings. This project, as you can see the density is low around the outside, extremely low, a little over three units per acre, consistent with what we have at Rockhampton, what we have to the south. As we go to the interior we change lot sizes and, then, we have our central 1.8 acre open space -- or 1.9 acre open space here. We have created pathways. We have created open space. We have significant amenities for these people. It's kind of hard for you to see -- this blow up kind of shows. You can see that outside those travel lanes we have parallel parking. So, that's kind of a new urbanism design. You know --

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I'm sorry, I don't mean to be unkind, but, Becky, I feel like you are just extending your -- your testimony --

McKay: Okay.

Perreault: -- and Councilman Bernt asked specifically about the density for the multi-family. I would really like to hear the answer to that.

McKay: Okay. So, the overall density is 6.01 and that is based on just the single -- the single family area, excluding the commercial area is my density. We are designated medium density residential and mixed use. Medium density residential allows three to eight. The mixed use allows six to 12. Is that correct, Joe? So, our average, just honing in on the residential, is 6.01 and based on what we see in these areas, we are trying to provide the diversity that your Comprehensive Plan and land use map asks us to do and that was one of the things that the staff stressed and the question I believe at the last hearing -- I went through all the minutes that was asked of me is did you meet with our staff? Did you get input from them? Yes, I did. And they wanted me to push the density up. I, after the Planning and Zoning Commission, brought the density way down to 6.01.

Simison: Councilman Bernt, do you feel like you got your question answered?

McKay: And in my opinion the townhomes are probably going to generate less kids, even though they use the same multiplier --

Simison: Thank you, Becky.

McKay: -- in the single family.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Becky, just clarification. I think in your testimony you talked about some of the changes that you made having a positive impact on traffic. I guess I'm looking for you maybe to expand a little bit about that. And maybe I'm misremembering, but I think in the staff report -- I should have pulled it up. I'm sorry. That I think this project turns Amity -- it's classified as an F and no plans to improve it until 2036. So, help me understand where I'm wrong. What -- what this project will do to our roads and what the plans are for improvements.

McKay: Mr. Mayor, Councilman Cavener, that's a good question. I think in the last hearing I brought up that the new ACHD CIP is moving Amity up on the priority list. Even with their budget cuts it is still being moved up.

Cavener: To when? Sorry.

McKay: I believe they indicated that it was going to -- we will accelerate -- accelerate -- this was quoted in your minutes. We will accelerate the segment of Amity, Cloverdale to Five Mile, for design in 2024. Right of way acquisition 2025. Construction in 2026. And Kristie indicated Amity is a priority corridor widening to three lanes. She said Eagle Road corridor is finalizing its construction and they do not have Amity and Cloverdale roundabout until -- construction in 2026. So, right now that Hillsdale Avenue operates at a level of service F. With my first phase I have to install a signal. That is required. So, if this project goes away that intersection still operates at a level of service F. With a signal the intersection operates at a level of service B. The school district brought that up. It benefits them to be able to get that intersection signalized. To also get that rapid flashing crossing and improve the safe route to schools.

Cavener: Okay.

McKay: And they -- they did bring that up that they were pleased with that. But this is right out of your --

Perreault: Mr. Mayor?

Simison: She's finishing answering the question. If Councilman Cavener wasn't satisfied he could have stepped in.

McKay: Thank you.

Simison: Councilman Cavener, any other questions? Okay.

Dodson: Mr. Mayor? I did want to include additional information overall for the project if I could. Would that be -- the number in my staff report note is from the TIS -- it was like 2,600 vehicle trips or something like that, but that was based on the original number of units. So, Becky's mention of a reduction is because of the loss of 108 residential units.

It would be -- if we are talking very macro big numbers, that's -- that's where that main number is going to come from. You're welcome.

Simison: Council, any additional questions for the applicant? Council Woman Perreault.

Perreault: Thank you. Two questions, Becky. First, we had a long conversation at the last meeting about the sidewalk that was in front of a private residence that exists on the west side of Hillsdale Road and I wanted -- I'm hoping that you can give us an update, if any, on any information you might have found out. The second question I have is was there consideration made of putting the multi-family there on the west side of the project where the current commercial is on the concept plan and moving that commercial on the Amity side to encourage folks to enter into the development off of Amity, instead of entering in on the Hillsdale area or is that not what ACHD prefers as far as traffic movement?

Simison: Becky, let me ask Mr. Nary to respond to the first question.

Nary: Certainly, Mr. Mayor, Members of Council. I did speak with the property owner and as Becky stated she has a life estate for that property. The Y owns the property for the future. The Y intends at that point in the future to tear the house down and expand the Y into that area. So, that's part of the reason there is no sidewalk and her current well for her property, because it's not in the city, so it's on a separate well and septic system, is under the hill right there. So, putting that would require, then, removing her well and, again, there is no interest by the Y to hook the house up to city services, because they plan on tearing the house down at some point in the future. So, that's kind of where we left it. So, that was why she didn't want a sidewalk there, because it would interfere with her services that she already has.

Simison: And, Becky, I will let you take the second question.

McKay: Mayor Simison, may -- may I ask Mr. Nary -- if -- if my client was willing to pay the connection fee to central water and physically connect the home, would -- would she, then, be willing to abandon the well, so that sidewalk could be installed? I'm just throwing that out.

Nary: Mr. Mayor, Members of the Council, I -- I didn't ask her. Like I said, to her -- her reasoning is really very just utilitarian for what her needs are. Again, I don't know -- again, you would be hooking a house up to services that may be torn down in the next five years, so -- certainly that's a question I could ask if that's the direction you want to go.

McKay: Okay. To answer, Mr. Mayor, Council Woman Perreault's question, in your land use map, the overlap of the mixed use was right here in this corner. I believe that was probably done because Hillsdale is a collector. It was intended to be either signaled or be a roundabout and so they anticipated that the commercial node would be right here versus along the Amity corridor. ACHD, even though we will be building turn lanes, eastbound, westbound, and widening Amity all along our frontage, was not keen on this

access, even though it aligns with Shelburne South. They said they preferred for the commercial component that it utilize the light and that's why they were willing to give me this access right here. So, my -- there is an access that goes to the west into Century Hill Farms commercial and my access into my commercial is directly across from that. So, there are two ways that people can get into my commercial node. It's -- like I said, the flex space is a lower traffic generator, so it's not like highway commercial where we need pass-by traffic to see us, but we do need access. This provides a direct access in and, then, we have our collector that comes in where they can come in on our private road or they can come in through the subdivision. So, we have provided three different alternatives to access into our neighborhood commercial node and -- and that's what this is, is more neighborhood type flex space and the versatility of that flex space is what I like, because it -- it can basically accommodate multiple uses with low traffic generation.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. I appreciated you mentioning the mitigation fee or the concept of a special assessment. In your conversations with the West Ada School District was there any conversation about what that fee would look like? You know, I -- my impression or at least I think the hope was that we would be able to have a joint meeting with them prior to discussing this application again and to be able to flush this out. I will just be candid. Like what I'm really struggling with I feel like just based on the permits in this area we are just at a breaking point and your comment was what else would you approve? I think that's a spot on comment. I don't know what else I could approve in south Meridian at this point given the dilemma. Now, I'm hoping for a brainstorming session with the City Council. You know, are you -- if we can't come to an agreement do you prefer to continue this? Because I would like some feedback about that. I would like some feedback if you discuss the special assessment, what -- what that would look like with the school district. I'm just kind of -- unfortunately, I'm getting to a point where I'm feeling like either we have to step in as a city and get development going forward consistently to help chip in to build schools or -- and this is only my opinion -- but maybe you are getting a ticket in line and you have got a ticket in line with an approval and that opens up when there is capacity or a bond passes or something changes. So, sorry, that's a lot coming at you, but just wanted to be candid about where I'm at. I just feel like we have not flushed this issue out and I know it seems unfair that you are the focal point of a huge systematic issue, but you are just -- I feel like you are the breaking point and that's why you are unfortunately -- you are -- you are broken physically, sorry to say, because of the mishap and, then, you are also kind of in a tough spot with this development. So, if you have some feedback.

McKay: Mr. Mayor, Council Woman Strader, that -- you know, that -- that's a good question. You know, at what -- at what point -- and we talked about that when I met with West Ada and, like I said, they -- they took a couple hours and I asked a lot of questions and they provided me a lot of information and they said, you know, we -- we don't want the Council to turn down a particular project because of capacity, because it is our responsibility to figure out and take things out of our tool chest to make it happen and if

that means shrinking the Hillsdale Elementary boundary, then, so be it. If that means busing kids, then, so be it. However, they are looking long range. So, you know, there is short-term solutions, there is long-range solutions. The long-range solution is they would love to have impact fees and be impact fee eligible, just like for Fire, Parks or Police or any of the other essential services that are provided to new developments to help new developments pay their way. They also said, you know, if we are not successful in that -- even if we are successful, they still want to maintain their ability to pass bonds. They did make that very clear. They don't want to sacrifice that, because that is something that's in their tool chest. But the supplement of an impact fee would make a significant difference in the school district -- or the ability to have developers mitigate, you know, like -- like I said, you know, a portable is a hundred thousand dollars. Is a developer willing to pay the hundred thousand dollars for the portable. Well, if a developer is willing to pay ITD, you know, 656,000 dollars to mitigate their impact on Highway 44 and Highway 16 to expand the intersection way out into the future, I would say, yeah, that's probably an option. We have -- we have faced these situations before over the 30 years that I have been here. My kids have experienced it and -- and it's -- it's something that -- that we grapple with and I think our state legislature needs to step up and look at what other options are there. I mean the amount of dollars that -- that are provided to our schools were ranked -- I heard 51st behind Puerto Rico. Whether that's accurate or not, I was very sad to hear that.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: If I could just jump in to sort of -- like maybe direct to a point. Have you had a conversation with West Ada to establish the capital impact each student coming from this development would have? Like have you had a granular enough conversation to try to even just start saying, okay, if -- and I -- I agree with --

McKay: Or quantify it?

Strader: Yeah. I mean I agree with all of your comments. You know, I agree with the -- I agree that the state legislature is totally abdicating their responsibility to the community and the state as a whole. I agree with you that West Ada is not going to benefit from a hundred percent of the bonds that they choose not to run and I don't think we should let them off the hook for not trying to do that, but we have a lot of other places we can't control. All I can control is here and I'm -- I'm just saying like I personally don't -- I feel like as a steward of the future of the community, it's not in the community's interest to add these students, unless something changes or unless I have a way to be proactive in helping you to pay for them to have a place to go to school. So, just, you know, what would that number be? And if the answer is we don't know yet --

McKay: And I asked them that and that's why I sent them the ITD agreements and ITD's analysis on how they are basically quantifying that impact per dwelling unit and hopefully

helping them formulate to say, okay, this project impacts the district by X number of dollars and so I'm -- I'm doing what I can to educate them.

Strader: Mr. Mayor?

McKay: It's going to -- it's going to --

Simison: Council Woman Strader.

McKay: -- take a lot of work.

Strader: That's okay. Thank you. I -- you have done everything you could for now.

McKay: I'm -- I'm trying to help them get there.

Strader: I hundred percent feel that from you right now. May I ask a question of Mr. Nary --

Simison: You may.

Strader: -- while we are on this topic? Mr. Nary, can we legally -- if an applicant is willing can we charge a fee? It's been brought up in a very popular podcast recently that's found on Facebook. I mean I -- I personally would rather find a way to pay for schools and tell, you know, Ms. McKay, like here is your ticket in line and your spot will open up in however many years it takes. Is there a way for us to do that?

Nary: Mr. Mayor, Members the Council, I couldn't speak for the C of O. Certainly contractually you can agree to pay anything you want to pay if somebody is willing to do it. It's not an exaction if a person agrees to it. I don't know what our Finance Department would think of collecting a fee for a service we don't provide and are never going to provide and we don't even have an agreement with the school district to give the money to them. So, I think there would be some steps that you would have to take to create a mechanism to collect it as a pass through for the school district, but that's where I think we have to go. So, technically, today no. Could we get there? Yes, we probably could, I just would have to have that conversation with Finance.

Simison: And just to piggyback, the fees that she's referring to that they are paying out in other cities, those are voluntary financial contributions. ITD has no mechanism to require them to be paid. That is, essentially, what we are talking about is -- and I don't even want to save my comments, I'm just going to shelve it. But --

Strader: Mr. Mayor?

Simison: Council Woman Strader.

McKay: It's an agreement that the city of Eagle and the city of Star have signed with ITD basically stating if we annex and rezone property that impacts the state highway system that we will include as part of our development agreement a mitigation fee to pay for that impact and the city collects those funds and, then, they are allocated to an ITD project. So, it is kind of a complicated, convoluted system that they have gotten to and -- and when I -- when I talked to the school district about that mechanism, like I said, I -- they -- they had difficulty trying to -- trying to form that. Now, they did say, you know, we have capacity, like McMillan Elementary just on the east side of Cloverdale, only has -- I think they said 350 students. We have capacity there. But that's not where the development is taking place.

Strader: Mr. Mayor?

Simison: Yes, Council Woman Strader.

Strader: Just to finalize my comments. Thank you. I think we get it, you know, and I actually have a lot of faith in our development community that they would understand the situation that the city is in and I -- I absolutely believe that the vast majority of them would step up to pay whatever fee we feel is necessary. I -- personally where I'm at I feel like this needs to be continued for us to work that out. That's -- and that's it for -- for me tonight.

Simison: And I'm not the lawyer, but I consider the fees that developers are paying in other cities legally questionable fees and would not encourage the city get into the business of those -- of collecting those arrangements personally. But if Council feels differently, we can start having those conversations. Council, any additional questions of this applicant? I know that -- that's where we are -- okay. Thank you, Becky. Okay. This is a public hearing. Madam Clerk, do we have anyone signed up to provide testimony on this item?

Weatherly: Mr. Mayor, we had two people sign, first of which was Paul Prestwich.

Simison: If your name is called, if you would like to come forward and state your name and address for the record and be recognized for three minutes. As a note, we -- obviously we have the testimony from the last public hearing. All that is still relevant to the conversation. So, if you have something new to add we are happy to hear it, especially based on the information that's been discussed this evening.

