

A Meeting of the Meridian City Council was called to order at 6:01 p.m., Tuesday, August 4, 2020, by Mayor Robert Simison.

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

Also present: Chris Johnson, Adrienne Weatherly, Bill Nary, Sonya Allen, Clint Dolsby, Shawn Harper, Joe Bongiorno and Dean Willis.

Item 1: Roll-call Attendance:

<input checked="" type="checkbox"/> Liz Strader	<input checked="" type="checkbox"/> Joe Borton
<input checked="" type="checkbox"/> Brad Hoaglund	<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, I will call this meeting to order. For the record It is Tuesday, August 4th, 2020, at 6:01 p.m. We will begin tonight's meeting with roll call attendance.

Item 2: Pledge of Allegiance

Simison: Next item on the agenda is the Pledge of Allegiance.

(Pledge of Allegiance recited.)

Item 3: Community Invocation

Simison: Item No. 3 is our community invocation, which will be led this evening by Pastor David Snyder. Pastor Snyder, if you would like to come forward and for anyone joining us in the audience or online, ask you to join us in this invocation or take it as a time for a moment of silence and reflection upon where we are as a country.

Snyder: Thank you. Let's pray. Father, it is good to be able to pray, call on you and ask you to be present in this city, in this meeting. We believe, Lord, that your presence actually resides where people invite you to be, so I pray for wisdom. Be present for Mayor Simison, for the City Council. Pray that your blessing, Lord, would help them to choose wisely for the good of this city. Pray, Father, that you would bless our Fire Department, Police Department, all of our first responders. Teachers. We just believe this is a blessed city and we pray that you continue to give us your favor and in all things, Father, we pray that we would remember that it's because of you we are blessed, not because of us, because of your grace and because of what we have done. We pray in humility, Father, that we will remember that you are the giver of all good things. We bless you in the name of your son Jesus, amen. Thanks for letting me be here. Bless you guys.

Item 4: Adoption of Agenda

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

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

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

Cavener: Second.

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

MOTION CARRIED: ALL AYES.

Simison: I ask this, because I look at the agenda I have. I have something that says Consent Agenda and items moved from the Consent and the Consent is crossed out. Were they on the agenda or were they not on the agenda?

Johnson: Mr. Mayor, they were published on the agenda, but there are no items. This is growing pains with the new system, but Consent Agenda and items move from Consent, there is neither.

Simison: Okay. Well, we will move -- we will move past those items that are on the agenda, but not part of the agenda.

Item 5: PUBLIC FORUM – Future Meeting Topics

Simison: Do we have anyone signed up under the public forum for future meeting topics?

Johnson: Mr. Mayor, we do not.

Item 6: COMMUNITY ITEMS

1. Republic Services COVID-19 Operations Update

Simison: Okay. Then with that we will move into our community items and we will turn this over to Republic Service for an update on the COVID-19 operations and I will turn this over to Ms. Klein.

Klein: Thank you. Thank you, Mayor and Council. It's a pleasure to be back here. Rachele Klein with Republic Services. 2130 West Franklin Road in Meridian. And I had the opportunity last week to speak with Dale Bolthouse and he thought it was a good time

to come and give you guys an update on services and what's going on operationally behind the scenes here in the midst of this pandemic and providing solid waste services, which is definitely a critical service even -- probably more so during this time than ever. So, we are five months into this and we have been very fortunate -- I guess in early March -- for March, April, May June July. So, we are five months into this now. We have been fairly fortunate to be able to provide services as scheduled. So, we have had a few drivers get sick more recently. We have had up to, you know, 14 or 15 get sick at one time, which has really stressed our system, but we have floaters in place and lead drivers in place and we also have a crew that's been able to cover those services despite those that have been out. One thing that makes Meridian different -- I think what happened is we have Public Works directors that share a lot of information, because they work really closely in the valley and one of the questions was how -- how are you -- how is Meridian faring in this and you guys are safe. I want to make sure that you guys know that your services are not at risk of being altered at this time and there are a couple of reasons for that. One is that we did a reroute in Meridian not too long ago, so we built in capacity. Normally let's say a residential route would pick up 800 households in a day and we built in the capacity for the new subdivisions coming online. So, we have about 500 houses to a route, particularly out toward the new Costco and, then, south of the freeway. So, those drivers, even though some of their crew mates are gone, they are able to get their routes done and, then, swing over if they have the time during the day to get their -- their fellow, you know, coworkers work done during the same -- that same window of time during the day. We also have -- we -- we came to you guys early on and asked for your support in starting services earlier. So, we threw out groups of ten at a time and we actually left Meridian in place. So, because Boise has so many routes we moved all -- like them to an early start and so they started crewing out earlier and Meridian kept the same time slot. So, there is not a real mix in the crews and drivers between the municipalities. So, the risk that we had in -- in other areas that have two person routes, there is two people in a truck, and they are constantly switching who is driving and it's really close quarters, we don't have that situation in Meridian. These are automated side load trucks. So, we have one driver, one cab, one route. So, that's really helped our situation and those drivers that were sick have been coming back now, so we are -- we implemented -- in addition to cab sterilizations and masks and social distancing and hand sanitizer in every cab, we -- we have now masks are mandatory. So, before early on they were optional and now they are mandatory. So, everybody that leaves their cab during the day has to have a mask on or if they are in the office they have to have a mask and that has really helped. So, if by chance something were to happen we have worked closely with Tom Otte on your -- in Public Works and, again, we are really fortunate because we have a hierarchy that would leave the general public for the most part pretty unaffected. So, the first things that we would suspend if we really had a labor shortage would be subscription programs like glass and grass only. So, those are subscription routes that -- that would free up a driver if we suspended those and would really not affect very many households and the other thing we could go back to doing, which we did early on, was suspend bulky item collection, because those are just people that would like us to come to their house to pick up a bulky item and they are generally not urgent requests and so we also let those people bring the items for free to the Meridian Transfer Station if we can't get to their house. So, we are in a pretty good spot and -- but if we ever got to the point, one of