Prestwich: My name is Paul Prestwich -- my name is Paul Prestwich. 5249 South Bleachfield in Meridian. I had a couple of comments with regards to the testimony that was here. I believe you said there was someplace in the neighborhood of 3,000 single family and multi-family unit permits already approved and maybe about 1,300 of those have actually been taken out, someplace in that area. When you use that number based upon Becky's school number of .64 you are looking at approximately 22 to 23 hundred students already approved to come into the area. By your testimony the school said three, four years we could probably have 500 unit capacity going on. Well, that's a

shortage of another 2,000 students of already approved people. This is not just a problem with Centerville, that's a City of Meridian problem. Every place we go, if there is not school capacity, if there is not road capacity, the city should be putting some type of brakes or conditions on it. ACHD, when they make an approval, it's tentative. They go ahead and say, well, you can do this if you put in a turning lane, you put in -- a widening of the street, you put in traffic lights and other stuff. There is conditions before they will buy off on it. There is absolutely no reason why the City of Meridian can't put similar conditions on things that you are responsible for. Now, you say, well, the school -- we are not responsible for that. But in reality you are, because you are the ones approving all of these people to come in to the area. So, the school can't control that. That's your problem that you create, along with the city of Boise, what, Garden City, Eagle -- all those places AC -- or the school district has to try to manage all of them. So, I don't know if that 500 capacity includes all of that area or if they are just talking about our -- our town Meridian, but, you see, there is some problems with the numbers. I would recommend with our planning and zoning that you have some new policy changes that when they produce these that they give you an aggregate number of traffic counts for all of the approved projects and how that will impact the one that's currently on. The same thing would be true with the school population. If they are looking at it and saying, gee, we have already got 3,000 students approved here and the school saying they can get 500, that's a problem, not just for the city, but for all of the people who are currently here and all those people moving in. Imagine if you bought an 800,000 dollar house down here in south Meridian and found out I don't have an elementary school, I don't have a junior high or a high school to go to, because we are already overcapacity in most of those and there is three more thousand kids in a waiting line before you. It almost seems as though it could be a fraudulent thing to do if you are selling those properties. So, I would, you know, implore you to look at this not just from a Centerville issue, but from a City of Meridian issue and go ahead and put this on pause until the city actually takes some actions with their planning division and the Commission, give them some directions on what needs to be done, because they are just -- you know, it meets the parameters, but it doesn't really meet the big picture that you guys are supposed to be looking out for all of us and so, please, consider that, postpone this, postpone all of them until we get something else. Give them some ideas. Maybe senior housing development. No school impact, maybe more commercial --

Simison: Thank you, Paul. Paul --

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I have a question for you, sir.

Prestwich: Yes, sir.

Bernt: Are you -- are you advocating for a moratorium of building in the City of Meridian?

Prestwich: Only when we do not have the facilities in place to go ahead and accommodate the people. So, as we found in south Meridian, you know, they just -- the numbers they are providing --

Bernt: I get it.

Prestwich: -- three -- 3,000 --

Bernt: So, the answer to your question is yes?

Prestwich: Maybe. Because I don't know what's in north Meridian. I don't know if you have capacity of --

Bernt: Like sub areas.

Prestwich: -- you know. So, yeah, once again, I'm looking at the south Meridian area only. I'm bringing it to your people's attention, so that you can look and say, yeah, maybe we have some there. Maybe I have got commercial. Maybe I have some other type of building that isn't impacting, you know, the schools or the roads as much. Go ahead and approve them.

Simison: Council, any additional questions?

Prestwich: Did I answer your question?

Hoaglun: Mr. Mayor?

Perreault: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Mr. Mayor, Mr. Prestwich, I'm just curious. One of the problems we have is the fact that if we put a pause on development in Meridian, that does nothing -- West Ada is a huge school district --

Prestwich: Correct.

Hoaglun: -- and they bring in kids from all sorts of locales and growing up in Meridian, when we were a little town of 5,000 and Eagle was just Orville Jacksons and the Merrill Egg farms and Star was just a place on the road. I think that restaurant was still there. It made sense to bring everyone together and pool our resources to provide good education for our -- for our kids, you know, and we -- that has changed immensely. We are the largest school district in the state now. Forty thousand students. So, if we put a pause, what I see happening is Star and Eagle continue their growth. You look at Hidden Springs, Avimor, all that up there, thousands and thousands of homes, they build those out and everything gets pushed this way. It doesn't matter what we do, the schools are going to

be filled up, because they are going to keep moving the boundaries and pushing kids back over here and now will south Meridian approve a bond to build more schools when -- well, wait a minute, we aren't contributing to that. I mean how do you get to that point to build more schools without -- I have seen it growing up here, there has to be some pain involved for parents to go, you know what, it's time, we have to do something for our kids.

Prestwich: I don't think the pain necessarily needs to go on those parents and those housing units that are already paying some pretty exorbitant property taxes right now. I think Becky and her talk does have it accurate where the developers need to be participating in putting these together. If you are going to approve a project it's approved tentative upon -- you know, we need to have a school that will accommodate the kids that are there. Maybe they need to get together with several developers in the area that have projects and say let's put together something where we can put a school in, it will handle our kids and, then, that problem goes away and it's a voluntary thing and whether or not they pay it directly to the city or the mitigation is -- like you say, there is a dollar amount per kid and that goes directly over to the school district for building in the area that we have approved. Not going out to Hidden Springs, not going to anyplace else, but this is money for projects going on in the area that we have.

Simison: Council Woman Perreault, did you have a question?

Perreault: Thank you, Mr. Mayor. Just a statement. Thank you for your comments. We have been hearing through a variety of people, through public testimony, through the newspaper, social media comments, that there is -- there is a lot of sort of blame going on between the different entities that are involved with making these decisions and a lot of people saying, hey, the city's responsible because they are approving the applications. Well, the truth is we are not bringing these people here, they are coming and they are coming whether we approve the applications or not. I'm a real estate broker. I talk to folks everyday that are desperate to leave the situation that they live in and I'm not making any kind of statement or judgment about whether they should come here or not come here, but they are coming here. So, it's not one of those things where, you know, we are saying that and, then, you know, West Ada is saying, well, the city needs to make that decision and the city is saying that West Ada needs to give us information. This is tough. This is a collaborative effort that -- that I know you probably don't get an opportunity to see these meetings very often, but we have actually made a lot of headway in the last couple of years in regard to a variety of pieces of data that -- that we weren't receiving before and that we are starting to receive now. So, please, be encouraged that there is progress being made. I know it feels really slow, but we are -- we are really aware of what you have shared with us as the concerns and we really are working to try to get as much information as possible to make the decisions and we feel your frustration very very much. But, please, know that us approving these projects is not bringing people here, they are coming and we just have to figure out how to make sure that it's planned well for the city.

Prestwich: And I think that's my point is that you are not planning well for it, you are overpopulating, even though people -- you know, they may come, they have to have a place. If there is no house they are not moving to Meridian. They may go someplace

else, but you guys need to make sure that this is structured properly so that those kids can go in. As a broker I'm not sure what kind of liability you might have selling a house that says, you know, your kid is going to go to Hillsville Elementary School or in that area. But, you know what, there is no capacity for ten years for your kids to go to that school. I don't know if that's a liability or not for you. But it sure seems like if I bought the house and that's what you warranted, that I would certainly be looking at some compensation for that.

Simison: Council, any additional questions? Thank you, Paul.

Weatherly: Mr. Mayor. Amy Johnson, did you want to speak?

Hoaglun: And, Mr. Mayor, if I recall, this is Amy Johnson the second.

Simison: That is the case.

Johnson: Yes. And Chris Johnson, who is also my husband, the second, is not here tonight. Amy Johnson. I live at 4069 East Tenant Drive in Meridian. I am part of the Hillsdale Creek Subdivision. I'm not speaking on behalf of them at all. I just had a couple of things macroly speaking. I agree a lot with kind of pushing a pause at the moment, because I think we are at a breaking point. I like kind of the ticket idea, so to speak. But, at the same time, if I buy property and want to develop on it I should be able to develop on it and within -- I think the boundaries that you guys as a City Council need to kind of create and so macroly speaking, yes, I mean selfishly pause this, let's put it on the table, put it down in the future where we can really get a better project built out of this. Microly speaking just a couple things that Becky spoke on. Traffic is a big issue for me. I'm going to -- I was on the traffic commission for eight years in the city of Beaverton, similar size, and there are things that you can do to mitigate the traffic in this area, specifically on Hillsdale Lane itself. So, at a micro level if we are going to be going through with the Centerville thing, she needs to widen -- or the developer needs to widen that. We need turning lanes. If you put the signal there it's going to queue all the way down to where the school is heading out to Amity. There will be no places for those people to turn left into the subdivision, completely creating a huge clog and it will impact the quality of the life for the people who are already there and the future people who are going there. Typically speaking high density areas, a lot of people in theory don't have as many cars and are reliant on being able to walk and that's just not going to be a safe option in this area at all with the traffic. And, then, the safety issue of getting those kids to the neighboring school Hillsdale. The topography in that area just doesn't support a safe way of going. I mean they need to figure out a way for the sidewalks to go in front of the life estate or something, but dropping down the pitch of the road, it's just not a safe option and it needs to be tabled. I feel like you are about 70 percent there on Centerville the way it is. It needs to be tabled until we can get a hundred percent safe and all the mitigation things done. It sounds like the developer is willing to do some mitigation. So, I would like to see more of that come out of it as kind of a person in that development already. And, then, I can also finally kind of speak on Gem Prep. I actually have a kid in Gem Prep. The one on Overland. And it is a lottery system and it is a weighted lottery

system. But that is incorrect in saying that this is the boundary in which the kids are going to go to. It is a lottery for anybody in the City of Meridian and even surrounding areas and, yes, it's weighted for the people who are within that boundary, but as a parent I have to enter that lottery every single year and I have to make sure that, you know, you are continuing to do that. So, pretty much anyone can send their kid there and it's not specific to that development and I think it is irresponsible to kind of assume that that would help mitigate this development as it is. Those are my few comments.

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

Weatherly: Mr. Mayor, that's the last of who I have signed in.

Simison: If there is anybody else who would like to provide testimony on this item, please, come forward at this time and state your name and address for the record and if you are online and you would like to provide testimony, please, use the raise your hand feature, so we can bring you in.

Daley: Thank you, Mayor and Council. I just -- I'm Tom Daley. 4892 South Willandra Way. I'm in the Rockhampton Subdivision. And just as a recap I might just ask some questions of the Council. Having been on situations like you and some intimation to the legislature and inaction of the legislature has been intimated here as well and I have been there and you guys know that there are certain things you can do and can't do and the legislature is in the same situation. Just as -- as an aside. But I guess to thank you for what you are doing, because what the process that our founders gave us is exactly what you are doing. Taking input. It's a long laborious process. It's hard. It's difficult. The decisions are hard to be made that you have to make. I understand that landowners have rights as well, but they have responsibilities, all of them, including the ones that are there, as well as the ones who want to build, but just some questions for the Council as you consider this. The request is, of course, to rezone and grant it. So, are you rezoning to change it so that they can build what they want to build? Because in current zoning can it -- can they do what they want to do in current zoning or are you rezoning to do that? Just a question. Also the letter from the West Ada School District says it's a snap in time. Granted. But that snap in time is going to be dramatically changed if this happens. That's a question. How is that snap in time going to change if you approve this development? The Daybreak Subdivision was approved and it's already been talked about. That is an impact. You need to consider that. The timelines of moving through this process, the developer already said it's going to be 2023-24 and they are moving those out, so can the Council do some of the things that have been suggested, put some timelines on there that meet what's already reality in today's world and do that and meet some of these needs that are going there. Put some -- put some timelines on it that does actually help meet those needs. Traffic and parking? I don't know that you -- it's a question to you. Have you been to these kinds of developments and to the adjacent communities. I have driven through some of those and I don't know whether the zoning code needs to be changed or the parameters need to be changed, but there isn't a development like this that I have driven through that doesn't have spillover, no matter how many accommodations are made. So, you need I think to look at that in a larger sense as well

in terms of whether your code meets those needs in these kinds of developments, because there is spill over in those developments in -- in my experience anyway. The sidewalk to the house. Again, back to the landowner. She has some rights there, too. So, just imposing on her to take her well away from her, et cetera, she has some rights there, too, and that doesn't meet the needs of the school. So, I guess just -- and my time's up, but pay negotiated fees. They say they could pay negotiated fees and I know the Mayor has said that's not necessarily the best way to go. But maybe that is. So, just as an aside there are some questions -- I think sufficient questions that the Council has before them that does put a pause button on this development, not that it shouldn't be developed, but there is some -- some questions that need to be answered before this goes forward in my opinion.

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

Hoxie: Good evening, Mayor, Members of the Council. George Hoxie. 40184 East Rockhampton Street. I live in Hillsdale Creek neighborhood. I want to just quickly, again, thank you for the conversation. I'm very pleased to hear what's being talked about tonight, but I do want to raise some additional concerns based upon the earlier testimony. So, again, just to highlight, I do not feel this is just a Centerville issue. Yes, there are specific issues about the Centerville development that we are still concerned about as a community, but it's really larger than that. So, again, this is not picking on Becky or picking on a single developer, this is really really a much larger issue. You know, as was stated earlier tonight I think, as well as at the last meeting, at some point there is a breaking point and I think that's important to consider. I'm pleased to hear that West Ada School District met with the developer. I'm not pleased to hear that they haven't met with you, to my knowledge, nor are they here tonight, again, to represent themselves and the community; right? So, I think that that's kind of interesting. I'm pleased on one sense that they are having conversations, but I don't think they are having conversations with all the right people and, of course, you know, I'm actually glad to hear that West Ada admits that they don't want to be the one to say no. No one wants to be the one to say no; right? To say that we can't. Everyone wants to say we can. We have a solution. But the facts are the facts. We are where we are whether we like the data or not about school capacity; right? So, I understand them not wanting to be the one that says no. Someone needs to be brave and say that it's time to at least take a pause, so that we can educate our kids in schools. So, it was mentioned of a middle school lot. I just want to be very clear about that. That's close to this development. There is no -- there is no funding or plans for that lot to do anything. That lots been empty and has been empty. So, it's great that land is there. Doesn't mean anything in the -- in the near future in any way. I think legislation is a great idea. How long is that going to take? Who is going to drive that? Who is going to take that on? When is that going to actually have a benefit to the community? You know, being all on board with something is great, which is a quote that I heard Becky mention in some of her conversations, but that's not a plan. You know, we can -- words are not going to solve this problem; right? Funding and a plan. We need three schools right now in south Meridian; right? An elementary, a middle, and a high school. There are no bonds and no funding for any of those schools. Okay? So, we are talking two, four, six years out before we solve today's capacity problem, not additional students

moving in with already approved developments; right? So, I think it's very important. Again, I will highlight Gem Prep. I agree, it's a weighted lottery. It's not a way to solve a public school capacity issue. You can't guarantee whether you go there and it's not an equal lottery for every family. And private schools, they are expensive; right? We talk about affordable housing. So, now we are saying that we are going to solve our public school problem, so people can go to a private school and pay -- pay tuition. Some kids don't -- or some parents don't want a religious based education either. Most of those public schools are religious based. One -- one quick -- quick note on traffic. Please -- if we are going to pause this and continue to consider it, please, revisit the TIS. There was new traffic counts done in December. I think it was December 8th. Please use those data -- have that traffic study redone, rather than using the old 2018 data, with, you know, the estimates that we have testified to previously. Again, thank you very much for your time. I appreciate it very much.