the questions I was asked was is there anywhere in the country where you are just having to landfill everything just to keep solid waste moving through and the answer to that is no. So, so far we have been able to stay ahead of that. In other areas of the country we have moved in what are called Blue Crews, which are teams of drivers that support different the business units when we have a labor shortage. Idaho is still considered a hotspot, so we can't move drivers in here at this time from out of state to support us and we are really aware of that, so we are working really carefully to make sure everyone stays healthy, but if we ever got to that situation and we -- you know, if it wasn't enough to suspend grass and glass and bulky items, then, we would have -- then we have a communication plan in place, so we would send out a -- call them all text message, which if you are a Meridian resident I'm sure you have gotten these from us before. You get a phone call and a text message announcing whatever it is that's coming up, whether it's spring cleanup or, you know, fall leaf collection or things like bulky items changing, we would make sure we reached out to everybody and, then, the city also has the Meridian Trash Talk website -- or Facebook page and, then, social media like Twitter and Facebook and -- I mean NextDoor and things like that. So, we have been working with Tom. We want to make sure that you know you are covered from a collection perspective and -- and in the event that something would happen that we couldn't get everything picked up according to schedule, then, we would make sure that was well communicated ahead of time to all the residents and businesses. Do you guys have any questions?

Simison: Thanks, Rachele. Council, any questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Rachele, thanks for being here. It's nice to see you.

Klein: Sure. Thanks.

Cavener: I'm just curious, just from a collection standpoint are you collecting above average, below average, or on average than you were six months ago?

Klein: Councilman Cavener, Mayor Simison, we -- we started early on just picking up more garbage than we could imagine. I think everybody was in purge mode. They didn't know how long the pandemic would last, so everybody was cleaning up at home. We saw a huge spike in residential volumes, but, then, now it's tapered off, so I think people have done the work, they are living cleanly, they are at home all day, so they are more sensitive to what they are bringing in and most people are still working remotely has been our experience, so we are seeing people starting to throw away the average volume again, which is nice. So, we had probably three months where we really saw a lot of waste going on. And people's offices -- so, commercial trash volumes dropped and residential trash volumes spiked, which we anticipated. So, yeah, we are starting to finally see that level off. Thank you. Any other questions?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Not a question, but a comment. Always love to see you. Appreciate all you do.

Klein: Thank you. Thanks.

Bernt: Let Mark know and the team that we are -- we appreciate everything that Republic does.

Klein: I will. Yeah. Thank you. All right. And you all have my contact information if you need anything else. Thank you.

Item 7: Action Items

2. City Clerk: Appeal of Denial of Mobile Sales Unit License (MSU -20-0038) by Angelo Medina

Simison: Thank you. Council, our next action item is an appeal of denial of mobile sales unit license MSU 20-0038. It's posted under the city clerk, but I have down Lieutenant Harper. I don't know who is going to take it from here.

Johnson: Mr. Mayor, I can introduce the topic. We had to -- or we denied an application for mobile sales unit license as you said for Angelo Medina. Mr. Medina is here, as well as his supervisor with TDS. But I thought Lieutenant Harper may want to give you a brief overview on the basis of the denial.

Harper: Good evening, Mayor, Members of Council. This denial, as we have spoke about before with these, is based strictly on ordinance. We are required to follow this ordinance in regards to any -- any denials. There is no --

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Sorry, Mr. Mayor. I see Council Member Borton waving. I just want to make sure that he's able to hear Lieutenant Harper. I know we have had some issues with that mic there in the middle. I just want to make sure all of Council is able to hear him.

Borton: It's just sort of cutting out.

Simison: Just go ahead and speak and see if they can hear.

Harper: Can you hear me?

Cavener: Just eat the mic, unfortunately.

Harper: Okay. I will start over. So, in regards to this mobile sales license denial, there is not a whole lot I can speak on in regards to this due to Mr. Medina's rights. So, all I can say is based on ordinance we have to follow what the rules are in place. There is no wiggle room. In -- in -- in making that decision I strictly have to go off of what's in front of me. So, based off of this ordinance the denial was based on two different sections of the code. I don't know if you want me to go over those or if you have those in front of you.

Simison: If you want to go over it that would be great.

Harper: The first -- the first portion was in reference to Meridian City Code 3-4-2, Subsection A5-D2, and this has to do with the application that is in front of you being incomplete or invalid and the second section was Meridian City Code 3-4-2, AD-3D and this is in regards to Mr. Medina's -- clerk, how far can I go into this?

Johnson: So, the -- Mr. Mayor, Mr. Harper -- or Lieutenant Harper, the denial letter states the relevant part of code, so I think --

Harper: So, I can speak on what's in that letter?

Johnson: You speak to what is -- yeah, what is in the letter.

Lieutenant: Okay. Sorry about that. Just wanted to make sure that I am not overstepping my bounds. But in regards to -- that section has to do with denying the application based off of prior convictions. And I will stand for any questions.

Simison: Thank you, Lieutenant.

Perreault: Mr. Mayor?

Simison: Mr. Nary, just a reminder for everybody, what is the Council's ability to take action regarding this issue?

Nary: So, Mr. Mayor, Members of the Council, under our code basically the applicant does have a right to appeal. So, he does have an opportunity to address you and to address his basis for denial. Lieutenant Harper is correct, because of requirements we have with the FBI and backgrounds and record checks, the access to those records is very limited, so we cannot provide them publicly. But, basically, Lieutenant Harper has to follow, like he said, what the code prohibits a person from having a mobile sales unit license. The Council in past has only overturned it when it was an error and so if there was an error made in the application or in the -- or in the record -- for example, the person claims that's not them or that record's been expunged or it's been -- something else has occurred with that conviction, then, the Council can consider that. But other than that there is no other discretion on that license. So, if there -- if it falls into these categories, they certainly have the right to appeal, but the Council doesn't have the ability to simply

overturn it just because that's what the person would like. So, it has to either be an error or there is some other outcome that isn't reflected in the record as we had in one case previously.

Simison: Thank you. Council. Any questions for the lieutenant on this issue?

Perreault: Mr. Mayor?

Harper: Thank you.

Perreault: Mr. Mayor?

Simison: Would the applicant like to come forward and speak on this issue?

Perreault: Mr. Mayor, can you hear me?

Johnson: Mr. Mayor, Council Woman Perreault is address -- addressing you.

Simison: Okay. I can't hear anything in here, so -- Council Woman Perreault.

Perreault: Okay. Sorry, I -- I don't know if my -- is my microphone working?

Simison: They have the volume level down a lot in here, so it's really hard for me to hear.

Perreault: Okay. So, I don't know if -- if Lieutenant Harper or Mr. Nary would like to answer this, but just for the sake of new Council Members can you give some background on why five years and 15 years for misdemeanors and felonies -- some history on where -- where that came from -- where that time came -- time frame came from in the city code?

Nary: So, Mr. Mayor, Council Member Perreault, I can answer that question. So, we worked with the Police Department -- I can't recall how long ago this was, but probably ten years ago in trying to establish what types of crimes would we have concerns with from a community standpoint in allowing people to either drive mobile units around, such as a food truck or an ice cream truck, or knock on people's doors and what type of prior offenses and how long is a reasonable period of time to address those and misdemeanors tend to be a little bit less, felonies can be a little bit more. Certain levels of felony are forever. So, in working with them and trying to find what would make the most sense, that's where those periods of time came from is we didn't feel it was something that would -- in every circumstance should disqualify someone forever, but for certain crimes they are disqualified forever. We don't necessarily want sex offenders knocking on people's doors or running ice cream trucks. So, there are some that are disqualifying completely and there is some that have some time limits and, again, that was a coordinated effort between my department and the Police Department in coming up with those, so --

Simison: Council, any other questions on this topic?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I guess a question for Lieutenant Harper and maybe it's just a disconnect for me in reading the application and the -- could Lieutenant Harper confirm if -- if the disqualifying matter happened within the time frame to make it disqualifying within our code?

Harper: Council Woman Strader, Mayor Simison, so in regards to the first section on the application it asks list all infractions, misdemeanors, or felony arrest charges and dispositions, convictions, acquittals or dismissals, including any probation violations and/or bail forfeitures and that section -- that was not completed accurately for that section. In regards to the second portion of the code, it did fall within the guidelines per that code based off the information I had available to me.

Strader: Thank you.

Harper: Thank you.

Simison: Council, any further questions?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just so I understand, the single question before the Council on this appeal is that one representation on the application is completely inaccurate or it's not. Because if it's not, the -- the decision is mandatory and it shall be denied. We don't have any discretion in the appeal end. If, however, the appellant can get up in front of us and tell us that that representation is true and complete and accurate and nothing was omitted, then, I guess we can inquire further. But that's -- to help frame and facilitate where we need to go, I think that's the first question for the appellant is is that answer complete or not.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, Council Member Borton, I -- what I thought I heard the lieutenant say was one reason was for incompleteness and the other was for an offense that -- that is -- prohibits you from having it under the -- under our code. So, it's actually two things. Did I mistake that, lieutenant?

Harper: No. That's correct.

Nary: Okay.

Simison: Council, anything else?

Harper: Thank you.

Simison: Thank you. Would Mr. Medina like to come forward? Okay. If you could state your name and address for the record.

Medina: Angelo Medina and my address 6205 East Nine Iron Lane, Nampa, Idaho. And fogged -- glasses are getting fogged up, so -- sorry about that. Do I go first or your questions? So, to -- to the application, I thought I filled it out right for the -- you know, the questions that I was answering. I put the most important one that was -- that was actually been holding me back for a long time in my life. I thought that was going to be, you know, the main one that was going to pop up. Do I admit to the number two? Yes. It's been -- I think -- I don't know how far your guys' stuff goes back -- what, 13 years? In 13 years I have been doing sales for probably nine of it. Outside sales door to door. I have worked really hard from there to where I'm at now. I teach my children every day that just because somebody tells you no, that you get up and you do something different. There is no excuses in this world. So, what I did in my past is in my past. I can't change it. Do I regret it? Yeah, I do. But what I'm here for now is because sales is -- is something that I'm into. This is something that's changed -- that helps me every day. My kids want to grow up to be a salesman. That's -- I mean telecommunication is the future. My -- again, I can't stress how much 13 years ago, even before -- even longer than that -- this -- this charge -- this situation happened when I was 19, I believe, years old. Okay. I'm 37 now. I understand there is policies. There is procedures. I think the minimum gap after I got the denial was 15 years. So, I don't know if it's exactly 13 years. So, if I have to wait two more years I'm not going to stop. I'm not going to take this as -- oh, that's just excuse making. I have never relied on any situation in my past, you know, to hold me back. I have always applied, applied, applied, applied. Just because I made a mistake doesn't mean we can't change who we are today. I have met plenty of people -- I went to Utah for eight years and came back; right? Since I have been back I have met a lot of people that are like whoa -- and my family asked me who I am. Because who I was then -- I was a lost kid, to -- to being a man now, growing up, take -- I take care of my children. I could be at home collecting unemployment this whole time, instead I have been working. I never go without a job. I'm not -- like, again, I'm not an excuse maker. I did what was done. I did -- I have done my time. I have changed a hundred percent -- probably 120. I'm a little nervous, so I might ramble a little bit. So, if at anytime you guys want to cut me off I'm okay with that. I'm an open book. If you guys have questions don't be afraid to ask me. I'm going to tell you the truth. Other than that, I mean, guys, I try my hardest every day. It's not even at -- like I don't even think about that anymore. This is the first time in I don't know how many years that I have been nervous, because I felt like I have done something wrong. I don't get nervous when a cop gets behind me. If I get pulled over, hey, man, you are doing a job -- good job. I teach my children about respect for the law, because I know the other side of that. That's what it is today. In today's times you have got to teach your children who you want them to be and my children know that I'm coming here today. They don't know why. They don't know my past. But they know that I'm not going to stop. Just -- I understand it's a technicality or I misprinted out a paper on

the form. It's my first time I ever had to do one of those forms and I did the same thing on my last one. I got through it just fine. I worked for CenturyLink for seven and a half years. Never had a problem. Maybe it's because I was out of state. I don't know. But I always tell the truth even on my form. Any questions? Am I rambling? Cut me off anytime, guys.