Simison: Thank you. Council, any questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: George, thanks for your testimony. Appreciate it. I think maybe you and your wife has also provided some letters, some very insightful information in the public testimony and I know the Council has had a chance to receive.

Hoxie: Thank you.

Cavener: George, a couple of weeks ago -- maybe three, four weeks ago Council had an application before us in north Meridian and I think it was Council Member Borton who inquired with the applicant if they would be in support of Council approving their application, but not issuing a building permit until a school bond had passed and it created a new wrinkle on my brain, which I think has caused a lot of conversation that's happened here at the Council and I think you are someone who has been really involved in our community and have taken a great interest in our community and I'm just curious as someone who is kind of an outsider-insider, who is really concerned about Meridian, what -- your thoughts on that type of suggestion?

Hoxie: Yeah. I think that certainly would be a step in the right direction from my perspective. You know, backing on some of the earlier comments about figuring out what are the right conditions to put around, you know, additional approvals for development. So, certainly not being an expert in any of these areas, but, as you said, a concerned citizen, I believe that is a step in the right direction for sure. I think you -- you noted, you know, the letter that I provided or the e-mail where I said that, you know, lining up plans of road improvements and -- and school capacity, lining up those plans with the developments I think is a critical piece of -- of a balanced plan going forward for the city.

Cavener: Okay. Appreciate that.

Simison: Council, any additional questions? Thank you.

Hoxie: Thank you very much.

R.Prestwich: Hello. I'm Rebecca Prestwich and I live at 5249 South Bleachfield. I am on the road that directly connects to the proposed development and it's thought that -- or been reported that there is going to be more than 200 additional trips down a street that now only has about eight trips a day go down it from the current residents. So, that's a significant impact. The only few things I want to add is Becky's conversation with the West Ada School District was between her and the individuals who are present -- present from the district. We didn't hear that conversation, so we don't know the facts of all of that conversation. So, even though she gave us some detailed information, I think it's important for you to individually have that conversation with the school district to get the feeling of what is being transferred to you. And, then, she also stated that Amity is being widened between Cloverdale and Five Mile Road. Well, the existing proposed development is between Cloverdale and Eagle. That is not proposed to be widened. So, that needs to be pointed out. It's not going to have an impact on that particular development. There is still going to be a lot of traffic in that development area. And I think that Tom brought up some good things, some questions to think about, and I had thought about a couple of questions, too, is ask yourselves individually how can I approve this development knowing that the school district has no funding to build new schools? No more busing capacity, because they don't have employees now and no way to solve the current crisis and that is by the testimony of Amy Johnson in our last meeting and ask yourself this: If I or we as a Council were to approve this development what type of liability will the city and the board members face after being fully apprised of the current situation and going ahead and approving this project in spite of that knowledge. Is this truly in the city's best interest? I would propose to you that it is at this time not in the city's best interest. The community, obviously, doesn't feel it's in the best interest to do this and I think it's a good idea to put a pause on it and just to give it some time, so that the infrastructure and the things that need to be in place can be put in place and I appreciate the time to speak before you.

Simison: Thank you. Council, any questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you for -- for being here and sharing that with us this evening. When you -- when you say encourage the Council Members to ask themselves about liability, can you -- can you sort of expand on that?

R.Prestwich: Well, one of the things that I thought about is it's been discussed and we saw a photo in the last Council meeting of this home that sits in front of the Y and where the children are going have two immediate danger zones is where they have to cross at the beacon light, where there are two businesses crossing -- that will cross into Hillsdale

and their traffic will be flowing out there, that's where the beacon light is for the children to cross the street to get over to Hillsdale and, then, as they walk down Hillsdale and they come to that house it goes down a hill and the cars on top of the hill have no vision of what's happening there and children will have to walk without a crosswalk in front of that house, the cars are merging at that point as they pass the house into the driveway of the school and children are going to have to get through that before they can reach a safe sidewalk. That's a liability, because there will be a child hit by a car at some point in time and many of the children are doing that, traveling along that road. They will have to do it when it's dark, because our winters -- you know, it's dark in the morning, it's dark in the evening, that's a danger and a risk.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: You made a comment, Mrs. Prestwich, earlier at the start where -- questions saying, you know, we need to check out these facts that she has presented. The business of government is very unique and I just want to assure you that -- that when people come before us the only thing they have before us is their word and Becky's operated here for a very very long time. There are others who have come before us that have spoken certain things that weren't accurate and later it -- it comes back to them. So, please, know that they are very very careful about what they say and that they are true and accurate, because if they lose that word they have nothing before us. So, that's -- I just -- if Becky said that this is what they said and -- and to go back and double check that -- I don't have any doubt on that, because she knows it's important that if she is untruthful she loses everything that she has worked for in her entire life. So, that's just -- I just -- I just want to point that out, that we are very cognizant of what is said and who says it and whether that can be backed up. So, that's just what I wanted to make sure you are aware of.

R.Prestwich: I hope I pronounce your name correct. Is it Hoaglun?

Hoaglun: Hoaglun. Yes.

R.Prestwich: So, Councilman Hoaglun, I appreciate your comment and I understand that Becky has come before you for many years and that you -- that all of you seem to have a really good rapport with her, as well as members of the Planning and Zoning, I imagine that most do and I'm not in any way trying to impugn that relationship or to impugn her integrity. What I'm suggesting is that as each of us hear something we hear it in a different way and so what she heard she reported to you and is factual to her, but it may not have been the full scope of what they were trying to convey and I think it's important that you take the time, as Council Members, to have that same conversation and hear it directly yourself. Thank you very much.

Simison: Council, any additional questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Not a question, but I wanted to share that I listened to the last hearing again before this one and the ACHD representative that was present did state that the design for Amity Road between Eagle and Cloverdale would start in 2026. So, the assumption would be that design would be '26 and, then, construction '27 and, potentially, be widened by '28. So, that's from ACHD's statements in our last hearing.

Simison: And ACHD is on the call if they would like to weigh in on any of those issues, to either correct the applicant, your comments, or something else that's happened since then. But thank you.

Jackson: Troy Jackson at 5253 South Acheron in the Hillsdale Creek Subdivision. The immediate subdivision next to the project. And I just wanted to come up and just say a couple things. One, I can attest that Becky McKay is probably the best at her job by far hands down. Been doing this a long time. I can say that. I oppose this project, but I -- I know that they got her for a reason and she's very good at it and I absolutely trust what she says. Having said that, it was a little -- it's a little -- it hit me a little bit. I know that the chairman of that board sat up here last time we sat and talked and said one thing and then -- and, then, there was a lunch meeting where it was everything beside that. It was something totally different that -- that was troublesome for me to hear that tonight. But with three children in that subdivision I can tell you for sure a couple of things. One, there is major safety issues right there. Some things just don't meet when we intend them to when we are building things. I can see it. These hills and these blind spots when -- when -- when Ms. -- just said that someone's going to get hit. I hate to say that, but I feel like that's absolutely imminent and I know that may not have anything to do with this -- this development of Centerville, but at some point we start stacking things onto each other and it starts to become a little bit scarier than it is today and so I want to -- I really want to point that out and when -- when someone talks about looking at it -- if you have time, if you haven't already, you should look at this -- this area, this little square of area where this proposed site is and where things are happening right now and I don't think it will take you but a second or two of looking at this to go, wow, this is -- this is a mess right here and I don't know what's going to fix it, but I'm also in line with, you know, waiting a little -- put this -- table this if we can until we can catch up. I don't want that necessarily to happen. I don't want to see my house value go up any higher than it is today, because I feel like that's probably what's going to happen if you stop building houses in Meridian. However, I think that we really do need to look a little further and work a little harder at getting that infrastructure and something for our children. My kids were told they couldn't go there. I moved two blocks closer to get them back in there and now I have given up all hope on -- on the public school system for the interim time. However, you can't go to that school and you live down the street from it. I could throw a rock at it at one point and my kids couldn't go to the school and when she -- and when Amy Johnson said what she said, I don't doubt that at all. There is some approved stuff going on there, which makes sense. We are growing. But let's pull the money out of the state's coffers. Let's do whatever. This is one of the best growing cities in the whole dang country. Why do we got to sit around and figure it all out? The governor's on there talking about how we got

pocket loads of it. Well, let's build some schools over in Meridian and do something about it. But that's all I wanted to say. I appreciate you all.

Simison: Thank you. We have made those suggestions, just so you are aware.

Bernt: Hey, brother, you have a great beard, by the way. I like that beard.

Simison: Jealousy.

Bernt: Jealousy.

McDowell: Mayor and Council, I'm Elizabeth McDowell. I live at 3839 East Fratello Street in Meridian. I live in the Shelburne Subdivision. The house that's right behind the field that will be the middle school one day if we get the money. I appreciate all of you and the responsibility that's on your shoulders. I understand so much the decisions that you have to make to plan and make the city the wonderful city that it is going to be and is. It's a huge responsibility and I know that it is incumbent upon all of you to -- as you promise everybody that is coming to this city -- because they are coming. They are coming to Idaho. They are coming to Meridian and they love it here for a good reason and it is incumbent upon you to make the decisions that you make to provide the resources for everybody that's coming. You make that promise as a Council. And when people come here they have it in their head that all of the resources are going to be there and they trust you with that responsibility and I admire Becky for all of the changes that she made to her plan, for bringing the density down as much as she did. That was huge. That -- I just give her huge kudos for that. I did not expect that and so that was a really really big change that she made. I think it is a good plan. I don't think it's the right time. I know you are going to hear this from everybody and you already have. I was shocked at the last meeting when Amy Johnson, the first, got up and talked about those school numbers. The already approved permits are bringing thousands of students to schools that don't exist and I think that's terrifying and I know that you guys already feel that, but I think it is time to put a pause. I don't -- I don't know how we do this, but the only thing I can think of is that I know that there is a developer who personally profited a hundred million dollars in one year and there are no schools. Those two things are so divergent they -- there has got to be somewhere to meet in the middle and if the media can get ahold of that number and let Idaho know that, there will be an uprising and if there is a way to get that developer to -- if people find that out, oh, my gosh, I better donate some schools -- if he can develop -- if they can -- if a developer can donate small parcels, they are going to donate the smallest parcel they can, so we get elementary parcels donated on some of their subdivisions, why can't they donate a giant parcel for a middle school or an even bigger parcel for a high school? We know south Meridian -- Mountain View High School has 200 too many high school students right now and 3,100 new ones coming already, according to Amy Johnson last month. Those may have changed from the last letter. I didn't read the letter. Fifteen hundred new middle school students coming from the already permitted. Fourteen hundred new elementary school. This is not just district wide, as I understood it it was just those three schools Hillsdale, Lake Hazel, Mountain View. Fourteen hundred, fifteen hundred, 3,100 new students to those three schools. If a

developer can make a hundred million dollars in a year and we can have no schools, can he donate one of each of those schools or something to get us closer to having a school in that area? How can we get that information out to the people of Idaho that that's got to happen really soon, because those people are coming. Like those are permits are done. How do we make that happen? I don't know. Somebody get the information out. That's all I have.

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

Phillips: James Phillips. 4140 East Rockhampton Street, Meridian, Idaho. Just south of the proposed Centerville plan. I didn't prepare anything this time, but I did -- wanted to hear what was said and a couple different thoughts along the way. One on the macro level and the other on the micro. On the macro -- and, Joe, you can correct me if I misheard, but 4,176 single family approved south Meridian. One thousand two hundred twenty-four multi-family approved in south Meridian and if I heard it right, two-thirds yet to have building permits pulled on the single -- single family and 90 percent of the multi-family yet to have building permits. So -- so, when we talk about pause, we are not pausing, we are -- we are letting things catch up a bit and so we can get more definitive answers on things. Help clear the fog on some of the unknowns. So, on a macro level I appreciate some of the creative solutions. Ticketing system. I think that's a good idea. We need more brainstorming ideas sitting together with city, sitting together with the agencies in those brainstorm working sessions around this problem to solve these. Come up with good ideas around these problems and I appreciate the -- what I saw, a cognitive shift in the Council last time when they realized what's at hand here and it's good to see it carry over this time as well. It's obvious that the Council takes this responsibility seriously. And, then, on the more macro side, on the ACHD it was mentioned already about Amity, but there is real concern on Hillside Avenue as -- and when I called and talked to ACHD, there is absolutely no plans to even touch that road and it needs to be addressed if you really want to accommodate the traffic that would be going into that Centerville. And, then, more -- another thing on the micro side, the current plan does check a lot of the boxes and if I were to highlight all the different things on that plan that is right, it will be -- beautiful colors. It will be litten up. But there are some boxes still that are left unchecked, because we didn't have a chance in P&Z to walk through those more detailed things. They saw the first plan, which even the applicant herself said it was probably inappropriate to propose and, then, we got the second plan. Really that second plan should have been the first, so we had the opportunity to sit with P&Z and talk through the more detailed nuance on those. So, in -- in closing those are my thoughts on the -- both the macro and the micro. Time is on our side and we can solve this problem working together. Thanks.