Simison: Council, any questions. I think as of so right now -- Mr. Borton, did you have a question?

Borton: Yeah. Just one. Is it a matter of not only the time frame that you have referenced -- not getting into any details. Were there omissions in what was disclosed in your application as well?

Medina: I don't understand --

Simison: Council Borton was asking if there was any -- anything that was omitted on the application.

Medina: Like left out?

Simison: Yes.

Medina: I -- like I -- I only did as far as I know, no. To my knowledge there could have been -- I don't -- I don't really know what we are -- what we are looking for on the background check. Parole violations, probation violations, those go back 13, almost 14 years. I haven't had a ticket in -- and there is no misdemeanors in like -- I mean any tickets or anything like that in the last ten. Other than that I think I think I have --

Borton: Okay. Thank you.

Medina: So, I might have left some things out there.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: But I don't have any other questions.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Maybe a question for city staff in the case of a denial and when, you know, it's clear like we don't have -- we just have to apply the law, just -- there is not a lot of

discretion. I commend you for turning your life around. I think that's great. But can city staff help guide the applicant later on in an offline conversation as to various items that may have been omitted that were a long time ago for future applications or is that just something that the applicant should have --

Harper: Mayor?

Simison: Mr. Harper.

Harper: Council Woman Strader, Mayor Simison, I would be more than happy -- which I have in the past working with applicants. So can the clerk's office in regards to any questions. Again, we have -- it's very set in the rules in how we have to follow, so that we are not applying one thing to one person and -- and different for another, so it's fair across the board for everybody, whether everybody agrees it's fair, but moving forward anybody that ever has any questions or needs assistance with the application or understanding the totality of the application, I'm always willing to help.

Medina: Appreciate that.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: An additional question for either the clerk or Lieutenant Harper. As I read the information that is before us, if -- if what the appellant is saying is accurate and it sounds like it's their belief that they made a clerical error in filling out the application, but even taking in all the information that you were able to obtain from the background check, the information that you were able to attain would confirm that whatever past history existed would preclude that individual from receiving a mobile sales license, even if they had filled it out correctly, because the nature of what was learned from the background check prevents them from receiving a mobile sales license, is that accurate?

Harper: Yes. Based strictly off the verbiage in the code. The second section 3-4-2A-3D still prohibits him from possessing it at this time.

Medina: And to my understanding this code is ten years old; right?

Simison: It is and it's been -- I think this is the second or third time we have heard this type of an issue in the last couple years that I'm aware of at least.

Nary: Yes, sir.

Simison: And Council has generally held to the same standard --

Nary: Yes.

Simison: -- those.

Medina: Anything else?

Simison: Council, any further questions? Okay. That's it.

Medina: Thank you. Appreciate you guys.

Simison: Council?

Borton: Mr. Mayor?

Simison: Mr. Borton.

Borton: There very well may be -- when these things come up every couple of years or every -- really it's pretty rare, but to make constructive use of these I would highly encourage Mr. Medina to do a couple of things. I appreciate his candor, but be open and complete in responding to these things and use that as a tool to come to the city and say, hey, I'm a fantastic person who has made great progress and your code as written has unintended consequences and it captures people like me who deserve this chance to -- to pursue their -- their failed interests in a way that's not intended. Don't ever omit things or be incomplete and hope it gets through. That's the wrong approach, a good person or not. I think there is something we can all learn from what we have seen here that there very well may be some circumstances that should invite us to explore this code and maybe craft it in a way that doesn't snag an individual in this situation. Under the clear mandatory prohibition I think the appeal has to be denied, but this and any applicant I think is best served by being totally candid and complete and, then, coming to Council or staff and saying, hey, I have got an idea on how you can adjust your code to allow me to proceed forward. I think that's the only way to constructively go forward. It doesn't provide any relief in this case, but what I would encourage him to do going forward.

Simison: Thank you, Mr. Borton.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I guess in terms of -- we do need to take some action on this if I'm --

Simison: Yes.

Cavener: -- correct? So, Mr. Mayor, I appreciate Mr. Medina being here tonight and I think your kids should be real proud of you, somebody who works hard, continue to grow and find success. Council finds themselves in a very precarious situation on this and that it's our job to uphold and follow the law, so that being said, I move that we deny the appeal of denial of mobile sales unit MSU-20-0038.

Bernt: Second.

Strader: Second.

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I see there is someone in the audience that's raising their hand. I know we -- I don't know if the process allows for other public testimony on this, I just --

Nary: It's up to you. I mean there is nothing in the code that prohibits additional testimony, but I don't know what -- again, it's your -- it's your call, Mayor.

Simison: Yeah. I have a good sense -- especially since the motion has already been made, but I don't know that there is any -- since there is not discretion on this issue I don't know that public testimony is going to change any of the outcome from that standpoint, so we will -- we will move forward with discussion under the motion.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. It's -- it's one of those things that we are bound to uphold city code. As Councilman Borton pointed out, you know, if -- if there is changes needed we want to work with people and -- and be fair, but what we have is what we have and I appreciate Mr. Medina turning his life around and moving forward and being successful and being a good example for his kids, but we are at that situation where, you know, no other testimony or anything like that is going to change what we have to do in our position for this -- for this -- for this appeal.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I would just add, you know, Mr. Medina, it sounds like if part of the application was confusing or there was an aspect of what it was requiring that wasn't clear -- it sounded like city staff was willing to walk you through that and I would highly encourage you to go through that process, you know, so that when -- when you are eligible you can come to us or use the method Mr. Borton outlined to suggest changes in the future. But I also commend you for making changes and I wish you the best of luck, but we -- yeah, we just have to apply the law all the way it's written.

Simison: If there is no further comments or questions, I will -- under discussion on the motion, I ask the Clerk to call the roll.

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

Simison: All ayes. And appeal of the motion to deny is denied through upholding the appeal with the ayes. Sorry, it's awkward enough from that standpoint. All right. Thank you, Mr. Medina, for being here.

MOTION CARRIED: ALL AYES.

3. Public Hearing for Villas at Twelve Oaks East (H-2020-0014) by Jim Jewett, Located at 115 S. Linder Rd.

- A. Request: Annexation of 6.63 acres of land with a TN-R zoning district.
- B. Request: Modification to the Existing Development Agreement (Inst. #2016-095715) to include the subject property and proposed development plan in the agreement and removal of the provision requiring an 8 -foot tall concrete fence to be constructed.

Simison: Item No. 3 is a public hearing for the Villas At Twelve Oaks, which is H-2020-0014. I will open this public hearing with staff comment and turn this over to Sonya.

Allen: Give me just a moment, Mr. Mayor. All righty. Mr. Mayor, Members of the Council, this application, development agreement modification and annexation and zoning, was continued from the July 17th Council hearing. I will just run over the basics real quick. This -- this site consists of 6.63 acres of land. It's zoned R-1 in the county and it's located at 115 South Linder Road on the west side of Linder just south of West Franklin Road. Comp plan designation is commercial and they are modifying the existing development agreement for the multi-family development to the west to incorporate this property as a subsequent phase of that development, rather than require a new separate agreement for this later phase. The commercial future land use map designation does allow multi-family development in the C-G district and I will -- just to recap, the Council asked the applicant to consider commercial uses on a portion of this property and to come back tonight to discuss that. So, I will defer to the applicant, unless you have any questions for me. I did want to -- just to reiterate, Mr. Mayor, they did want to annex 6.63 acres with TN-R zoning for the development of eight multi-family structures containing a total of 64 apartment units at a gross density of 13.9 units per acre, which is consistent with that allowed on the commercial future land use designation and multi-family developments are a principal permitted use in the TN-R district. So, jog your memory on that.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: It said one more thing to that from a decision point, part of the conversation, if you recall, was the commercial on that piece was not contemplated either at Planning and Zoning or in the application or in the public noticing. So, part of the consideration the Council was going to consider tonight if Mr. Jewett has commercial application to want to do that, to remand it back to the Planning and Zoning Commission, so that staff can review for compliance with code, as well as public notice that a commercial application is being sought on that particular location.

Simison: Council, any questions for staff at this time? Would the applicant like to come forward? If you could state your name and address for the record, please.

Jewett: Either one work?

Simison: I would go on that side.

Jewett: Mayor and Council, Jim Jewett, 776 East Riverside Drive, Suite 204, in Eagle Idaho., As you recall, there was a lot of questions at our previous hearing about commercial that I couldn't necessarily answer and I asked that I be allowed to go get those answers. So, what I have done is consulted with Jeffrey Hall, who is a commercial broker in town, and I would like to defer my time to him, so he can address those commercial questions, then, I can be available after that for any questions or follow up.

Simison: Mr. Hall, if you would like to come forward. And if you would state your name and address for the record, please.

Hall: Jeffrey Hall. 4299 East Goldstone in Meridian. Mr. Mayor, Council Members, it is so good to see you in person. It has been so long. So, it's great we are able to get together. My comments I want to be -- are very direct and to the point. Please note that none of my companies or myself have any affiliation with this property whatsoever with the subject property, but we did, as you will -- I will talk about here in a minute, develop the adjoining properties. So, that's where -- we have a lot of history since 2002 in regards to this property and the intents of it. So, I'm the current managing member of Northwest Commercial Advisors based in Meridian and my experience is in land development, commercial leasing and sales. I'm also on the leadership team of the Chamber of Commerce where my number one goal is to support economic growth in our business community of Meridian. Obviously, when the question came up about commercial that raised my awareness. I love commercial. I'm all about promoting business in Meridian. In this case I was involved in the original Harks Corner retail project, which was built in '02 and the subsequent Franklin retail project, which was in '04. We have sold each portion of that project throughout the years and we finalized our last sale in 2019. So, we no longer have any ownership in the entire stretch of property or along Franklin. The area traffic counts and the commercial demand around these projects was weak and we had several tenants that turned over and we are also collecting below market rates from these tenants, unfortunately. It was a tough go for commercial in that corner. I can't deny that

and I think a lot of people, besides those of us that entertain ourselves at the Firehouse, know that. So, the Firehouse is the one that has remained consistent for some reason. It did go through four owners, though, I will tell you that. As the area continues to grow several properties are still available, including the adjoining Twelve Oaks commercial pads, which have Franklin frontage, but have not been appealing to any users. They have had no activity that I can see on them at all since the time they were listed. The synergy of the sub market has absolutely moved to the Ten Mile area between I-84 and Franklin where BD and Brighton are currently offering 127 acres of office, retail, medical, hospitality and multi-family. In the near future we are also going to see demand moving towards the Waltman area off the Meridian Road interchange with a very large project there as well. The area surrounding the intersection of Frank and Linder has no demand for more retail or office. Currently the area consists of aged retail, industrial, the school bus barn, trash transfer station and aged office space. There is absolutely no demand for commercial in this area, especially since it doesn't have any Franklin frontage at all. The parcel you are talking about that's the subject parcel here is behind the development, behind a big old concrete fence and along Linder where it's predominantly residential. The highest and best use for this property, again, is multi-family in my eyes. Finally one last detail. When we developed the commercial properties at Franklin and Linder we were required to construct this massive concrete wall, which we all see there today. There is no cross-access agreement in place from the Jackson's property or the carwash property to the subject property and Jackson's has related to me as early as this last week that they are not supportive of any type of cross-access into that project at all. With that said, having the concrete wall there seals the deal and the use of the subject property is best suited for multi-family and I stand for any questions.

Simison: Thank you. Council, any questions?