Simison: Thank you. Council, any questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Mr. Phillips, thanks for -- for coming back. I -- I appreciate the letter that you sent us today and, honestly, I found your testimony last time very compelling. You had a piece in your letter, though, that I kind of zeroed in on. I appreciate you being here so we could maybe talk about it. You -- you listed top kind of concerns from south Meridian residents. I live in south Meridian, so I'm always interested what folks in south Meridian think and the fifth bullet is the one I want to get some insight from you on it. It says the -- the overall unwillingness and inability for Meridian to check development and provide sustainable and balanced growth via the economic development impact fees. Help me understand what you meant by that.

Phillips: Yeah. So, part of it -- actually, I appreciate Becky talking with West Ada about some of the -- you know, West Ada willing to accept donations and money and funds from developers. What I'm seeing is -- and even in the guarded conversations that you have here as a Council, you have to turn to Legal, for example, when asking about being able to levy fees. There is hesitancy from the Mayor as well, I believe, right, around what kind of fees we can propose. Like there is a lot of guarded conversations around what you can actually say and do on the Council because of litigation, because of other things, property rights, that -- that area at play and so there is real issues that I feel like can't be talked about in this forum in an open way for fear of litigation and -- and so that's part of it. The other part of it is it's a hard problem, because it's more than just the city, it goes up to the state level as well and that's where it gets more complex. You have to have the same fire that we -- and -- and excitement that we have around this specific -- specific plan has to make it all the way up to the state, but that's not going to happen very easily in isolated incidents like this.

Simison: Councilman Cavener, did you want Mr. Nary to reply for you?

Cavener: No, I'm good. I --

Simison: I'm kidding. I'm just trying to bring a little --

Cavener: I appreciate the levity, Mr. Mayor. Mr. Phillips, I appreciate kind of that further explanation. You have heard Council kind of talk either around or directly in many cases about some of the things that we as a Council have been contemplating and as somebody who has been really involved in this issue are there things that -- from your perspective you think that we are missing that we are not talking about that is important to you and important to your -- your neighbors?

Phillips: More of my own curiosity. This is part of my e-mail as things take some time to -- I know that was super late. I was busy wrapping up stuff at work and I had to shoot it late. But somehow Meridian came to have that City of Meridian vision and in that also with that is a growth strategy and part of that growth strategy indicated specific areas within Meridian to target to help grow. South Meridian was one of those areas. My question -- what was the mechanism in place to arrive to that conclusion? Can we just leverage that same mechanism to say, hey, we have another strategy now that we have public input on south Meridian? Can't we just leverage that same strategy to change like

-- and adjust with it? I just don't understand -- I -- part of it's that I'm -- I'm new to this process, so I'm learning along the way -- is that can't we just leverage the same mechanisms to, then, change our strategy based off of the reality of the land -- the playing field?

Simison: Councilman Cavener, can I -- would you mind if I answered that, since this is kind of my area that --

Cavener: Mr. Mayor, I wasn't going to pivot directly to you, but I'm so glad that you offered to do that, because I -- I think that you are the best qualified person.

Simison: Yeah. It was chosen because that's where development was already occurring.

Phillips: Huh.

Simison: So, it was really more about trying to get the government agencies to deploy our resources to those areas, because that's where development was occurring, whether -- and it wasn't anything that we were doing about it. They were naturally -- development is driven by sewer. Again that's what decides where development goes more than anything else. And so it was a conscious effort to try to talk about it with ACHD, with the school district, with the library district to get us all to put our resources into those areas, rather than us putting a park over here and the library putting one over there and ACHD building roads over here, that's really what it was.

Phillips: So, ring fencing or constraining that problem to a specific region is a really smart move in that it -- it limits all the inputs you have to like manage in your mind to understand how to solve. So, I think that's -- that's an appropriate thing to do. But we can leverage out yet again based off of what we are seeing in this specific area of south Meridian. We can be strategic in our approach to how we ring fence development again.

Simison: Councilman Cavener, did you have any --

Cavener: Mr. Mayor, I just -- I think it's -- maybe circling back on the previous point. I -- I think the reason that why Council -- at least myself is somewhat reluctant to talk about specific fees is that we -- we don't have the ability to -- to levy an impact fee for schools. I wish we could. I continue to advocate for it. Appreciate hearing a lot of supportive voices for that on the Council and here. If we can't do impact fees I'm open to figuring out what those other solutions are, whether they are a special assessment or whether they are a -- in a development agreement, something so that growth -- we talk about Meridian about growth paying for growth and we do a great job of doing that for our Parks, for our Fire Department, for our Police Department, for our sewers and even to a degree for streets and roads. We don't have that mechanism for schools and I think that's the crux of the issue is until we are given that authority we are looking at other creative solutions and I think that anytime a creative solution is proposed naturally someone says, well, talk to me more about that. Well, we have got to get some agreement as a body about what we want to do and how we want to move forward and so I think that's where some of that

tiptoeing around is. I think there is a lot of support for solving this problem, we just don't quite know what that mousetrap looks like.

Phillips: And just to confirm, it sounds like that needs to happen at the statutory level. The state level.

Cavener: Correct.

Phillips: Yeah.

Cavener: If we could we would have addressed this years ago.

Perreault: Mr. Mayor?

Simison: Your -- your legislative races matter. Council Woman Perreault.

Perreault: Thank you very much. Just -- you know, it's really -- it's really common for us to talk about the challenges that we have going on in this area and I -- I'm hearing all of you. I understand. I'm -- I'm completely -- what's the -- empathizing with -- with what is happening in this area and the concerns that are there and I would -- I appreciate that you all are here and sharing those. Just kind of on a positive note, the city is doing -- one of the benefits of us focusing on a priority growth area is that we are bringing things to those areas that are really great. We do have a new fire station coming in in that location. We have the biggest city park in the whole City of Meridian coming in with the second phase getting ready to start this year. So, there are -- for the city's part, for water, sewer, parks, fire stations, police stations, we are very proactively, both in planning and financially, bringing resources to the southeast Meridian area. For what the city has control over we are really proactively bringing what we can. So, I just wanted to point that out, because, you know, we -- we are doing our best to work with West Ada and the -- and the government entities that we don't have control over, we are coordinating with them on a daily basis. We do have a full-time staff person here at the City of Meridian that just works with West Ada and ACHD. That's all she does. And so we have put our resources as a city towards trying to solve these issues as best and as fast as we possibly can. I just wanted to share that with you.

Phillips: I appreciate that. In terms of brainstorming around this problem of schools and not having the source of funding for it, Googling around there is other municipalities that solve this problem in other ways with private-public partnerships, with satellite classrooms as well. I don't know if you guys had an opportunity to look through that or double click on that, but that's another opportunity. I had a chance to talk to a developer around this idea. Didn't seem to have too much excitement for it, but there -- there might be other private entities that would be more excited around that opportunity.

Simison: Council, any additional questions? All right. Thank you.

Phillips: Thank you.

Simison: Is there anybody else that would like to provide testimony on this item? Okay. Becky, would you like come and close? Yeah. Thank you. She will be quick. She will be on her feet lightly.

McKay: Talk as fast as I can. Just move slow. Thank you, Mr. Mayor, Members of the Council. Becky McKay. I guess I -- I did want to address the -- the one comment that was made about my meeting with the West Ada School District. That wasn't just the only meeting that was with West Ada School District. They did meet, the same group, with the City of Meridian. Miranda was there. Joseph. Bill Parsons. Sonya. So, the -- the same information that was provided to me at the lunch meeting was provided to your staff and so it's -- it's not like I'm twisting or turning or trying to deviate from -- spin my interpretation of what was told to me. It -- it was also expressed to the City of Meridian. I have been doing this a long, long time -- maybe too long. Some days I think why, but -- but I do love -- I do love what I do and -- and I think my work -- oh, thank you. I think my work reflects that, that I take pride in what I do. I take pride in seeing Meridian when I started with -- they had 9,000 residents and Meridian has been on the hot seat since I started in the private sector in 1992. I mean they -- it's -- every council, every mayor has struggled. With the school -- West Ada School District, when I first started I dealt with Chuck Lee. Then I dealt with Dan Mabe. Then I dealt with Jim Carberry. Wendell Bigham. Dr. Gestrin. Joe Yochum. And now Jonathan Gillen and Marcy Horner. So, I have been there and they have expressed their -- their needs, their weaknesses, and I would just like to go on record with the Council, because -- I mean everyone thinks that, you know, you are just out there trying to -- trying to slam as many units as you can and you are not thinking about the bigger picture of the community. I -- I planned Mountain View High School as part of my Millennium commercial subdivision. We got the utilities there. We built the collector. We got the signal. We worked with West Ada. My client Gary Voigt. I did Heritage Middle School with Ventana Subdivision. We pulled a 16 inch water line. We pulled the sewer line. They wouldn't sell to the school district unless they could sell the rest of the property to a developer at a very high price. I got a developer to step up. The school district, then, bought it from my developer at cost. I did Victory Middle School site when we did Bear Creek West, which turned into Fall Creek. My client put up all the money for the utilities and, then, had to -- due to the recession forfeit his bond for 365,000 dollars, which went to West Ada. And, then, when Coleman Homes bought it they put all the utilities in at their cost. So, it was a benefit to the school district. I did Hunter Elementary with Bridgetower Crossing. I did -- did Prospect Elementary with Havasu Creek. I did Spaulding Elementary with Edgeview Estates. And, then, Pleasant View Elementary was originally part of Volterra and Kego Springs where we both put property together. They traded some property and moved it up into Bainbridge. And, then, I did a site for Boise School District. That was the first site I ever did. And I always -- I always thought that, you know, whatever I can do to help the community at large, whether it be parks, whether it be schools, I'm there and I always convince and work with my developers to, you know, get these sites donated, sell them at cost, incorporate whatever we can, make improvements, install lights. Statements were made about, well, you know, the -- the -- the new charter school is not going to have any impact. I read through their whole document that was sent over to me and they do have an attendance area and it's -- it's clearly defined. They plan on, you know, handling 500 and some kids over a five

year period. They are going to come online in the fall of 2022. By the time, you know, we start generating kids they are going to be there probably two years. Our communities have kind of changed as far as education. My engineer, for example, her daughter and her -- her -- her -- his -- her husband live at Paramount. They -- they have five kids. The three kids that are in school they drive to North Star charter at Linder just north of Highway 44 in Eagle. My other engineer he lives in the Boise School District. He drives his daughter to Eagle Arts Academy every morning. So, we are seeing kind of a shift in how education takes place and I think the school district is trying to get a handle and -- and they did express that to me at their meeting that they are trying to get a handle on, you know, what is education going to look like in five years. We have seen big changes. We have seen influx and one of the things that was brought to my attention at that meeting that I wanted to express to the Council is West Ada said in the past we get a -- we get a child at kindergarten and we could anticipate that we would have that kid for 13 years and that child would pay for itself. With the influx from other states, they said we are seeing kids that are juniors or sophomores in high school or even a senior, which they said used to be unheard of. They are coming into the district. They are costing a lot of money and since they are coming in at the end of their education we are losing out and it's costing us money. So, they are grappling with some changes in our social structure and our community structure. So, whatever we can do as a development community and as a Council in encouraging our state legislature to step up and help us I think is absolutely integral, because we are not going to quit growing, the pressure will be there and you have a lovely community and all the councils before you and the mayors before you have had to deal with these same issues and -- and if we can deal with it as a group and work with -- with everyone together to solve the problems, but to just say, you know, we spent all this money on infrastructure and parks and fire stations and now we are just going to say -- we are dropping the hammer, no more south Meridian developments period. I just don't think that that's the best interest in the community or will get us anywhere as far as trying to make progress. This is a good project. This is a project I have worked on since 2019 and we took our time working on this and -- and it's not like it was a rush job and some of the neighbors said, you know, gosh, this thing's gone on forever. I agree. It's gone on forever. But, you know, when you have a good project it's worth the struggle. It's worth the pains and it's worth trying to come up with something that works and I guess I ask the Council to -- to consider that and look at, you know, the big picture and not just focusing on -- on this one project. Am I -- is this one project going to crash the whole system? The answer is no. You have got projects out there that are five, seven, 12 year projects depending on their size. Bridgetower I started in 2002 -- 2000 and it took about 15 to 18 years. The commercial is still ongoing. So, it's still ongoing and we thought -- we projected it would be possibly a 20 year project and I think it -- that's probably about where it's going to be. You know, you have got stuff coming -- coming down the pike. I got a copy of a December 3rd letter on Apex East. You know, it indicates they are going to Mary McPherson, which does have capacity. Six hundred and seventy-five. Enrollment 449. And, you know, I look at my letter and Mary McPherson I think is an overflow school. We also have Christine Donnell and Spaulding Elementary as choice schools. Some of those choice schools are a lottery. That is correct. But the charter schools, you know, you have opportunity to get your kids in there. So, I think the more choices we can give our families the better off we are going to be. I'm willing to do whatever the Council tells

me that they -- they believe is the right thing to do and I have always been of that opinion I'm not going to come up here and -- and -- and try to force the Council to make a decision one way or the other. So, I stand for questions and I still believe in my project, that it's a good addition to this neighborhood. Thank you.

Simison: Thank you, Becky. Council, questions? Okay. I just saw you were on green, so that's why I was -- no. You're good. You're good.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I think it's probably a good idea to not necessarily close the public hearing and maybe give the Council some time to discuss and, then, maybe close the public hearing if needed. I'm happy to start. One of the things I really like about Becky McKay is that you are solution oriented. You know, it's like the old Vanilla Ice song, give me a problem, yo, you will solve it and I -- I think that if -- if there was a way to have you solve some of the problems that we are facing tonight I believe you would have that solution to us and I -- and I really applaud that. One of the things that I took away that kind of surprised me from tonight's testimony, because I didn't think I heard anybody who said deny this project, which we hear a lot of. What we heard a lot of was, no, no, no, no, Meridian needs to figure some of this stuff out and continue it until you figure it out and that weighed on me. I -- I voiced my concern about why I like the project, just there is challenges that you can't overcome. If we had an application and we couldn't get fire service to it, it would be a pretty quick answer. We can't support this development, because we can't support it from the -- from the fire perspective. Well, I look at schools as our infrastructure as well and you did I think a masterful job of talking about elementary schools, but we have got a big issue with high schools in south Meridian as well and while I was very fortunate my dad worked a ton of overtime to send me to a private high school, I went to West Ada for elementary and middle school and I have benefited from both of them. It's a very very small piece of a very very large pie and I don't think that charters and private schools is going to solve this. Maybe it would have solved it for us ten years ago, I just don't think it solves it for us today. I'm supportive if we want to continue this project. I -- I agree with Council Member Strader that I -- I wish we would have been able to have a joint meeting with West Ada before tonight. I think that would have given us a little bit more confidence in saying, yeah, there is a pathway for development in south Meridian or, no, there is not. I look at last year when -- when West Ada redid their boundaries and that was kind of the breaking case of emergency move and they readjusted boundaries and I understand the district has still a little bit of space to take students, but not when you factor in what we have got coming. So, until we have the better mousetrap to tackle students -- I mean I'm not one that says that we are not going to look at development in south Meridian or anywhere in Meridian, I just think that it's going to have to be really selective and the impact on the schools has got to be real real minimal. So, I'm not in favor of the project tonight, even though I love so much about it. I think it's just -- for me it's a matter of are we moving towards denial or are we moving towards a continuance at least for me.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. And I would like to speak to that -- that point about the decision. I think when we heard this the first time there was that ah-ha moment and where are we with schools and what's the impact to -- to our community by approving developments and capacity and all those questions and I know, Mr. Mayor, you are working with the school district to schedule that meeting and have a work session with Council and we are going to -- we are going to have that in fairly short order and --

Simison: If I could just real quick on that. We are having a conversation with their staff. If we want to have a conversation with the new -- the trustees, we are probably three -- I mean they have got their own issues they got to address. I don't know that this is going to be their first issue that they are ready to tackle. So, I would at least say give them time to get on board. They -- they are not even sworn in yet from that standpoint for 2/5th of their board. So, this conversation was probably -- I would say the March time frame is what we were thinking -- the larger what's our plan. There is a difference, though, between talking about the individual information we are receiving from the school district.

Hoaglun: And thank you for that clarification, Mr. Mayor, because that kind of fits to -- to my point is that we have had developers that have projects in the pipeline and we have put -- kick some cans down the road saying, well, let's defer, let's wait, let's wait. You know that there is enormous cost into that and -- and to me -- there is a lot of years that go into a project to -- to develop it before you get to this point and to me it would be very very unfair to all these applicants that are now before Planning and Zoning and coming before Council and those that we have deferred, that we put them off even further -- I think if we are going to make that decision to pause -- to hit the pause button -- and I don't know if the Council will do that or not, but to -- if -- to fully consider that I think, in fairness, we need to act on these developments that are before us, like this one tonight, on the merits of what we have been deciding all of our projects up and to this point and, then, we go look out into the future and say this is when we are going to press that pause button, if that's what we do, and we are only going to consider and tell folks, hey, look if it's commercial, if it's office, if it's industrial, we will listen to you, but if it's going to be residential we are not going to hear that. I don't think we can say tonight definitively, no, we are done. That to me is pulling the rug out from under people in a way that -- that I think damages our credibility as a Council and -- and I know folks would love to have us pause and delay and whatnot, but -- and that may happen, but for me not -- not -- not for this -- this project. We also can't assume that all the projects will become online that we approve right away and we know that. We have got one that just now built houses -- Becky McKay laid out the timeline for -- for Bridgetower and right at the corner of Ustick and Linder -- I think it was Stubblefield who had owned this property and it has taken over ten years -- I don't know, it might be 15 years. That thing had the streets in, sidewalks in, and there it sat. I had no idea why. I mean the market went up, it went down, and it went back up again and finally -- and I don't know if they sold it to somebody else to develop or what, but we don't control that process and that gets me to another point and that is

that I trust the market to a major degree to determine what's going to happen out there. I mean if a developer comes in and they are -- they are going to develop this property and they put in the infrastructure and the streets are there and all of a sudden there is a recession, they don't build. Hey, you know, some of them have been through that. They know what's coming. But the same thing occurs -- if there is not a school -- if schools are a major point and they know that people with kids aren't going to move here because that school is full, they know that they have got a product that won't sell, they are not going to build it. I mean that's just how economics work. If they are paying attention to what's going on they are -- they are going to have houses they build that sit empty, because families won't will move there. So, maybe seniors would buy them, but -- but if parents are okay with busing -- I know there were some comments about, oh, there is liability. People know and most of the realtors I know will make sure they are aware where their kids are going to go to school, what the situation is and if you are a good parent you are going to ask, you are going to find out and make sure you know and -- and if they are -- they are okay with busing, then, they will buy it and -- but, again, that's the marketplace, making that determination and I'm a believer in that. In fact, I was a -- we follow that principle. When our kids were growing up in Meridian and going to Linder Elementary, now it's Christine -- no. Barbara Morgan. Yeah. So, they were in portables and not a great learning environment, but we made do until we passed the bond and we got some more schools built and they were beneficiaries of Chaparral. Year round school. Even a sixth grade option at that time. That was great. Well, our son goes -- ready to go to middle school and we happen to be on the north side of Ustick Road and Meridian Middle Schools is two miles away. They said, well, we are re-adjusting the boundaries. Okay. Re-adjusting the boundaries. So, what does that mean? Not going to go to Meridian Middle School. Well, that's too bad, because that's where all his friends are going and where we -- where we live and I thought, well, maybe they will go to Lowell -- Lowell Scott, which that's all right. I went to Lowell Scott when it was a brand new school. Brand new out there in the sticks. Two lane highway. Across from Norm's Bar. They thought -- Norm's Bar. We were going to be corrupted by Norm's Bar. But, anyway, didn't work, but -- no. What they decided to do was the fact that, hey, if you are on the north side of Ustick Road you are going to go to this new school called Eagle Middle School on Floating Feather, eight miles away, when I had two miles, four miles, eight miles. So, the market kind of took over in my mind -- it's like that's not accepted from us. That's not our community. That's not -- not a bad school. Nothing against Eagle. But why would we want to do that. The option for us and for our oldest son was, then, private school. I mean that's -- that's how we made the decision. So, people make those choices, where they live -- and on that one that was forced upon me. It wasn't where I chose to live, I was already living there and they came and said, oh, this is what we are going to do and I made a decision based on that. So, those are things that -- I think if we move forward on things that we allow that market force to take place and let people decide what they want to do and if they don't want to live there because their kids can't go to school there, there is going to be other opportunities somewhere else, because we are a growing community. There -- there were some questions about, you know, making sure our partners know and how do we plan this and whatnot. We have a Comprehensive Plan, a very robust Comprehensive Plan, and our -- our planning staff worked very hard and they did so in I think end of 2019 to finalize that and that involves the community and listening

sessions are held and discussions are held and a lot goes on and the thing that I like about the process is we make sure our partners are involved. So, the Mayor talked about that, whether it's the highway district or school district and others because we want them to know what we are planning to do. So, they have all the signals. It's not like, surprise, we are doing this. They know well in advance where our priority growths are. This is where we are putting our money. We don't have all the money in the world to do everything we think needs to be done right now, so we are going to prioritize that and that's where the parks go as talked about -- I think Council Woman Perreault had mentioned that. That's where we put our parks, our fire station, our police stations, those types of things, so -- and south Meridian is a priority growth area for that and so we have -- and I think, Tom Daley, you asked about this, you know, the zoning and whatnot. So, in that area, for example, our future land use map identified this as mixed use neighborhood with medium density and that's what we are doing here. So, it's one of those things that we really do try to follow what we planned and move forward with that and so it's not a surprise to us, it's not a surprise to neighbors that, oh, you are doing what? Now, sometimes rezones will -- will change some things and we get those requests, but they are noticed and people weigh in, but our future land use map on this identified that area and what we wanted to do and how traffic is going to be handled with -- with a light and making that better and turn lanes. There are issues out there I wish we could fix. It sounds like there are some serious safety issues and maybe, Mr. Mayor, with Community Development Block funds and some things like that, when we have safe access to school funding available, we take a look at that area and see if there is something that might be -- might be available in the next -- in the next round of funding to help out with that. But I just think that we have to decide tonight on -- on moving forward or not based on what we do for our community, our -- is this our priority growth area? It is. Is in-fill a priority? It is. Is it mixed use? Does it meet the requirements of our plan? It does. Has it reduced -- are the densities reduced? There is concerns. Yes. All these things come together and I think down the road we may come to that point of deciding what to do about schools and that issue, but to me we go out and we pick that point in the future, if that's what we decide to do, and I don't know what we will -- if we will, but that is at that point starting from then, not -- not tonight and impacting everybody unaware and just surprise them with -- with -- with a decision like that. So, that's -- that's my two cents.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I think I made most of my comments and feel pretty consistent with my previous comments. I -- I guess I am sympathetic with the concern of, you know, kind of changing the rules of the game, if you will. I get that. That's a serious concern. But this is not a new problem and we have seen this problem coming and if not now when. We have a developer before us that seems willing to pay some sort of a special assessment -- a voluntary assessment. We could work that out. I would think that's in West Ada's best interest to work that out -- feel that out. You know, 4,000 even just single family approved -- out of those 33 percent are permitted. Even if we assume those don't deliver in the

next year, if we assume they deliver in the next two years those are building permits that have been pulled. That's a significant addition to this area and so we already have this huge pipeline of students coming. This is not a new problem and I love talking about, hey, let's -- let's all work together, let's work with our agencies, let's work with the legislature -- I can only control my vote tonight and what we could do from here. I believe that some type of a fee is possible. Mr. Nary didn't say it was illegal if it's a voluntary fee. I would like to explore that and I think we should have a joint meeting with the West Ada School District and I don't feel that it would be responsible to continue approving developments with this acute of a problem facing us. It's very clear that it's a huge problem and I -- I understand that in the past we have had a lot of pain and, then, we built schools, but, you know, there is absolutely no visibility as to a path forward at this point. I -- I think it's time to take a pause in this area and I love our priority growth area's framework. I think it's great. Part of when that priority growth area's framework was presented included fire, it included schools. That was a specific part of our discussion and maybe we need to update our priorities based on where we are at with the schools. That is a fluid framework. I don't see why that framework is set in stone. Our priorities can shift a little bit here and, yeah, so I mean that's where I'm at. I -- best case for me is a continuance for however many months it takes and, if not, I would be in denial tonight. That's it for me.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Excuse me. I'm sorry, my voice is really bad tonight. I -- I'm in agreement with my fellow Council Members Cavener and Strader about waiting until we have some conversations with the district and we have -- in the -- in the five years I have been helping the city make these decisions we have been asking the district for specifics. We have asked. We have asked. We have asked. We have asked. It's gotten better, that we are getting more specific information than we were, but it's not enough information to make these detailed decisions and I'm not saying this -- and let me be clear. I'm not saying that the district is withholding information that they have from us. That's not what's happening. But the district is also struggling trying to get a handle on the -- the vast growth, the -- the expansive quick growth that they are experiencing. So, this -- this is two agencies that are adjusting as -- as fast as we possibly can and the district has said in their letter on this application that there might be some possible solutions, most of which are short term. There is not a bond out there currently. But I would like to see the district and the city have very specific conversation about what possible solutions there are for this specific sub area and what the district has done to make consideration for these three schools. If we can't accomplish that in a meeting with the district in whatever time frame is doable, as the Mayor mentioned, I don't see the point in waiting to make the decision and I know we don't know whether the district can give us that specific information, but they have gotten specific enough to say if there is a problem we will help try to solve it. That's the -- they have clearly said that. That's what they communicated to the applicant that, you know, the city can make the city's decision and when there is an application that's approved that we have got to figure it out. That's just basically what they are saying

and -- and we kind of look at it like, okay, that sounds great, but that's going to become a bigger problem down the road and it's the circular issue -- there is a chicken and egg issue that goes on with these -- with these land use applications and the schools and, then, the schools and land use applications and -- and here we go. So, my expectation if we wait to have a meeting with the district, which is what I would prefer to do, is that we -- we have a clear solution when we come out of that meeting as to what we are going to do for these three specific schools in terms of how much more capacity can be created by the four different bullet points that they put in the letter they provided on this application. That's my thoughts on that. It is time to get specific. I know the school -- here is the thing. During COVID school numbers -- enrollment numbers were all over the place. It was almost impossible for the school to get a handle on that and I don't blame them for that. I do not blame the district for that. That was completely out of their control. At the same time that the students are leaving the school because they are homeschooling or they are -- you know, they are joining remotely, the City of Meridian is getting more applications than we have ever had. So, while we are getting this massive amount of requests for -- for decisions and information and -- and growth, the schools are having the opposite problem and -- and we are all trying to get on the same page. So, just -- just to be clear to the public that they haven't had good data for three years and they are getting it, we are slowly getting back to normalcy in terms of our enrollment numbers, but we have had an insane amount of applications come to us in the last two, going on three years and the school hasn't had regular data for us to make those decisions -- to base those decisions on. So, yeah, it is time to have a reassessment of where we are at now that we are starting to see some more normal numbers with enrollment and now maybe we have a better understanding of potentially where -- where there might be some solutions.

Simison: So, just to help frame the conversation per Council a little bit, the reality is if we have a joint meeting with the school district and they say we are going to run a bond, you are not going to know the outcome of that bond for one month, six months, a year. If they say we are going to redo the boundary areas for this area, you are not going to know the outcome of that for one month, six months, a year. So, if you are looking for a solution from West Ada to -- a known solution from West Ada for these issues, you are probably a year to two years minimum before you would know a specific solution for this specific 40 acres. So, I say that not in terms to tell you what to do, but a three month continuance only gets you to the meeting, not to -- you are not going to get an answer from them on how they are going to adjust this, unless they are going to say we are going to come and starting tomorrow we are going to redo the boundaries and that's not going to happen, because they have a process, they have a committee, you are not going to have a solution. So, just food for thought for whatever you think about, whether it's a continuance or otherwise.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I couldn't agree with you more. I mean I have sat in these meetings and with no disrespect to West Ada or any of our other regional partners, solutions don't come in one

meeting, unfortunately. They come in multiple meanings and multiple months and sometimes years and I think that's the way that government works, honestly. I mean we want to make policy that -- that is sound, that is prudent, that is -- you know, that's in the best interest of the city. That's how we operate. That's how we have always operated and that's how we will continue to operate and I -- there is no way that there is going to be a solution in -- when we meet with West Ada in -- in discussions with -- and the good discussions and the great dialogue that's happening between Miranda and Marcy at West Ada and I appreciate that discussion. I appreciate that dialogue. I'm with -- I'm with Brad tonight. You know, sometimes you just got to take the bull by the horns and make a decision. It's just really that simple. I mean we can kick this can down the road a thousand different times and, you know, it -- this is a macro issue that we are talking about. This is -- this is not just related to this project and I think we owe it to Becky and we owe it to the developer and those who are -- have interest in that property to make a decision tonight.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Appreciate yours and Council Member Bernt's comments. Agree, I don't think that this is a solution that gets solved in the next few weeks or months, except for a couple of different paths. If West Ada were able to derive a financial number to help offset the impact of the students to the district that may be something worthy of consideration, 90 days, 120 days from now. In addition, as we heard from Becky tonight, it sounds like West Ada's being very active in support with our development community on getting some legislation passed that would potentially give cities or school districts the opportunity or the ability to collect an impact fee to offset the impact of student growth. We could have those answers at least about where that's headed 90 days from now, 120 days from now. I agree I think with -- with both Council Member Hoaglund and Bernt, we have got a backlog of continued applications and it's -- it's a -- it's why I have already got this haircut and if I didn't I would have it, because we -- we have got a lot of applications that we have been continuing and it's unfair to the community, it's unfair to the applicants, it's unfair to us.

Bernt: What about the gray?

Cavener: Well, I can't speak -- that's my wife and my two kids that cause the gray. But I think that if -- if there is an opportunity to at least have a pathway where this Council could feel comfortable moving forward I think that we owe it to ourselves to at least explore that solution. So, I agree we are not going to have it answered by June. If we do I will buy Hungry Onion cheeseburgers for everybody, but I don't think we are going to have that. But I think we may have a pathway to be -- for us to be able to get there. So, I am supportive of the continuance, but if -- if this body wants to move forward with a decision tonight I'm happy to -- to bring a vote for that as well.

Simison: And just to my two cents on the -- what I will call a voluntary impact fee. It -- hey, it's a great concept if people want to do it. To meet the needs you only need about 130 million dollars of voluntary impact fees and you don't have enough projects in the

pipeline to collect that to build the schools absent a bond or other things. So, it may feel good, but it's not going to build a school. It's not -- not the three schools, not the high school, which is 70 million; the middle school, which is 40 million; the elementary, which is 20. It feels good. It doesn't solve the problem with this or everything else that's already been approved and you don't have enough in the pipeline to condition them through a voluntary payment, in my opinion, to get there without West Ada taking additional action personally. I don't think you can generate that much dollars.

Bernt: Mr. Mayor?

Simison: Just my two cents. Councilman Bernt.

Bernt: I agree -- and I agree wholeheartedly with Council Member Cavener. I mean it's a discussion that needs to happen. It's a discussion that multiple municipalities and governments have been wanting to have and we lobbied our legislators that have the discussion and, you know, we will continue to do so. I don't -- I think most developers -- I think most people would be in favor of an impact fee of some type. I think -- I don't think there is any -- any disagreement with that. So, I agree with Mr. Cavener. I just don't know if it's --

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: One of the things that I see about putting the pressure on them having to make decisions, because we -- I have heard the word pathway. We need a pathway. What is the clear solution that they need to come up with. We have not identified any defined outcomes for them -- for us to reach a -- reach a definitive answer down the road. We are just saying we need a solution. What does that look like? We don't know. We don't know. I don't think they know. What -- is bond and build the way that they have been going and have been for quite a while, is that still the solution? Is it -- I have heard of one solution floated out there. Is it time for West Ada, as big as it is, to be broken up into smaller parts? Is it -- is it still feasible as -- as it's created right now? Those are ideas, options -- it's not something -- you know, media, I'm not advocating these things, they are just -- these are options that could be explored. Should they be leasing commercial space that sits vacant for schools and they get a good deal from the developer, because they want some revenue from there, but the way commercial is going in some markets is that an option? Are they going to explore that? What are the defined outcomes that creates a solution? And I -- to me it -- it's putting pressure on them to say you have to come up with a solution. That is your responsibility. You are elected to do that job, not us. Yes, we want to be good partners, but at the same time we have our responsibilities and so if -- if a motion is made to continue -- I mean I can -- I'm good at counting, at least if it stays on two hands, you know, I think the votes are there to -- to continue and that's fine. I -- in fact, I would rather continue it than to kill it. So, if that's the motion I would support that. But I really -- I just don't think we are going to accomplish much without knowing what the defined outcomes are that makes us decide that we can move forward with -- with these

issues. I think we are doing, again, a disservice to -- to our development community by -- by doing it right now on these projects, but --

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: If I may, I don't want to belabor the conversation where I think we have all hit a lot of the main points. I -- from a staff perspective usually I abhor continuances, but I would rather those -- that occur tonight rather than denial for this project, in the sense that it meets a lot of the things that -- that have been discussed in our comp plan and in the plan overall. So, I -- I'm almost afraid in a way of if it's denied what comes down the pipeline in four years could be vastly worse and whether we have a solution to schools or not and those types of things, you know, we -- I do take into account and I just want to just note that the plan is sound in a vacuum and I do understand that's not how we do development here, but, you know, it does have the transitional density, it does meet the density requirements, has ample open space, has an incorporation of different uses, et cetera. So, I just wanted to reiterate that to Council.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Becky, I know you are -- you are mobile, so maybe I will look for a nod. I'm thinking like mid July to continue it until then.

Bernt: Mr. Cavener, so has a microphone.

Cavener: She does have a microphone? Look at our staff. Crushing it. That's awesome.

McKay: Mr. Mayor, Councilman Cavener, I have been working on this since 2019, so I guess a deferral to July isn't -- isn't the worst thing that could happen to me. It's been a long haul already, so I'm willing to -- to work with the Council to see if we can find a path.

Cavener: Okay. Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Mr. Dodson, got any July vacation plans, you and the Mrs?

Dodson: Actually, we were just discussing that. Potentially. I don't know when, but, you know, as -- as life goes we will work around work.

Cavener: You tell me the dates and I will be happy to continue to that specific Tuesday if you want.

Dodson: Sure. No. I will enjoy this trip. I couldn't tell you exactly, but I will -- I will make it work that's for sure. I'm here all the time.

Cavener: So, Council, I'm thinking like July 12th. It's a new fiscal year for the state and we may have at least -- if there are questions that have been answered they will have been answered by that point. So, Mr. Mayor, with that I move that we continue this item to July 12th, 2022.

Strader: Second.

Simison: I have a motion and a second to continue this item to July 12th, 2022. Is there any discussion? Mr. Nary.

Nary: Noticing. Do you want the city to pay to notice -- renote this, because that's a very long extension.

Cavener: Yeah. We will pay to notice it. I think it's my -- my request would be is that the city pays for the renoting.

Simison: Second agrees. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay.

Bernt: Nay.

Simison: Four ayes. One nay. Motion carries and the item is continued until July 12th.

MOTION CARRIED: FOUR AYES. ONE NAY. ONE ABSENT.

Simison: And we are going to be continued until 9:00 o'clock, so we will take a recess for 15 minutes.

(Recess: 8:45 p.m. to 9:03 p.m.)

29. Public Hearing for Biltmore Estates Subdivision Time Extension (TECC-2021-0001) by Engineering Solutions, Generally Located 1/4 Mile South of W. Victory Rd. and 1/2 Mile West of S. Meridian Rd.

- A. Request: A Two-Year Time Extension on the preliminary plat in order to obtain the City Engineer's signature on a final plat.

Simison: Okay. All right. We will go ahead and come back from recess and move on to Item No. 29, public hearing for Biltmore Estates Subdivision time extension. TECC-2021-0001. We will open this public hearing was staff comments.

Allen: Thank you, Mr. Mayor, Members of the Council. The next application before you is a request for a time extension on the previously approved preliminary plat for Biltmore

Estates. This site consists of 22.67 acres of land, zoned R-4, and is generally located a quarter mile south of West Victory Road and a half mile west of South Meridian Road. The preliminary plat was approved back in 2014 and consisted of 159 buildable lots on 56.19 acres of land. Final plats for phases one through three have obtained the city engineer's signature within the required time frame. The director approved a two year time extension on the preliminary plat in order for the city engineer to sign the final plat for phase four, which expired on December 18th of last year. The subject time extension request was received before the expiration date as required. The Comprehensive Plan future land use map designation for this property is low density residential. The applicant requests approval of another two year time extension in order to obtain the city engineer's signature on the phase four final plat. Two phases are yet to develop consisting of a total of 70 building lots on 22.74 acres of land. The applicant states the construction drawings and the final plat for the fourth phase of development have been completed and the final plat application is anticipated to be submitted soon. Due to continued labor and material shortages, construction on this phase has been delayed. With all time extensions City Council may require compliance with current UDC provisions. Since the preliminary plat and previous time extension were approved, an amendment on -- to the common open space and site amenity standards listed in UDC 11-3G was approved. The provisions for common open space have increased from ten percent to 12 percent and require compliance with the quality and qualification standards listed in the UDC. The provisions for site amenities changed from three required amenities to a point system based on the area of the development. The Public Works standards and specifications have also changed. Based on these new standards staff recommends an additional 2.35 acres of common open space and site amenities totaling four points is provided and compliance with the most recently adopted Public Works standards and specifications is required for the remaining phases of development. The applicant proposes to provide eight foot wide landscaped parkways along all internal local streets and reduce the buildable lots by one to increase the common open space area and provide a pickleball court as an additional amenity in accord with current UDC standards. Approval of the subject time extension will allow the applicant to obtain the city engineer's signature on the final plat for phase four and proceed with development of the property. If Council does not approve the requested time extension the preliminary plat will expire and a new preliminary plat application will be required for the remaining area that has not yet been subdivided. Written testimony has been received from Becky McKay, Engineering Solutions, the applicant. She is in agreement with the conditions in the staff report. Staff is recommending approval with the conditions requiring the applicant to comply with current open space site amenity standards and the Public Works requirements. Staff will stand for any questions.

Simison: Thank you. Council, any questions? Okay. Would the applicant like to speak from her chair?

McKay: Mr. Mayor, Becky McKay. Engineering Solutions. 1029 North Rosario. Just to answer any questions that you may have. As Sonya indicated, we have completed our construction plans for phase four and final plat. We are just kind of holding on to them at this juncture, because we are seeing a shortage of materials and labor. So, we did not

want to submit and run out of time as far as plan approvals were concerned and so we -- we anticipate submitting them this year and getting going on phase four and we are in agreement with the conditions as outlined by Sonya and bringing the development into compliance with the new UDC amenity and open space requirements.

Simison: Thank you. Council, any questions for the applicant? Okay. This is a public hearing. Madam Clerk, do we have anyone that is signed up to provide testimony?

Weatherly: Mr. Mayor, there is no one signed in.

Simison: Okay. Is there anybody that would like to come forward and provide testimony on this item at this time or online? Use the raise your hand feature and we will bring you in for comments. Seeing no one online or in the audience, any final comments from the applicant? Okay. And Council?

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I move that we close the public hearing -- this is a public hearing; correct? Yes. On TECC-2021-0001.

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: FIVE AYES. ONE ABSENT.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: After hearing staff and applicant testimony, I move to approve TECC-2021-0001 as presented in the staff report for the hearing date of January 4th, 2022.

Cavener: Second.

Simison: I have a motion a second to approve item TECC-2021-001. Any discussion on the motion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it. The motion is agreed to. Do we need to do a roll call? Did I just -- okay. Thank you on that one, so --

MOTION CARRIED: FIVE AYES. ONE ABSENT.

30. Public Hearing for Fluid Estates Subdivision (SHP-2021-0008) by Idaho Survey Group, Located at 3110 W Quintale Dr.

- A. Request: Short Plat consisting of 3 buildable lots on 2.0 acres of land in the C-C zoning district.

Simison: So, thank you and we will move on. Thank you. So, with that we will move on to Item 30, public hearing for Fluid Estates Subdivision, SHP-2021-0008. We will open this public hearing with staff comments.

Allen: Thank you, Mr. Mayor, Members of the Council. The next application before you is a request for a short plat. This site consists of two acres of land. It's zoned C-C and is located at 3110 West Quintale Drive. This property was previously platted as Lot 2, Block 25, Bridgetower Crossing Subdivision No. 7. The Comprehensive Plan future land use map designation for this property is commercial. The applicant proposes to resubdivide the existing lot into three buildable lots. The proposed short plat complies with the UDC standards for such. Street buffers were constructed and landscaped along adjacent streets with the previous subdivision improvements. Access to the property is provided via two existing access easements and driveways at the east boundary of the site. A direct lot access via Ten Mile, McMillan, and Quintale is prohibited. Per the development agreement a conditional use permit is required prior to development of this property. Written testimony has been received from Michael Burns, the applicant, and they are in agreement with the staff report conditions of approval and staff is recommending approval with the conditions in the staff report. Thank you.

Simison: Thank you. Council, any questions for staff? Okay. Is the applicant here? Are they -- oh, are they online? Are they Moto G Power 2021?

Bernt: That would have been a first.

Simison: We have two people raising their hands, so --

Weatherly: Moto G, you should have the ability to unmute yourself. Are you the applicant?

Burns: This is Mike Burns with Idaho Survey Group.

Simison: If you could state your name and address for the record, be recognized for ten minutes.

Burns: Michael Burns at 8730 West Brynwood Drive. I represent Idaho Survey Group and we are totally in support of staff's recommendations.

Simison: Okay. Council, any questions? Okay. All right. This is a public hearing. Madam Clerk, do we have anyone that's signed up to provide testimony?

Weatherly: Mr. Mayor, no one signed up in house. We do have a raised hand online.

Simison: Okay. We will see if Mr. Wall is interested in testifying on this item. If there is anybody that would like to provide testimony, please, come forward at this time as well.

Wall: Yeah. Eric Wall here. My address is 280 East 14th North in Ammon, Idaho. I actually am the landowner. So, we agree with the staff report and feel like we will be in full compliance with that.

Simison: Okay. Thank you. Council, any questions? Okay. Thank you. And seeing no one else that would like to come forward, if any -- if the applicant wants to make any final comments, but since we are making it the first time I don't know if there is anymore to make or if Council has questions or direction.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I have a question for Sonya. So, does this change the parking as a whole in this development? Like I don't know what the original parking expectations were when it was just one lot and now it becomes three. Does that affect the parking that exists in the other commercial area there to the east?

Allen: Mr. Mayor, Council Woman Perreault -- I'm not sure how to answer your question. Parking is required per the square footage of the building -- for the gross square footage. This -- the bottom area of this lot has not been developed yet. Parking has been provided on the site in accord with UDC standards. Does that answer your question?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Perhaps I mistakenly assumed that when it was one lot it would all develop as one and now -- so, should I not assume that there is going to be additional buildings that are built beyond what was originally anticipated, because of this short plat request?

Allen: Council Woman Perreault --

Perreault: Or is it just based on square footage?

Allen: Parking is based on square footage -- gross square footage of the building. But, yes, it -- it's hard to answer your question. In a commercial district there can be more than one building on a lot. They are subdividing it for ownership purposes.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I'm sure that, you know, in future development applications for the site we will have -- whether it's a conditional use permit or something, that this -- these topics will be discussed.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: In that regard, Sonya, yet when the time comes for the CUP for -- they have got some drawings in there -- in the -- in the file here, I know that -- there is four eating places -- well, five if you count a takeout pizza place already. If there are changes to our parking standards before their CUP comes, I would -- it only affects these businesses. I don't know. One is -- looks like it's going to be a lube place. I don't know what the one to the south would be, but if that's going to be a sit down or some sort of food establishment, would that location only have to meet the new parking standards or does it impact the full development?

Allen: Parking is based on the zone and the use. Restaurants require one space per 250 square feet of gross floor area and regular commercial businesses there is one per 500 square feet. So, that will be evaluated when they submit a development application for those parcels.

Hoaglun: Mr. Mayor, follow up.

Simison: Councilman Hoaglun.

Hoaglun: Sonya, if -- if in the instance that the south one is an eating establishment, it would only -- the new standard would only apply to that establishment and not the other ones that are already in the development; correct?

Allen: Yes.

Hoaglun: Okay. Thank you.

Simison: So, Council, do we have a motion to close the public hearing?

Weatherly: Mr. Mayor?

Simison: Yes, Madam Clerk.

Weatherly: We can't. Someone online had their hand up and it disappeared, so disregard.

Simison: Okay.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we close the public hearing.

Strader: 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.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we approve Item No. SHP-2021-0008.

Strader: Second the motion.

Simison: I have a motion and a second to approve Item SHP-2021-0008. Is there any discussion on the motion? If not, clerk will call the roll.

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

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

31. Public Hearing for Woodcrest Townhomes (H-2021-0015 and H-2021-0082) by Blaine A. Womer Civil Engineering, Located at 1789 N. Hickory Way

- A. Request: Continued from September 7, 2021, an Amendment to the Comprehensive Plan Future Land Use Map (H-2021-0015) to change the future land use designation on 2+/- acres of land from the Commercial to the Medium High-Density Residential designation.
- B. Request: Continued from September 7, 2021, a Rezone (H-2021-0015) of 2.10 acres of land from the L-O (Limited Office) to the R-15 (Medium High Density Residential) zoning district.

- C. Request: Preliminary Plat (H-2021-0082) consisting of 19 building lots and 4 common lots (including 1 lot for a private street) on 1.97 acres of land in the proposed R-15 zoning district.

Simison: Next item is Item 31, a public hearing for Woodcrest Townhomes, H-2021-0015 and H-2021-0082. We will open both of these public hearings with staff comments.

Allen: Thank you, Mr. Mayor, Members of the Council. City Council previously heard the proposed comp plan map amendment and rezone applications back on September 7th. At that hearing --

Simison: Sonya, do you have any visuals that you are showing with these?

Allen: Yes. Are you not seeing it?

Simison: No.

Allen: Let me go back in.

Simison: There we go.

Allen: Thank you. Okay. So, anyway, at the hearing on September 7th the Council directed the applicant to submit a preliminary plat application to be heard concurrently with this map amendment and rezone request. The applicant did submit a preliminary plat application as directed, which was heard by the Commission on December 2nd. The Commission recommended approval of the preliminary plat to City Council. A private street application was submitted for access to the proposed lots, which has been tentatively approved by the director. Mr. Mayor, would you like me to only cover the preliminary plat items or would you like me to go through the entire application again?

Simison: May I ask Council what they would --

Allen: Okay. The preliminary plat is proposed consisting of 19 building lots and four common lots, including one lot for the private street on 1.97 acres of land in the proposed R-15 zoning district. The proposed lots range in size from 3,789 to 2,000 square feet, with an average lot size of 2,701 square feet. The proposed gross density of the subdivision is 9.64 units per acre. The subdivision is proposed to develop in one phase. Because this site is below five acres in size minimum open space and site amenity standards do not apply. I should mention that since the last time Council reviewed this application the applicant did revise their concept plan. Before they had a four unit townhome in this location here. They have changed that to three and moved the four units down here on the west end and they did increase the parking along the southeast corner of the site. They now have -- I believe it's 20 extra spaces for guests on this site and, then, sidewalk is proposed along one side of the private street. Staff will stand for any questions on that.

Simison: Thank you. Council, any questions for staff? Okay. Is the applicant here, like to come forward?

Womer: Is it this one? Yes.

Simison: State your name and address for the record.

Womer: Good evening, Mr. Mayor, Members of the Council. My name is Blaine Womer of Womer Engineering. We are at 4355 West Emerald Street in Boise. Sonya did such a good job in the staff report she pretty much stole my thunder as far as what I was going to mention and which pertained to the massing of the units that we changed at the request of the neighbors to the northwest and the parking that we added. So, other than that I'm just here to answer any questions the Council may have or try to answer any.

Simison: Council, questions for the applicant?

Hoaglun: Mr. Mayor? Blaine?

Simison: Councilman Hoaglun.

Hoaglun: I think in going through the packet I read somewhere someone was concerned about utilities and some things like that. What --

Womer: Yeah. What was brought up last time -- and I think the -- the gentleman that brought that concern up will probably -- he's here tonight and he may bring up the same comment. But what we had proposed in our concept landscaping plan was a buffering of -- I believe Cypress along -- do you have that landscape -- concept landscape plan, Sonya? Yeah. That you can see there. We were -- we were trying to do some buffering there, so that there would be some greenery being shown, as opposed to no landscaping whatsoever. So, we tried to pick something. I'm not a landscape architect, but we directed our landscape architect to try to pick something that we create a nice screen. There is a utility easement along that property line and there was a concern that the trees are being planted that there would be utilities and, obviously, we would have to go in and do the proper dig alert and probably even pothole some of those utilities to make sure we are not planting trees over the -- over the utilities. So, I think that was the concern, because the landscaping is proposed in a drainage -- I mean, I'm sorry, utility easement.

Simison: Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Blaine, I think last time you were here we talked a lot about parking and I appreciate that you have added more parking. My biggest concern is that it's not convenient parking and I'm just curious -- I think we had a discussion about maybe

relocating some of the parking towards that little open space corner lot and I'm just curious if there was a reason why you decided not to pursue that avenue.

Womer: That's just -- where we ended up putting it seemed to give us more bang for the buck for what we could give. Again, the report showed that we need 27 spaces. We ended up with -- I believe -- I believe it's 51 when it's all said and done, so -- and the access that we provide with the -- the sidewalk -- the sidewalk coming towards the parking and, then, working this way back to the interior subdivision street sidewalk, we thought that was adequate.

Cavener: Mr. Mayor, follow up.

Simison: Councilman Cavener.

Cavener: Blaine, is the intention, then, that that -- is that parking lot going to be signed private parking? Is it -- I mean to me I look at that as parking that's going to be utilized not by the residents, but most likely by Louie's patrons. Was that the intent, then, behind it?

Womer: Well, again, if you -- if you look at the parking study, Louie's patrons and the -- and the convenience of where those parking spaces are to the restaurant, I have a hard time -- well, the study had a hard time finding a time where parking would be -- would be directed that far away with the amount of parking that's already there with the shared parking agreement that the -- that the whole development has. So, we feel that the parking is going to be utilized, if it's utilized at all, again, because of the -- due to the fact that we are so severely overparked, we have a hard time seeing that being used by anybody other than visitors to the -- to the townhome project.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. I appreciate you doing that parking study and it was -- seemed very thorough, but I think I read somewhere that the gazebo area -- we would allow the employees of the restaurant to utilize or something like that. Did I misunderstand that? I thought, well, that's interesting and maybe -- maybe I misread it, but --

Womer: No. I think the idea there was -- and it's mentioned in the staff report that way, that it's -- it's an open space that certainly if somebody from the -- across the street there at the bank or whatever wanted to come over and enjoy a spring day, there is certainly not going to be anything keeping them from it.

Hoaglun: Okay. Appreciate that approach to it. Thanks.

Simison: Council, any additional questions? Okay. Thank you very much. This is a public hearing. Madam Clerk, do we have anyone that signed up to provide testimony on this item?

Weatherly: Mr. Mayor, we have one person signed in. David McDonald.

Simison: David, if you are here and would like to come forward and provide testimony. State your name and address for the record and be recognized for three minutes.

McDonald: So, Dave McDonald. 2579 East Grapewood and I appreciate the question about usability. I look at this from a human factors and usability perspective. Twenty-seven parking spaces is a big -- a big question mark that a human factors perspective would challenge, simply because of where we are at, our reliance on vehicles, our lack of public transportation. I would agree with that if this was being built in say New York. I would say get rid of the parking if you built this in London or in Europe, because of availability of mass transit and other options, but because we are so reliant on our cars, these -- these types of homes are going to draw a higher density of people that rely on their cars to get everywhere they need to go. Twenty-seven parking spaces is not adequate for Meridian just because of that fact alone. I would say get rid of the parking if you built this in London, just because of the way we do mass transit in Europe versus Meridian. So, you look at somebody who has got experience with real estate -- I know Liz Strader and -- and Council Woman Perreault have some exposure to the real estate industry, but the behavior and what works on paper doesn't work on paper everywhere based on simple factors from how we behave as humans. So, I would say you go by how many people are going to be sleeping in a residence in a -- in a locale like where we are at and that's probably something I would probably give you food for thought of how our public transportation impacts our demand for our cars and our demand for parking in Meridian. It's very different than -- when I travel to Europe I never get a rental car, I always take the buses and the trains, because it's a pain in the butt to drive. Here I can't get anywhere without my private vehicle and so I go by the number of bedrooms. This project represents 50 potential bedroom areas, places where people can park -- can sleep and that also is a close representation for why we have higher demand on vehicles and as -- as was pointed out by Luke Cavener, I handed out the drawings just to kind of illustrate -- the second page shows you -- there is 20 cars parked belong where -- where this parking area is going to be occupied by the gazebo. There is going to be a displacement of those 20 cars that visited the -- the restaurant. When I did the survey before the snow flew during the Thanksgiving to Christmas holiday, the -- the number of cars parked outside of Louie's in other areas was about 36 cars on average during the times that I surveyed. So, there is going to be displacement. One thing that I think stood out to me that in my mind helps with some of the conflict with parking here was the mention of the cross-parking agreement and it gave me the very distinct impression that withdrawing from the cross-parking agreement is no longer on the table and that it's going to be kept in place, so, you are right, those 17 parking spaces around the gazebo, perfect for the restaurant folks, but when you go to the south area between the Louie's Restaurant and that tanning salon, that's going to be very attractive parking for the residents of the townhomes and I think what Mr. Louie is going to need to realize is there that -- that cross-

parking agreement allows those 17 parking spaces to be used by the townhome guests and residents. It's not a one way option, it goes both directions. So, I think, you know, that might be the best way that we can describe that. I think, you know, those are the -- those are the key questions that I probably put on the table. I was the one who talked also about the landscape question, making sure that the masonry wall -- because between the masonry wall and my property line are my high speed internet and those types of things and I think Mr. Womer addressed that question adequately, that, you know, they will -- they will maintain the masonry wall and they will make sure that if I lose internet connection that my internet guy can get back there and fix the problem. So, you know, I think that's -- he's answered that question for me.

Cavener: Mr. Mayor?

Simison: Council, questions?

Cavener: David, just one question. Appreciate these exhibits. If I'm reading this right, I assume these photos were taken recently.

McDonald: Oh, yeah. Yeah. You can go see those photos. They were done, obviously, before the snow flew, but, yeah, those -- those are from this fall.

Cavener: So, if I'm seeing this right, we have got three different towing companies that are serving --

McDonald: Yeah. Those -- those towing companies would be for the mortgage place, for the tanning salon and for Louie's.

Cavener: Thank you. Appreciate it.

Simison: Council, additional -- Councilman Hoaglund.

Hoaglund: Have you been able to look at the parking traffic analysis that is -- the company did for this development?

McDonald: Yes. I looked at the 27 parking studies and I will flat out refute it. I will just say just -- what works on paper doesn't always work in reality. That's why when -- when somebody who comes from human factors usability perspective talks with design engineers and we always challenge them on their assumptions about why things behave differently in London versus the way they behave in New York versus the way they behave in Meridian, Idaho. You have to look at how we as human beings in the locale that we are at behave and that's -- it should make common sense. But, you know, obviously, using the manuals that they do for a traffic engineer, one size doesn't fit all. Twenty-seven parking spaces may be true some places, it just isn't true here.

Hoaglund: Well, Mr. Mayor, one of the --

Simison: Councilman Hoaglund.

Hoaglund: One of the things I was looking at was, you know, no lot in the commercial areas is observed to be over 70 percent full during this -- or during this study and where that location is and -- and I don't know if you agree or disagree with that, but that -- you know, that -- that's a good sign and one of these lot -- the 27 spaces would be located are even farther away, especially if it's a restaurant, which typically when you have the peak periods and overflow and big Sunday or something --

McDonald: Well, I think ultimately, you know, I have seen some really good things happen with this most recent preliminary plat. If I give you an example of why some of those parking spaces aren't utilized, even though it's heavily used in certain areas -- if you look at the tanning salon that's to the west of the Louie's Restaurant, the way those parking spaces are situated with the building in between, we as human beings like convenience, we want that shortest distance between getting out in the cold to going to the Louie's restaurant or the front door. That's why that lot is mostly empty, but you see it displaced towards like the bank or the mortgage -- mortgage company and it will spill that direction, rather than towards the tanning salon, just because of one simple factor, we as humans like convenience. Now, I think Mr. Womer can also talk about -- you know, one thing I wanted to highlight on his landscape plan, if I read it correctly it looked like along the Hickory Way side there is landscaping, flowerbeds, and possibly even a fence, whether it's three foot or six foot. That would actually discourage people from parking on Hickory Way, because, you know, nobody wants to walk through a flowerbed or over a fence to get around to their house. They are going to -- they are going to spill towards Louie's. But, you know, he can clarify if I read that correctly and he also can clarify -- I just want to get on the record that, you know, the cross-parking is still -- because that seemed to be the deciding factor for what P&Z heard. So, I will just leave it at that and, you know, most of those -- most of those questions should be answered.

Simison: Thank you. Is there anybody else that would like provide testimony on this item at this time? Anybody online?

Weatherly: Mr. Mayor, I see no one with their hand raised online.

Simison: Okay. Then would the applicant like to come forward for any final comments.

Womer: Yes, Mr. Mayor, Members of the Council, Blaine Womer for Womer Engineering. Appreciate Mr. McDonald's comments. I guess I would respond that when you do a parking analysis, any kind of traffic study it's modeling. That's -- that's what it is. It's like when we do hydrology and hydraulics, it's modeling. You're modeling past behaviors, past conditions, and in the -- in the case of transportation engineering we have the Institute of Transportation Engineers that have modeled this for years and come up with what the required parking is, because you have to have some standard to make these -- these studies work. So, if there is any concern that Mr. McDonald has with that, he can certainly take exception to what the ITD has come up with with that generation standard, but I think what we have done is more than mitigate it with your recommendation that we

provide additional parking, when we have gone from 27 required to 51 provided. So, I think that is -- quite clearly mitigates any concern that there should be with respect to parking just by sheer numbers. So, that's all I would add, unless anybody has any questions.

Simison: Council?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: If you wanted to just touch on the cross-parking that --

Womer: Yes. Mr. McDonald's concern was that the cross-parking agreement would go away and it's not. Thank you.

Simison: And I think just -- I know I mentioned the last time, but, hopefully, the applicant -- the cross-parking goes both ways. I can tell you for a fact the last time I was at Louie's I was parking right there in those spots that are on this place, because there is no place else. That would have been the most convenient parking nearby the restaurant at that point in time at lunch and so, you know -- Mr. Nary, you will be the enforcer of this parking issue when that comes up at some point in time, because of signs that get put up by somebody who does not know, so make good notes for your files for your future staff, because that will be an issue at some point in time. No. It will be a different company. the -- that will be -- be there, but this will be a Friday night, Saturday night challenge or a lunchtime challenge. The lunch is probably not going to be as much of a challenge. I think naturally the Louie's parking lot will spill into these spaces, which likely won't be used during the day, so these will primarily be weekend and evening places, unless they become overflow permanent parking lots for people, because they don't have adequate parking in front of their homes, but time will tell. I'm off my soapbox. Council, any questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Maybe Blaine can just give me a nod of the head. My assumption is that private street is going to be signed to no parking. Okay.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I just want to make a quick comment before we close the public hearing. I -- my opinion I think the highest and best use for this piece of property is light office and I have

been pretty consistent with my thought about that since they originally presented, so that's my -- that's where I will be going this evening before we close the public hearing. Thanks.

Simison: Thank you. Okay. With that, Council, just note we do have two public hearings open, so we will want to make any motions relate to both of them.

Hoaglun: And, Mr. Mayor, a question for Mr. Nary.

Simison: Councilman Hoaglun.

Hoaglun: And, Bill, when we make the motion to close the public hearing and for final vote, A and B are together, so is that one motion and one vote and, then, the preliminary plat as a second or can you do all three, but noting they are -- they are separate applications?

Nary: Mr. Mayor, Members of the Council, Council Member Hoaglun, the latter is fine. As long as we state what we are doing on the record.

Hoaglun: Okay.

Nary: Just to highlight the different file numbers so it's clear which you are making a motion on and that way the Council -- if the Council would prefer to vote on them separately, because you may want to vote for one item, but maybe not the other item, then, that's certainly an option as well.

Hoaglun: Mr. Mayor, I think, then, we will just go move forward and just -- to make sure that everyone gets their say on each one to do them separately in terms -- well, for closing the public hearing I will do -- I would move that we close the public hearing on the first application, which is H -- the Comprehensive -- amendment to the Comprehensive Plan future land use map, H-2021-0015 and the rezone H-2021-0015, and also the second application to close a public hearing for preliminary plat H-2021-0082.

Bernt: Second.

Simison: I have a motion and a second to close the public hearings on H-2021-0015 and H-2021-0082. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it and the public hearings are closed.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Hoaglun: And, Mr. Mayor, yeah, I just realized those --

Simison: Councilman Hoaglun.

Hoaglun: -- have the same number twice there, because one's the Comprehensive Plan and the rezone and they made it the same.

Simison: You made it very clear.

Hoaglun: Okay. That's nothing but thorough sometimes. Maybe too thorough. I -- I think the -- these properties have been vacant for commercial for many many years. We know commercial has changed in the application. You know, I don't doubt Councilman Bernt's desire that they -- they remain as proposed, but I think this is a good use for this property. It provides housing in a place that does not require any additional schools to be built. So, we are all excited about that and I think it's a good use and with the changes he's made, changing the -- the densities of those townhomes and adding the parking and it looks like a -- like a good development. So, I can support these for -- for both applications. I know some may disagree on one or the other, but that's -- that's -- that's my position for these. So, we can have comment before I make a motion.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I appreciate the comments. I tend -- I'm kind of in a spot where I agree with -- with both Council Member Bernt and Council Member Hoaglun. I do think that commercial is the best use, but I think it's sat vacant long enough and as somebody who is over in that area every Wednesday, I just think the layout of the existing commercial is just going to make the likelihood of any successful commercial in that area really challenging and problematic. So, I'm supportive of moving this to residential and I agree it's -- it's probably the better use. My hang up is -- I said this the last time this application was before us and it's just weird that I'm -- I'm kind of hanging my hat on this particular piece, is the -- the parking layout is not conducive to supporting the neighborhood at all and Mayor Simison kind of tiptoed around it and pivoted to -- this is going to be something that the city and code enforcement and the Mayor's office, once it's built, is going to hear from our citizens. They are going to be frustrated. The residents are going to be frustrated. The business patrons are going to be frustrated. This to me seemed like an easy fix. You chose not to go down that path, so I'm not going to be supportive of the plat.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I mean I -- I am in the same boat in terms of, you know, agreeing with the points by all of my other fellow Council Members. It is a suburban environment no doubt. Not a -- it's not London, it's not a European city, unfortunately, or fortunately. I think a lot of us are happy with those trade-offs, too. So, I guess I do feel like they have -- they have tried and I think they have, you know, made some changes, they have added some parking. I usually am not in support at all of changes, unless it's given a really long time period and has gotten to that point. You know, it's not -- I'm not loving it, but I think I could live with it. That's kind of where I'm at. So, I think I'm probably somewhere in between, but probably fall in line with Councilman Hoaglun's view on it at this point.

Simison: Yeah. If we want we can just make motions and see where Council Woman Perreault votes, if we want to save her voice, unless you would like to add some comments.

Perreault: Sorry, my voice is getting worse as the evening goes on. I am not opposed to residential in this location. I am -- I am fine with the comp plan change request. I agree with Councilman Cavener that I am not at all a fan of the location of his parking -- the extra parking as it relates to the residents in this development. I'm really not as concerned about the customer's parking here. I feel like this is too far away from the businesses. I think they would park illegally in the spots that are closer to the business, then, they would actually park here and walk. I think people are that lazy, to be honest, but I really feel like this -- the extra parking is super inconvenient for the residents and how the development itself -- itself is designed. Do I think it's poor enough of a design to send them back to the drawing board and not support the preliminary plat? I think I probably I'm more along Councilman Strader's thinking of, you know, no, I don't think it's awful. I -- I really don't think that those spaces will be well utilized in the location that they are and I'm sad to see that the applicant didn't rethink that, so --

Hoaglun: Mr. Mayor?

Simison: Just from a practical standpoint, I mean if they are shared parking they are in the best place for shared parking in a business environment in a lot of ways. I mean that is how this is set up. But it's just going to -- I think it's going to be a push and tug and, you know, I'm in agreement on it. Personally I don't have an issue with the transition, the change, but I didn't have as much of an issue with where they put the parking, you know, because if you are coming to visit it's not that far to walk around, but it is shared and shared -- sharing is going to be the challenge for someone at some point in time in this area. I just don't know by whom when. I have said my -- said by peace. Councilman Hoaglun.

Hoaglun: Mr. Mayor, let's give this a try, see what -- see what the outcome is, so -- I'm going to do these as two separate applications to vote on. I think that's the preference of Council on this, so -- I would move approval of an amendment to the comprehensive future land use map H-2021-0005, as well as the rezone also in this application of this from L-O to medium high density zoning district.

Cavener: Second.

Simison: I have a motion and a second to approve Item H-2021-0015. Is there any discussion? If not, Clerk will call the roll.

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

Simison: Four ayes. One no. Motion passes.

MOTION CARRIED: FOUR AYES. ONE NAY. ONE ABSENT.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move approval of the second application, the preliminary plat, H-2021-0082, including all staff and applicant comments on this application.

Strader: Second.

Simison: I have a motion and a second to approve Item H-2021-0082. Is there discussion on the motion? With that Clerk will call the roll call.

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

Simison: Three ayes. Two nays. Motion passes. Thank you.

MOTION CARRIED: THREE AYES. TWO NAYS. ONE ABSENT.

ORDINANCES [Action Item]

- 32. Ordinance 22-1960: An Ordinance (H-2020-0111 Aviator Subdivision) for Rezone of a Parcel of Land Situate in the Southwest Quarter Of Section 10, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho; Establishing and Determining the Land Use Zoning Classification of 11.84 Acres of Land from M-E (Mixed Employment) Zoning District to R-15 (Medium High Density Residential) 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 are on to Item 32 under Ordinances. Ordinance No. 22-1960. Ask the Clerk to read this ordinance by title.

Weatherly: Thank you, Mr. Mayor. This is Ordinance 22-1960, an Ordinance H-2020-0111, Aviator Subdivision, for rezone of a parcel of land situated in the southwest quarter of Section 10, Township 3 North, Range 1 West, Boise meridian, Ada county, Idaho; establishing and determining the land use zoning classification of 11.84 acres of land from M-E (Mixed Employment) Zoning District to R-15 (Medium High Density Residential) 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 item read by title. Is there anybody that would like it read in its entirety? Seeing none, do I have a motion?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Move we approve Ordinance 22-1960 with suspension of rules.

Strader: Second.

Simison: I have a motion and a second to approve Ordinance 22-1960 under suspension of the rules. All in favor signify by saying aye. Opposed nay. The ayes have it and the ordinance is agreed to.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

- 33. Ordinance No. 22-1961: An Ordinance (H-2021-0042 – Intermountain Wood Products) for Annexation of a Parcel of Land Described as Parcel 1 in Warranty Deed, Inst. No. 2020-012834, and All That Certain Parcel Described in Warranty Deed, Inst. No. 2019-121778, Located in the Northeast ¼ of the Northeast ¼ of Section 18, Township 3 North, Range 1 East, 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 3.501 Acres of Land From RUT to I-L (Light Industrial) 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: Next item up is Ordinance No. 22-1961. Ask the Clerk to read this ordinance by title.

Weatherly: Thank you, Mr. Mayor. This is Ordinance No. 22-1961, an Ordinance H-2021-0042, Intermountain Wood Products, for annexation of a parcel of land described as Parcel 1 in Warranty Deed, Inst. No. 2020-012834, and all that certain parcel described in Warranty Deed, Inst. No. 2019-121778, located in the Northeast ¼ of the Northeast ¼ of Section 18, Township 3 North, Range 1 East, 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 3.501 acres of land from RUT to I-L (Light Industrial) 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 who would like it read in its entirety?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Not seeing anybody, I move we approve Ordinance No. 22-1961 with suspension of rules.

Strader: Second.

Simison: I have a motion and a second to approve Ordinance No. 22-1961 with suspension of the rules. Is there discussion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it and the ordinance is agreed to.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

- 34. Ordinance No. 22-1962: An Ordinance (H-2021-0044 Elderberry Estates Rezone) for Rezone of a Parcel of Land Being a Portion of Blocks 3 and 4 of the Amended Plat of F.A. Nourse's Third Addition as Filed in the Office of the Ada County Recorder, Boise, Idaho, in Book 7 of Plats at Page 299 Lying in the NW ¼ of Section 7, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho; Establishing and Determining the Land Use Zoning Classification of 0.658 Acres of Land From C-C (Community Business) Zoning District to O-T (Old Town) 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: Final item is the Ordinance No. 22-1962. Ask the Clerk to read this ordinance by title.

Weatherly: Thank you, Mr. Mayor. This is Ordinance No. 22-1962, an Ordinance H-2021-0044, Elderberry Estates, a rezone, for rezone of a parcel of land being a portion of Blocks 3 and 4 of the amended Plat of F.A. Nourse's Third Addition as filed in the office

of the Ada County Recorder, Boise, Idaho, in Book 7 of Plats at Page 299, lying in the NW ¼ of Section 7, Township 3 North, Range 1 East, Boise meridian, Ada county, Idaho; establishing and determining the land use zoning classification of 0.658 acres of land from C-C (Community Business) Zoning District to O-T (Old Town) 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? If not, do I have a motion?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I move we approve Ordinance No. 22-1962 with suspension of rules.

Hoaglun: I have a motion to approve -- have a second?

Strader: Second.

Simison: I have a motion and a second to approve Ordinance No. 22-1962 with suspension of the rules. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it and the ordinance is agreed to.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

FUTURE MEETING TOPICS

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

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we adjourn the meeting.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 9:55 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

ATTEST:

DATE APPROVED

CHRIS JOHNSON - CITY CLERK