Bernt: Mr. Hall or -- Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Jeffery, how are you?

Hall: Good, sir.

Bernt: What do you think the highest and best use of this property will be in, you know, five years or later when the Linder overpass will be built and completed? What do you think in your perspective?

Hall: Well, if we -- again, I know that's a priority for the city is to get Linder overpass done. If that happens, again, it -- that whole area from the Linder overpass up to Franklin, of course, is all residential. So, the corners have that traditional commercial on the corners, but everything behind it is prominently residential. As a matter of fact, there was a nursery back there at one time, a landscape nursery. That's gone. So, you know, I can see, unfortunately, that that won't change. I don't think that's going to change. I think our Ten Mile and our Meridian Road is key right now for commercial, especially on the retail side.

You know, you may see some light office users that may go back there eventually, but right now there is -- there is no reason to at this point and, you know, unfortunately, we know how things go with funding and priorities. We can only hope that Linder happens. We really need that. And that will actually, of course, help the traffic counts, because right now the traffic counts are light there. Just over 11,000 cars a day. I mean when I put in Harks Corner you guys I was right there at about the same traffic counts. I'm not seeing anymore and that's crazy and once we put Linder in we are going to see those traffic counts at that intersection increase and thank goodness, because that may help the retail. Thanks.

Simison: Council, any additional questions for the applicant? Mr. Jewett, would you have any additional comments before we turn this over to anybody who may wish to testify on this item from the public?

Jewett: Yes, Mr. Mayor and Council, Jim Jewett again. I think we have done a quality project in our initial phases at Twelve Oaks. We have provided good open space and a half court basketball court, large grassy open spaces, tot lot, and the pool with a clubhouse and we did all that with the idea of expanding into this property and I think that we -- that we have done a quality project and we will continue to do that and we would wish that you would be behind us in that and -- and grant us our approval. The -- I have contracted to tear the house down. I know that was an issue, so I did subsequent to our last meeting go ahead and release my contractor to go ahead and get that tore down. I'm sure it will be down by sometime in September. That corner -- again, as discussed, I'm okay with putting a retail or commercial pad on that corner, because of its frontage on Linder and I'm sure that can -- if something as Mr. Nary spoke of last -- that can be handled at a later date. We just leave it as open space for now, because we have no intentions -- there is nothing that we want to do on it today and like Jeffrey testified on, we have four lots within our original Twelve Oaks commercial and one in our Twelve apartment phase. So, we have five retail pads now that are still sitting empty. So, I don't see that there is a financial need now, nor in the foreseeable future, and, unfortunately, it's hard for me to forecast out five years or farther in this ever changing world. So, I would hope that you can appreciate and see my vision with this and can support me in it and I would ask for your approval and I would stand for any questions.

Simison: Thank you. And I don't know if this came up last time, Sonya, or this would be for the applicant, what turning movements would be allowed on access to Linder Road at this location likely from ACHD, if any? Right-in, right-out only, due to proximity to the corner?

Allen: Mr. Mayor, Council, I -- honestly I'm not sure. I am not sure if it would be full at this time or not.

Jewett: Mr. Mayor, I can answer.

Simison: Mr. Jewett.

Jewett: At this point in time it will be a full access. With the widening it would go to right-in, right-out only. So, for the foreseeable future it will be full.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I guess a question for the applicant and just to I guess fully understand, so if the application is being revised to remove the existing home, what -- what will be there in its place? Will that be open space or -- what is the intention at this point?

Jewett: Mr. Mayor, Council, our intention was just to leave it for open space. We would just simply remove the building and leave it open space, with the potential that if we did come back and want to put a retail or professional building there we would have to come back through the modification of the DA and go through another set of hearings to do that. So, our -- our intention now will just be to leave it as open space.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Mr. Hall, I apologize if I missed this. What -- what's the size of that -- what's the size of the property that's in that section that the house is on?

Allen: There is almost seven acres of land.

Perreault: No. I understand that. Just -- just the area where the house is -- is currently sitting.

Allen: Sorry, that's --

Perreault: That would be -- what would be the pad -- how big would the pad site be?

Jewett: Mayor, Council, I can only approximate it, but I would think that I could put -- I'm just looking back to my other commercial area. Sorry. So, this lot here is a 3,500 square foot pad and it looks to be equal. So, I would say somewhere in the 3,000 to 3,500 square foot pad.

Perreault: Okay.

Strader: Mr. Mayor, quick follow up.

Simison: Council Woman Strader.

Strader: Maybe a question for staff, but just to confirm if that commercial pad was designated as a future commercial site that -- that -- it sounds like the applicant would still be meeting the open space requirements that we currently have, just to confirm that.

Allen: Mr. Mayor, Council, I don't believe that area was included as any of the open space. He actually has -- well, actually, we didn't require open space calcs with this, because he wasn't getting detailed approval of the use at this time. The multi-family use is principally permitted in the TN-R district, so they didn't have to go through a conditional use permit. So, we would evaluate that at the time he comes in for CZC and certificate of zoning compliance and designer review. But they would have to meet the minimum standards.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: And for the purpose of the modification of development agreement, I guess if he wanted -- if Mr. Jewett could clarify when you say open space, we are talking about usable open space. Some level of recreational space, even if it's just grass.

Jewett: Yes. Mr. Mayor, Attorney Nary, yes. So, it would be -- under the code you can have just green open space if it was a minimum of 50 by 100, I believe, and so we would meet that minimum qualification so it would be usable space.

Nary: Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just a follow up, just -- it seems like it would be silly for Council to approve a project that didn't meet what our normal standard of open space would be. I guess from staff's perspective conceptually does this look like it would or are there any major flaws that we don't think it would meet the open space? It would just -- from my perspective that would be better to know now than way down the line in a different process.

Jewett: Mr. Mayor, if I could answer that question.

Simison: Sure.

Jewett: Yes, we did -- Sonya did request of us an overall combination of the existing Twelve Oaks and the new Twelve Oaks and we gave our new open space calculations. So, it's in the file. Unfortunately, I don't have it here, but she would have it if she digs and we do have an open space calculation that we exceeded the open space calculations by a considerable amount.

Allen: Yes, Mr. Mayor, Council, that was quite a while ago and I forgot about that. Thank you. I did harass you to submit that.

Jewett: She harasses a lot.

Allen: Yes. I just wanted to -- even though we weren't doing a detailed review at this time, I wanted to ensure that we were going to be okay on meeting those standards and, regardless, they have to meet the standards. So, if -- if they didn't have enough they would have to remove a building. So, staff isn't concerned about that. But, yes, they jogged my memory. They did meet the overall standards and exceeded it.

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

Jewett: Thank you.

Simison: This is a public hearing. I would open up for any public testimony at this time. Mr. Clerk, do we have any of that have signed up to testify on this item?

Johnson: Mr. Mayor, there was no online and in person was only Mr. Hall.

Simison: Okay. Well, did that -- Mr. Hall, do you have any additional public testimony? Would the applicant like to make any final comments from where he just left 30 seconds ago? Okay. Then, Council, I will turn this over to you for discussion.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Jogging my memory, wasn't there some questions or concerns last time in regard to water pressure or like something to do with water? And, if so, were those concerns -- did we -- is there an agreement that those concerns were taken care of?

Jewett: Mayor and Council, the question had to do with sewer capacity at the lift station.

Bernt: Okay.

Jewett: And, yes, we were okay with the comments from Public Works and we will go through their study process to ensure that there is adequate capacity or would do any upgrades to ensure that there is capacity. We are okay with the language as written.

Bernt: Mr. Mayor, is that -- that's correct --

Perreault: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: We don't have to add that to approve the motion.

Simison: I do not believe so, but I will -- we do have Mr. Dolsby on -- on Zoom if you would like to weigh in on that comment.

Dolsby: Mr. Mayor, Members of the Council, Council Member Bernt, there was a modification to -- I think it was Condition B-1-2, which requires the sewer -- originally we were requiring the sewer to go a different direction, so as the condition now reads the applicant shall be responsible to determine whether adequate capacity exists in the receiving sewer system, including two lift stations to accept the additional flow from this development. Then it says if upgrades are necessary the applicant shall be responsible for all costs associated with said upgrades and we have reviewed that and are -- are in favor of that condition as it stands right now.

Simison: So, you are correct, Councilman Bernt.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I don't know if this is a question for staff or for the applicant. I think what I'm still a little fuzzy on, this being a DA modification, is does that -- does that area that is -- where the current home is, does that need to be specifically classified? Its use needs to be specifically classified at this point? Do we need to -- or is it just whatever -- when they come in with a CUP is it whatever use is possible within the TN-R?

Allen: Mr. Mayor, the applicant just testified that he is -- does have that house scheduled to be removed, so he is planning to remove that. Even if he didn't, they would have to come in to get a change of use in that and, you know, you can -- you can place a provision in the development agreement if you would like for him to remove the house, so there is no issue in the future about it, if you would like a safeguard on that.

Bernt: Yes, please.

Perreault: Mr. Mayor, a follow up?

Simison: Council Woman Perreault.

Perreault: I realize that -- that the applicant is not making a decision about what's going to go in its place at this point, but if I may make a recommendation, if there is enough physical space to consider some sort of childcare or daycare facility, there is -- there is so many apartments coming in that area and there is a significant need for that in that location and I'm not necessarily meaning for the apartment dwellers, but I mean just somebody that would come in and purchase that property for that use. I can see that being a really great option for that neighborhood being near the schools, so -- I realize that you can't get somebody in that doesn't want to do that, but --

Simison: Council, any further questions or discussion on this item or do I have a motion?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Let's get things going. I move that we close the public hearing on Item 3, H-2020-0014, Villas At Twelve Oaks East.

Perreault: Second.

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

MOTION CARRIED: ALL AYES.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Just some comments to consider. Appreciate Mr. Hall being here tonight and shedding some light about the feasibility of commercial. I really respect his opinion and if he feels commercial isn't -- isn't viable in that area, I tend to support that. I don't know if I necessarily, then, go to -- that we need to just stack it with more multi-family. So, I voiced my concerns about that at the last public hearing. To me commercial seemed to be an appropriate transition to give a little bit of everything in that area. If the commercial is not going to work, then, of course, it's not going to work, but I don't, then, move to being supportive of leaving that all multi-family. So, I'm not in support of the DA. I appreciate what's trying to be accomplished, it just doesn't rise to the threshold of me being able to support it. Appreciate you being here tonight, though, Mr. Jewett.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I'm a little on the fence. I appreciate the overture to leave a piece of the frontage, you know, as a potential future commercial pad off Linder. That might sway me. I -- I do feel that -- that the city is going to move towards a Linder overpass and, you know, I totally understand Mr. Hall's commentary, I just don't know if we make long-term decisions based on the economic viability of the use at one point in time is part of my struggle and we are really underweight -- commercial buildings not working right now. The schools in this area are not particularly hard hit yet, although I suspect that's coming. I -- I'm still formulating my thoughts. I'm not -- I'm not there yet either. I have some concerns still. I would like to listen to everybody else's opinion.

Simison: My two cents from -- for whatever it's worth is I agree, I think that there will eventually be a need for light office uses. I understand that commercial is not maybe the -- what is right for this area, but daycare, dentist, other things that will support the residential area and I -- I don't want to look at Google to see what's around there right now, but I don't know that there is a lot of those types of services on that part at least, but from memory -- I don't drive down that area that frequently and, unfortunately, I have never been to the Firehouse, so that's something I'm going to have to evidently change at some point in time. But I struggle --

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I'm sorry. Did I interrupt you? Were you finished?

Simison: You're good.

Perreault: Okay. So, I drive by that area daily, sometimes multiple times a day, and the -- the little retail center that's there to the -- to the east -- on the southeast corner, it has had users in and out and in and out since I have lived in this area pretty frequently. I know they have struggled to keep businesses in there and I think it's probably a traffic thing and now that Linder is widening to Cherry Lane, I anticipate that you may have more people taking Linder, even without the overpass, because trying to get -- when you would go past the school and, then, you would bottleneck at the railroad stop, I never took that stretch of Linder, because it was always just kind of a pain to get from Franklin to Cherry, because it was too small, too narrow, you have got the school -- you have got the school, the traffic zone. With Linder widening there with improvements along where the railroad track is going to be, I'm wondering if people aren't going to start using Linder to come from north to south more frequently, especially getting on the two interchanges, Meridian Road and Ten Mile Road, and I wonder if that isn't actually going to improve some of the -- of the, you know, retail uses or some of the neighborhood uses there. I don't know, just speculation, but I wouldn't be surprised, actually, if people start using that stretch of Linder from Cherry to Franklin a lot more frequently once they are finished and that being said, I'm not necessarily saying that I'm in favor of -- of, you know, denying this and having all of those six acres or seven acres stay open for commercial uses. Just like Council Woman Strader, I'm still a little bit on the fence on that.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I have a lot of respect for Mr. Hall and his expertise in what he does. I might agree and say that, you know, maybe right now not a lot of use for maybe retail in that location, but like what's said from other Council Members, I do believe that there is potential use for other forms of office space and -- and such. As a Council, you know, it's important that we look at the zoning designations for different areas and I believe that they are for

-- they are there for a reason and, you know, there is also times when, you know, we make decisions not based upon what -- what the status quo is, but what that looks like, you know, two, five, ten, 15 years down the line and I do believe in the future, especially with Linder being what is projected to be that the best use in my opinion for this area would be commercial.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I don't have a good sense about where Council wants to go on this, so I'm going to take a stab at this and we will see. Mr. Mayor, I move that we deny Item 3, Villas at Twelve Oaks, H-2020-0014, as presented.

Bernt: Second.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Just some clarification, because this is an annexation application. Does that -- does that -- would a denial prohibit the applicant from coming back for a year?

Nary: Mr. Mayor, Members of the Council, so under our code, yes, essentially, with the same application. It would be the director's determination on whether or not it's allowed, so -- it depends on what it looks like.

Bernt: Mr. Mayor. Unless a substantial change.

Nary: Correct.

Simison: Any other questions or discussion on the motion? If not, I will ask the Clerk to call the roll.

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

Simison: All ayes. Motion to deny passes. Thank you.

MOTION CARRIED: ALL AYES.

Item 8: ORDINANCES [Action Item]

4. **An Ordinance (H-2019-0123 – Sky Mesa Highlands) for Annexation of a Portion of the Southeast Quarter of the Southeast Quarter of Section 32 Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, as 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 31.96 Acres of Land from RUT To R-4 (Medium Low 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: Council, moving on to Item 4 on the agenda, Ordinance H-2019-0123. I will ask this -- ask the clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. This ordinance will actually have a different number. We did not assign that leading into the meeting, but it will be a 2020 ordinance. It's related to H-209-0123, Sky Mesa Highlands, for annexation of a portion of the Southeast Quarter of the Southeast Quarter of Section 32, Township 3 North, Range 1 East, Boise meridian, Ada county, Idaho, as 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 31.96 acres of land from RUT to R-4 (Medium Low 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. You have heard this ordinance read by title. Is there anybody that would like it read in its entirety? Seeing none, do I have a motion?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Question for Mr. -- Mr. Clerk. Chris, I thought I -- you stated something about a -- a different ordinance number, but, then, you read the one that was on our agenda, so I just wanted to make sure that I'm tracking correctly.

Johnson: Yes. The ordinance is related to this hearing application from 2019. Normally we have the ordinance number in place. We are not required by code to assign it one

until it passes and we -- in the changeover in the system we neglected to notice we had not yet assigned it a number, but it can be passed as the ordinance by title and, then, we will assign that number.

Cavener: Great. Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I move that we approve, then, Ordinance H-2019-0123, Sky Mesa Highland, with suspension of rules.

Bernt: Second.

Perreault: Second.

Simison: I have a motion and a second to approve the ordinance under suspension of the rules. Is there any discussion on the motion? If not, all those in favor signify by saying aye. Opposed nay. The ayes have it.

MOTION CARRIED: ALL AYES.

Item 9: FUTURE MEETING TOPICS

Simison: Is there any item under future meeting topics?

Bernt: Mr. Mayor?

Perreault: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I -- I would like to maybe possibly have a discussion in regard to just taking a look at what our ordinance looks like in regard to mobile sales licenses. I -- leave it at that.

Simison: Duly noted. Did I have another person who had a -- Council Woman Perreault?

Perreault: Mr. Mayor, yes. So, I don't want to discuss what Council Member just presented, but if Council decides that's a meeting topic they would like to -- to discuss, I wouldn't -- I don't know what code says about how the mobile sales units differ from the, you know, brick and mortar requirements in that regard, so that would be something that would be great and educational for us new Council Members. And, then, I wanted to bring up a future meeting topic and I would like to hear my fellow Council Members thoughts on this. We had four applications for residential developments along Black Cat in the last two weeks and we have more applications coming and so I would like an opportunity for all of us to look at the big picture of how many units have been approved broken down by type of -- of units in that northwest Meridian area, since we are considering that one of

our priority areas and just take a look at ACHD's five year plan for Black Cat and possibly McDermott and, then, also what -- what, if any, limited information we have regarding enrollment -- school enrollment. Just a big -- bigger picture view of what's happening in that square mile, mile and a half, so that the next time these applications come before us we have a good idea of what's going on in the entire area. So, I understand from the Planning Department that they do have information available and easily ready to share with us, so it's not something that should take a lot of preparation.

Simison: Duly noted.

Perreault: Thank you.

Simison: Any other items under this item If not, do I have a motion?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we adjourn.

Cavener: Second.

Simison: I have a motion and a second to adjourn the meeting. Is there any discussion on the motion? If not, all those in favor signify by saying aye. Opposed nay. The ayes have it. We are adjourned.

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 7:15 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK