

A meeting of the Meridian City Council was called to order at 6:00 p.m., Tuesday, March 15, 2016, by Mayor Tammy de Weerd.

Members Present: Mayor Tammy de Weerd, Keith Bird, Joe Borton, Genesis Milam, Luke Cavener, Ty Palmer and Anne Little Roberts.

Others Present: Bill Nary, Jacy Jones, Bruce Chatterton, Sonya Watters, Josh Beach, Tom Barry, Mike Pepin, Kyle Radek, Jamie Leslie, Perry Palmer, Keith Watts and Dean Willis.

Item 1: Roll-call Attendance:

Roll call.

<u> X </u> Anne Little Roberts	<u> X </u> Joe Borton
<u> X </u> Ty Palmer	<u> X </u> Keith Bird
<u> X </u> Genesis Milam	<u> X </u> Lucas Cavener
<u> X </u> Mayor Tammy de Weerd	

De Weerd: I would like to welcome all of you here to our City Council meeting. We appreciate you joining us. For the record it is Tuesday, March 15th. It's one minute after 6:00. We will start with roll call attendance, Madam Clerk.

Item 2: Pledge of Allegiance

De Weerd: Item No. 2 is the Pledge of Allegiance. If you will all rise and join us in the pledge to our flag.

(Pledge of Allegiance recited.)

Item 3: Community Invocation by Steve Moore with Ten Mile Christian Church

De Weerd: Item No. 3 is our community invocation. Tonight we will be led by Pastor Steve Moore with Ten Mill Christian Church. If you will all join us in the community invocation or take this as a moment of reflection.

Moore: Dear God in Heaven, we have just pledged that we are a nation under you and that's a special comfort tonight when we realize that there is much that happens in our world even on a daily basis that's out of our control. So, we pause in this important moment at the beginning of this meeting to express our dependence upon you and I pray that you would be with these leaders in our city. Thank you that they are sacrificial. We are grateful that they take seriously this responsibility they have to make decisions that often are unpopular with one person and well received by the other and that -- that responsibility of just making decisions. So, we pray for special wisdom from you for that. Pray your justice in our community and, God, I -- I pray that we would just recognize as

citizens our part. I pray that Meridian, this reputation that we have of being such a great place to live, that -- that we just do our part, we as citizens for that to happen. Tonight we recognize that there is other generations like these girls and basketball championship that's going to be recognized and honored and thank you. We pray a blessing on their futures and their desire for excellence and these sort of things, God, just remind us that we are a part of something bigger than ourselves, in the name of Jesus I pray, amen.

Item 4: Adoption of the Agenda

De Weerd: Thank you, Pastor Moore. Item No. 4 is adoption of the agenda.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Under the Consent Agenda, Item K, the resolution number is 16-1125. Under Item 9-F it has been asked to continue to April 5th. And also under 9-E the titles have been amended to read preliminary plat approval consisting of 96 building lots and 12 common lots on 22.6 acres of land in a proposed R-8 zoning district. Under 10-A the ordinance number is 16-1675 and under 10-B the ordinance number is 16-1676 and under Item 12 we would like to add an Item 12 which is under -- an Executive Session under Idaho State Code 74-206(1)(a). With that --

Borton: Second.

De Weerd: I have a motion and a second to adopt the agenda as changed. All those in favor say aye.

MOTION CARRIED: ALL AYES.

De Weerd: May it be noted that Council Member Milam is here with us as well. Thank you.

Milam: Sorry.

Item 5: Proclamation

A. Proclamation for Mountain View High School Girls' Basketball State Champions Day

De Weerd: Okay. I'm going to move to the podium. Before I call up the Lady Mavs, I do have a special presentation that I thought I would do right now, because I know after I read the proclamation with the Lady Mavs that this individual will be shooting out the door to get a picture. So, I will ask Frank Thomason if he will, please, come up and join me at the podium. Frank Thomason has been an integral part of Meridian history and our preservation thereof. Frank has been part of our historical preservation commission for 25

years. He is our resident and expert historian and I will tell you that he will be impossible to replace. He has had to resign and step down from our historical preservation commission and I will tell you that this will leave a big gaping hole. Our heart felt thanks certainly to Frank and what you have added to our community in making it a premier place live, work, and raise our family, but also that our residents, regardless of how long you have lived here, have the opportunity to get to know the Meridian that -- our roots run deep and the Meridian that we have built a strong foundation on to what it is today. We also have an outstanding history walk. We have a third grade program that teaches kids in our third grades the history of our community. We have engaged citizens at all -- of all ages into the history of Meridian and we are very proud of where we are and much of that has had the fingerprints of this man. So, this is presented to Dr. Frank Thomason in recognition of your years of dedicated service to the history -- Historic Preservation Commission. City of Meridian has greatly benefitted from your valuable gift of time and expertise. Meridian is more vibrant -- is a more vibrant community because of your service. We thank you for all you have done.

Thomason: Thank you. I am overwhelmed and very humbled. Mayor Tammy knows me well and I probably -- had I known this was coming would have found a way to bolt out the door. It's also been my privilege to cover -- to have covered the Meridian City Council for the past 25 years, but who is counting. But thank you so much for the opportunity to serve this wonderful community, which is getting national attention for the work that the city and the development community and our public safety departments bring to the residents and the businesses of Meridian, the number one place in the nation to live, work, and raise a family. Thank you.

De Weerd: Now it is my honor to recognize a group of young ladies who have accomplished something that very few have. In fact, they have won the state title for basketball for the second year in a row and I believe that this hasn't been done since the 1980s and as I understand it this team is already preparing for next year and their third straight title. So, if you girls would come up and join me, I would greatly appreciate that. And Coach Skogrand. Skogrand. I knew I was going to blow that one. If you can also stand up here. I'm going to read this proclamation and I will tell you that I have two of them I will present to your coach. One has all of your names listed in it and that's going to be entered into our minutes, so that some day, if you ever want to show your kids that you were part of Meridian history that Mr. Thomason could have even captured, your name will be in our minutes and you can come back to this day and point that out. One of these has all of your names listed in and the other one doesn't and that's the one I will read, because as you already saw with your coach, I will probably not say your last name right. Whereas being a Mountain View basketball player is more than scoring points, making assists, grabbing rebounds, stealing a ball and achieving back to back state titles, it is training to build leadership, character, confidence, teamwork and resilience, all traits needed to succeed on the court, in the classroom, and in the real world and whereas the Lady Mavs overall record for the 2015-2016 season was 23 wins and four losses and whereas their hard work and teamwork results -- resulted in a 62-50 victory over conference rival rifle Centennial High School in the 2016 state basketball champion tournament and whereas capturing a second straight state title makes the Mountain View

Lady Mavs the first 5-A I girls basketball Treasure Valley team in District Three to achieve this accomplishment since 1983 and whereas the leadership, training, and discipline of their coaches help all team members to focus their talents and passion to become a winning team, with each player making valuable contributions to their victory. Therefore, I, Mayor Tammy de Weerd, hereby do proclaim March 15th as Mountain View High School Girls Basketball State Champions Day in the City of Meridian and I call upon all the community to join me in congratulating the Lady Mavs on their remarkable athletic achievement and for representing Meridian so proudly in the state tournament. I sign this today and I would be very honored to present this to your coach and I would also ask if each of you would come up and introduce yourself, tell us the year in school you are and what position you played and, then, I will ask your coach to follow up with some comments on your behalf. So, if we could start here and if you will state your name and what year in school you are and what position you play.

Good: Okay. I'm Andi Good and I'm a junior and I play post and forward.

Kreiser: I'm Abby Kreiser. I'm a junior and I'm a guard.

Chanhthala: I'm Allison Chanhthala. I'm a sophomore and I'm a guard.

Clark: I'm Natalie Clark. I'm a junior and I'm a guard also.

Anderson: I'm Kayla Anderson. I'm a junior and I'm a guard.

Villareal: I'm Devenee Villareal. I'm a senior and I'm a guard.

Vickery: I'm Adriana Vickery. I'm a junior and I'm a post.

Perry: Shelby Perry. I'm a junior and I'm a post slash forward.

Whitelock: Braelyn Whitelock. I'm a freshman and I play post.

Carrillo: I'm Taeli Carrillo. I'm a junior and I play guard.

Slocum: I'm Destiny Slocum. I'm a senior and I play point guard.

Spell: I'm Shayla Spell. I'm a junior and I play post.

Skogrand: And I'm Connie Skogrand. I'm the girls -- varsity girls basketball coach at Mountain View High School and I want to thank the Mayor and the Meridian City Councilmen for having us here and presenting this award to us. Thank you very much.

De Weerd: Thank you.

Palmer: Madam Mayor?

De Weerd: Yes.

Palmer: As the first graduate of Mountain View High School to serve on Meridian City Council I wanted to personally congratulate you guys on -- on your win. Congrats. Go Mavericks.

Item 6: Consent Agenda

- A. Final Order for Final Plat for Creekstone Subdivision (H-2016-0014) by Creekstone Meridian, LLC Located North Side of W. Pine Avenue, Midway Between N. Black Cat Road & N. Ten Mile Road Request: Final Plat Approval Consisting of Thirty-Two (32) Residential Lots and Six (6) Common Lots on Approximately 6.92 Acres in the R-8 Zoning District**
- B. Findings of Fact and Conclusions of Law and Decision and Order of Denial for Knighthill Apartments by James Wylie (H-2016-0002) For a Request to Amend the Recorded Development Agreement for the Purpose of Incorporating a Second Concept Plan, Residential Building Elevations and Modify Certain Provisions of the Development Agreement for Property Generally Located on the Southwest Corner of Chinden Boulevard and N. Linder Road, Meridian, Idaho.**
- C. Findings of Fact and Conclusions of Law and Decision and Order for Denial for Westborough Square (H 2015-0036) by Corey Barton for a Request for a Modification to the Existing Conditional Use Permit/Planned Development to Change the Use and Site Layout From an Office to a Multi-Family Residential Development for 3.32 Acres of Land Generally Located at 6340 N. Jericho Road, Meridian, Idaho.**
- D. Development Agreement for Earl Glen Subdivision (RZ 15-009, MDA 15-006) with Brinegar Investments, LLLP Located on the North side of E. McMillan Road, East of N. Locust Grove Road. Request: for Rezone and Modification Agreement of 4.65 Acres of Land from R-8 Zoning district to the R-15 Zoning District**
- E. Development Agreement for Citadel Storage @ Amity (H-2015-0031) with Skyline Boise, LLC Located at the southeast corner of E. Amity and N. Meridian Roads Request: Annexation and Zoning of 15.84 acres of land with an I-L zoning district**
- F. Approval and Authorization of the Purchasing Manager to sign the Purchase Order to Mtelligence Corp for the Installation and**

Implementation Services of the Condition Based Monitoring Software for the Not-To-Exceed amount of \$79,000.00.

- G. Approval of Task Order 0596.d to JUB Engineers, Inc for the “South Black Cat Lift Station Improvements - Design” Project for a Not-To-Exceed amount of \$67,116.00.**
- H. Approval of Task Order 10044D to Brown and Caldwell for the “Wastewater Resource Recovery Facility Headworks Capacity Design” for a Not-To-Exceed amount of \$1,230,611.00.**
- I. Pedestrian Pathway Easement Between Isola Creek, LLC and the City of Meridian Regarding a Public Pathway Located in the Bellano Creek Subdivision which will Connect Bridgetower Subdivision to the City's Future Neighborhood Park**
- J. Professional Services Agreement with WineGlass Arts Development for Concert Series Production Services for an Not-to-Exceed Amount of \$9,600.00**
- K. Resolution No. 16-1125: Adopting the Bylaws of the Meridian Transportation Commission as Amended on March 7, 2016**

De Weerd: It's very rare that I can pull one over on Frank Thomason, so thank you. Okay, Council, Item No. 6 is our Consent Agenda.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: On the Consent Agenda, as I stated earlier, Item K is resolution number 16-1125. With that I move we approve the Consent Agenda and the Mayor to sign and the Clerk to attest.

Borton: Second.

De Weerd: I have a motion and a second to approve the Consent Agenda. If there is no discussion, Madam Clerk, will you call roll.

Roll Call: Bird, yea; Borton, yea; Milam, yea; Cavener, yea; Palmer, yea; Little Roberts, yea.

De Weerd: All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

Item 7: Items Moved From the Consent Agenda

De Weerd: Item 7. There were no items moved from the Consent Agenda.

Item 8: Department Reports

A. Finance Department: Follow-up to the McGladrey Report

De Weerd: So, we will move to 8-A under Department Reports and I will turn this over to Mr. Barry.

Barry: Thank you, Madam Mayor, Members of the Council. It's my honor tonight to represent the Public Works Department, the Finance Department, the Legal Department and the HR Department in our follow-up presentation regarding the McGladrey Construction Review Report. You may recall that the Public Works Department, along with the other three departments, were evaluated last fall for conformance to best management practices as it relates to our construction processes and so we wanted to just follow up this evening as closure to the activities that have occurred since that time. The agenda that I have for you this evening is to talk briefly about the background, talk also briefly about report objectives and scope, as well as the observations and the compliance status, as well as to offer an opportunity for some discussion at the end. I am joined this evening in my presentation with Mike Pepin, our deputy director from the Public Works Department. Also we have Keith Watts representing purchasing, Mr. Nary representing the legal department. Unfortunately, Crystal Ritchie from the HR Department is unable to be with us this evening. She fell ill this afternoon. So, any questions, comments, concerns regarding the HR observations we would want to direct maybe later to her. All right. If you go ahead and begin. I wanted to just set the context again for the report itself. As you may know, particularly in Public Works, we are probably the largest spending and largest -- have the largest number of projects in the city in regards to capital construction. So, it makes a lot of sense to have the processes, policies, and procedures evaluated for the department, particularly as they touch -- those processes and policies touch other departments throughout city. For example, we have 200 million dollars worth of projects coming up in the next ten years. You can also see by this graph that, essentially, our capital investment program has grown significantly over the past eight years and is projected to continue to grow over the next ten. So, there are a lot of good reasons for insuring that as we begin to -- and continue to ramp up our capital construction program, that we really take a good hard look at the types of systems and controls that we have in place for the capital program itself. So, the goals of the project that were defined was to test the integrity and adherence to established processes through the construction processes. Evaluate adequacy of existing policies and procedures related to those processes and insure alignment of those policies and practices within industry standards and best management practices. The scope that was undertaken involved looking at a number of different controls and processes throughout the construction development process. Mostly these controls were identified against water and sewer utility capital projects in the Public Works Department. So, the reviewers

looked at procurement processes, schedules, change orders, budget allowances, contract close out paperwork, insurance and bond requirements, construction in progress, owner supplied material, payment application and invoices and et cetera. Again, as I mentioned, the departments that reviewed were all the departments that have some sort of touch point in regards to these activities. So, those, again, include Public Works, Finance through purchasing, Legal and HR. The review approach involved having 16 interviews with staff from each of the four departments. There were three construction management contracts that were reviewed in the spot review. Eleven professional services agreements were reviewed and four stipulated summary agreements were also reviewed. There were 16 total controls that were reviewed and five of those controls were identified as operating effectively with no recommendations for changes. There were 12 observations noted and six of those 12 were existing controls that the city already had in place, but there was a recommendation for formalization of those controls, meaning we have done the work right, we were consistent about doing it, we just hadn't actually formalized the process. So, that was good news. There were five improvements that were recommended to existing controls. So, that means that five controls that were in place were found, but the reviewers found ways to strengthen those controls and, then, lastly there is -- there was one existing control which required some Council direction, which we will talk about tonight in the presentation. These observations were scattered between all four departments. Five of the observations were found to be in the Public Works Department, four in the Legal Department, two in purchasing and, then, one in Human Resources. Now, as you know, the report was presented last fall to the City Council and since that time the staff from all four of these departments have committed to working together in a collaborative fashion to develop, essentially, a compliance report, which is what we are here to talk with you about this evening, and update with regard to how we have moved forward implementing the best management practices that were identified for us in the report. So, this is a process we have used over the last several months, meeting together internally, reviewing our own processes, developing standard operating procedures and shoring up gaps in some of those procedures to make sure that we were fully compliant with all of the observations that were identified. So, I'm going to turn the time over now to Mr. Mike Pepin, our deputy director. He's going to go through each of the observations and I do want to commend Mike, because he's done a fantastic job leading this work for our department. He has been very diligent and thorough in his interactions with the departments and those representatives and in also following up and following through on all of these reports status action items. So, I'm very pleased to introduce Mike again and have him take on the presentation from here. We will both be available for questions at the end. Thank you, Mike.

De Weerd: Thank you, Tom. Welcome, Mike.

Pepin: Thank you, Madam Mayor, Members of the Council. Appreciate your time. So, Tom set this up and as he mentioned I had an opportunity to work with the three other departments that were included in this review and what I'm going to provide today is a -- an observation or the title of the observation -- the action item that was suggested by the reviewer, our response to that, and, then, what the implementation plan or the action plan was moving forward and as Tom suggested, there were many things in place and many

things to celebrate that that the city has in its process control right now and staff are utilizing. It was really formalization of some, improvements to other, and, then, as Tom mentioned we do have one to discuss this evening on how to move forward and I will bring that up to you shortly. So, in no particular order. There is no prioritization. There is no ranking. They are just 12 observations and I will work through those with you. So, one observation was procedures for reviewing invoices. This was in the Public Works Department. I can tell you -- and I can attest to this -- we do have procedures in place -- some that are formalized and others that weren't -- that were very effective and we are working -- the observation from the reviewer was that let's get them formalized, so that you not only have an accountability tool, but you also have a training tool, you also have a consistency tool. So, what this slide represents is we built one new invoicing tool for all of operations. So, regardless of whether you work at wastewater, you work at water, you work here in City Hall, because our department is pretty diverse, all managers are approaching the invoicing process in similar fashion and we built the tool and I apologize for not leading off with it, but you do all have packets. Those packets are not the slides, they are the tools that we implemented. So, when I get to Attachment A through maybe K. Thank you. I will kind of refer to those and if you'd like to follow along in those, you're perfectly welcome to, but -- so, we developed one new one and, then, we made updates and improvements to four others that were already existing, just to bring them in alignment with technology improvement that we have made, review process that we have made, identifying who is responsible to review what, when they are responsible to review it, any corrective measures that need to be made -- all of those things are documented within those pay app invoicing and contract close out documents that you have in Attachment A. We also included what's called a RACI chart. That's really a process control -- business process control tool where we look at -- and we help to identify what positions are responsible, accountable, need to be consulted or informed on some of the flow of this. And there is also a flow chart. So, if we get a new member or we have someone that may be promoted to a new position, we have the ability to train them on how to follow a process to accurately look at an invoice, question it or approve it and we move it forward and all of these have also been coordinated with our Finance Department. Our controller Rita Cunningham she's reviewed all of them, provided some input. We included that input and we are happy to let you know today these are in place and working. They are available on our intranet site. They are part of our on boarding, part of our training program and from our perspective this observation is closed. The next observation was the review and documentation on change orders. This was another practice -- an activity that is ongoing with our project managers and our purchasing department. We don't move on change orders unless there is communication. This right here formalizes what that communication is. It's tells the why. So, there is already a form that's in place for change orders. We took that form, our engineering team worked with Keith Watts in purchasing and we made upgrades to that form, so that we could really tell the why a change order is necessary. So, you will see in Attachment B that the form has been updated, it's implemented, it is in use, so that now the why is being told on change orders. So, from our perspective as well this observation has been complied with. The next observation is audit clause and that was one that was identified in legal with some support from purchasing, so, essentially, an audit clause is the ability for the city to audit the work that a firm or a consultant is performing for us contractually. So, if we want to look at what their

payroll, their costs, their business controls, their budget, things like that, we have the authority within this to do those things and that -- we have always had that authority, it just hadn't been as stipulated, as specific as we have made it. Now, there is really two type of contractors we work with. There is one for construction and, then, the other one that's kind of the outlier is an AIA agreement and that is the American Institute of Architects. So, kind of a design of a vertical building. So, what we were able to do was take the language that is in all of our standard contracts and take that language and import it into any future AIA contracts to where it will stipulate we have the ability to perform auditing of that type of work. So, it was really -- it was in place, it was being conducted. This just reduces the city's liability in and around AIA specific agreements.

Bird: Mike, can I interrupt?

Pepin: Yes, sir.

Bird: I have got a -- I have got a --

De Weerd: Are you on?

Bird: Yeah. I'm on. I have got a heartburn with some of Attachment C -- and not being able to read this, you know, yet completely, I have no problem with an audit on a time and material job, but on a bid job I do, because the contractor bids the jobs to do it for X amount of dollars and as long as he's doing his job and our project manager is saying he's -- you know, if he turns in 50 percent pay and he's got 50 percent of the deal done, we pay him a 60 percent. I don't think it's our job to go back and find how much he spent or how much he's making. He bid that. Now, on a time and material I do agree with that where -- and, you know, where you're saying, okay, you can have ten percent markup on your costs, then, I think we should do that. But on a contract -- bid contract I have a real problem and being a subcontractor for 42 years I didn't -- it wasn't -- really wasn't -- unless the owner give me the job on a time and material, it wasn't really his business how much I was making, as long as I did a good sufficient job, got it in on time and I -- I'm open to it, Mike, but I -- it's something that we need to really think about I think. Are we going to harm our bidding process? Are we going to have people say I'm not doing this -- I'm not bidding to the city because of this. It's something we need to really think about and I'm glad you brought it out at this point.

Pepin: Okay.

Bird: Thanks, Mike.

Watts: Mr. Bird?

Bird: Yes.

Watts: Keith Watts. That -- that audit clause has actually been in our contract since I have been an employee, so it's been in our contracts for the last ten years. What wasn't

in was in the AIA agreement, so we haven't had any issues with it before and our bidders do have the opportunity to disclose or to state that something is proprietary. It's in our RFP processes and I don't think that's necessarily the intent of that agreement anyway. Bill maybe able to speak to that -- to some legal terms of why that needs to be in our contract. I know for grant contracts especially we have to be able to audit any grant work that's done, but Bill might be able to add something to that as well.

Bird: Excuse me, Madam Mayor?

De Weerd: Uh-huh.

Bird: Before Bill -- yeah. On the grant, anytime you bring federal in you should be auditing wages, because they have -- they have to be to the Bacon Davis wage.

Watts: That is correct.

Bird: Our money -- our state money don't have to be. I mean I don't disagree with what you -- I wonder -- I wonder if it's -- if instead of getting ten people to bid on a job we are only getting one or two, if this -- I mean it's -- have we had any key come back with it scratched out?

Watts: I never have, sir, no.

Bird: Okay.

Nary: Madam Mayor?

De Weerd: Bill.

Nary: Members of the Council, Council Member Bird, as Keith stated, all of the standard contracts that we have prepared have this clause in it. The only ones that didn't were the AIA contracts and pointed out to the review that that was a direction we had received from counsel to not put any to AIA contract and that was why it wasn't included, but -- so all we are doing is adding that provision to the AIA agreement. That's the only change.

Bird: Okay. And, like I said, I'm open.

Pepin: Okay. You're welcome. Observation number four from the reviewer was a notification of irregularities. This was found in HR and the irregularities -- if you look at Attachment D in your packet that we handed out, this was actually one of the first items that was implemented in response to the report. We have formalized and have always had something in place to address irregularities and if I can use the term chain of command, if you feel there is something unethical, immoral, or irregular in work being conducted, you have a chain of command to express those concerns as an employee. That's always been in place and still is in place today, but encouraged. What the review felt was another opportunity -- it is a confidential way to report certain things that could be

irregular. So, what HR did was work with a third party firm out of North Carolina. We also know here in January they lost what is called the compliance line and that's where unethical or these types of situations can be submitted in a confidential manner and, then, handled by the city as they deem appropriate. So, again, we added another layer to work that we had in place already. Observation number five, conflicting policies addressing gifts. This was, essentially, an observation to provide alignment. HR had one policy addressing gifts and purchasing had another -- excuse me -- policy addressing gifts. So, the Legal team, Finance team, the HR team met, discussed it and the decision was made to remove policy from the purchasing policy that addresses gifts and adopt the policy that HR has on record. So, when you see purchasing bring updated purchasing policy to you next week for review of the draft changes that are going to be proposed, this will be one of them that's included in there and, really, what it does is bring us in alignment with what was already on record anyways and provides clarity in that instance. So, it's -- it's identified as open, but can easily be closed through the work with the purchasing policy. Observation six addressing -- excuse me -- procedure addressing the statement of qualifications process. This was another one where there was an informal process in place. We formalized it through the purchasing team developing to SOP that you see in Attachment F that identifies the process we go through in terms of statement of qualifications. Observation seven. Additional work awarded change orders. We are talking a little bit about change orders again. I talked earlier about the form that's developed that is in use and typical practice. We made another edit to that form. That's on the front page towards the bottom in Attachment G where now we also can provide some more clarity in and around -- checking a reason for the change order. So, our project managers have the ability to provide a little more information in and around projects and the reason for the change order. Also this form with added information becomes part of the project file. It can be referred to later on if you want to do any type of investigation, trending, things like that with change orders, a little bit more information on the forms moving forward. Observation eight, agreement to addressing change order pricing. So, language has been included to all city construction contracts, including the modified AIA agreements that we just discussed and that language is available to review on -- excuse me -- in Attachment on H. And this is another situation where we improved basically what was in place, we just added some language to reduce a little liability to the city.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Mike, a clarification. This is unit pricing, but what about -- what about -- maybe I'm being Devil's advocate when I shouldn't be, but what -- what about the contractor that -- that bids his job at X amount of markup and, then, the -- then when the change orders come in the markup goes like this, because they have got you over the barrel. Isn't there a way we could put in our contracts -- and it does in contracts on change orders only give you a certain amount of a markup, like you can have five or ten or -- ten percent overhead has been the normal that I have -- that I have seen, but haven't seen one for 13 years now, but I -- the unit price is not a problem and if the materials has went up in six months

they have to prove it. When on a -- just a regular contract when there is a change order comes in and you need the pricing, we should be able -- instead of -- he bid the job to get the job at ten percent markup and, then, he's got to work -- and, then, he's got a change order that he knows you got to have, and he can mark it up 25 or 30, it's not fair. And I tell you it is done.

De Weerd: Keith, do you want to comment?

Watts: Yeah. Typically, as Mike was explaining it and as Keith alluded to -- or, excuse me, Councilman Bird alluded to, our schedule of values are set in our line item construction contract, so if somebody -- if you have an increase in quantity, regardless of the time, the -- the quantity and the price stating for that line item cannot change, it is bound by that, so --

Bird: I understand that.

Watts: -- if they want a higher profit or whatever, it's not available and I think Councilman Bird is alluding to something that is outside of the norm of the contract that wasn't in that schedule of values.

Bird: I -- excuse me, Mayor. I -- this -- to me this -- we are not going over this procedure deal just for Public Works. We got other things -- other buildings and stuff that we have built and this has got to be an overall city procedure that every department adheres to. There is a difference between unit price -- when you build -- when you build a building it's hard to get a unit price. I mean I have never seen one bid that way.

Watts: Correct.

Bird: I mean by square footage. But that's never -- rarely well done. So, there is -- there is a difference. But we have got to have a procedure that everybody in this city, when they get a contract, regardless of what department, goes by this procedure, the contractors know we are going by this procedure, it's just not Public Works and I think -- I think this is great for unit price, but I think also if we are bidding a job that isn't unit priced out, which I don't -- I'd have to see one of your building contracts to see if you ever priced out by unit. But, anyway, that's when we need to have a limit and it's stuck in your standard -- it's an amendment to the standard AIA contract and there is nothing wrong with it.

Watts: Yeah. Councilman Bird --

Bird: And we are just all looking at Public Works, which I understand when you're going under the ground and stuff, yeah, per mile or per foot, you can do it, right, Mike?

Pepin: Uh-huh.

Bird: But when you're building city hall you can't.

Watts: Correct. And you are right, with our building construction and the way that is -- those are bid out, they are bid out as packages and not line items. That is correct.

Bird: And so --

Watts: And I think that would be -- and it would probably -- it would be a modification to the AIA bidding documents as well.

Bird: An amendment to them, just like every owner does with the AIA.

Watts: Correct. That would be an AIA modification that we would do on a building modification and we can look into that and formalize that as well.

Bird: Because we are going for the whole city, not for Public Work.

Watts: Correct. And this is the order form that we use for the whole city. This is not just a Public Works document. This is a purchasing document that we use for the entire city, but I will get with Mr. Nary and see if we can't formalize something for building construction with the AIA documents as well.

Bird: I hate to be a pain in the head, but --

Watts: Yeah. I understand completely where you're coming from.

Bird: I just want something that is clear for everybody in the city.

Watts: Correct.

Bird: And I mean I just -- and I want contractors to be happy to work for us.

Pepin: Thank you, Councilman Bird. Moving to observation number nine. Documentation and awarded task orders. This was a -- Public Works took the lead on this with the support of purchasing. We utilized the task order checklist that purchasing provides when we process any task orders, so we made some improvements in response to this observation to the task order checklist that is provided and Attachment I in your checklist. So, again, this is another form of an observation to where we didn't -- there was no -- nothing wrong identified, it was just an improvement to an existing procedure where we can provide more documentation in and around the order. It was a gray area at the bottom of that task order and you can see where the PO will be able to identify the reason -- and/or reasons why a consultant was selected for a specific task order and that -- that form is in place and used already. Observation number ten. The City of Meridian utilizes multiple delivery methods. This is the one that Tom mentioned and I alluded to earlier, the one that we -- I'm going to turn the floor over to Mr. Nary to lead us in discussion on this where we are going to need some direction from the Council as we move forward on how to address this observation. So, Mr. Nary, I would turn it over to you.

Nary: Thank you, Mike. Madam Mayor, Members of the Council, this was a particular one where the methodology they were talking about, this process didn't exist previously. It was initiated and it originally, most of you know, by the legislature in regards to the capital project. So, it wasn't a big available for local government to use as a -- as a method of contracting, so all we have had for a number of years is the CM process that we have used like for City Hall or the general contractor process. This does exist now in code and so what we were proposing to do is work with the Purchasing Department and, then, target a future project of the city to pilot this type of method and what we need to come up with is some criteria to help you folks make that decision that this is the right project to do it on. We think it's something that maybe we could be done, for example, on a park project or something like that and try to -- we will come up with some criteria, have the discussion with you at a future Council meeting and in a workshop and outlining what the law allows us to do, why this would be an advantageous one to consider and, then, get that direction at that time. So, it is open, like Mike said, because we haven't had a project yet come in front of you to consider for this type of method, but we think we will probably have one in the near future and we will have that conversation again.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: Sorry, I'm confused. Mike, the document that we have in J is the same as I?

Pepin: Uh-huh. Council Women -- Council Woman Milam, yes, there is no attachment for this observation, it was just purely conversation. The next one I'm going to get to is an update to the previous attachment.

Milam: So, do we need this in here twice? So, it goes along with J as well?

Pepin: I will explain it here in a minute --

Milam: Okay.

Pepin: -- if you let me.

Watts: Thank you, Councilman Milam. Mike, she might be alluded to the change order --

Pepin: Yeah.

Milam: Yeah.

Watts: Correct.

Pepin: I should have put a blank page in there that said that don't get confused here. So, sorry.

De Weerd: You passed the test.

Milam: It would have been less confusing.

Pepin: So, observation number ten, as Mr. Nary has mentioned, will be open we will be bringing that back to you to identify a future project. Moving on to observation number 11. That is fee negotiations, which is -- we took the opportunity in this observation to utilize an existing form, which is the task order checklist, so you saw that in observation nine, we made an adjustment down in the lower area for the PMs to provide the reason why the consultant was chosen. We also provided an update to that form that addressed this observation as well with that one tool to where a PM can now provide a brief justification at the bottom of that checklist as to the fee negotiations that were -- that was undertaken with the consultant of the firm. So, that form really addressed two observations, so that's why you kind of see it if you click it to -- in the compliance report that we provided you.

Milam: Thank you.

Bird: And, Mike, are we talking about the form that -- excuse me -- the form under J?

Pepin: Yes, sir.

Bird: That's what I thought.

Pepin: Yeah. The gray area at the bottom is to be filled out by the project manager, so you can see why they were selected and, then, fee negotiations, Councilman Bird, as you're very well aware, they happen via phone, face to face, via e-mail. What we are trying to do is capture that, document it so you have an historical record of the negotiations.

Bird: And it looks like this form, just looking at it fast, covers the underground utilities and stuff, plus the building of a building.

Pepin: It would.

Bird: It would cover -- it covers all the area of construction that the city would ever be into.

Pepin: Councilman Bird, I can ask purchasing to weigh in, but I believe -- because this is a universal form regardless of whether you work in public safety or public works, you're not going to get a task order through unless you have this document.

Bird: And it looks like it covers everything. Thanks, Mike.

Watts: Councilman Bird, just to let you know, we use this for contracts and task orders, so it does cover it --

Bird: Good.

Watts: -- all of it. Yes.

Pepin: And the last observation was the custodian of policies and procedures. This one is still open. This is the one when it was identified we didn't catch it that actually under city policy HR -- they are the custodians of our policies and procedures and it was identified that Legal was. So, there was a little bit of communication gap on who was going to handle this one when we started, but when we got into it and started doing the work we realized this really isn't a Legal thing, HR should take the lead on this and they are and Mr. Nary and the legal team are going to work with Crystal and the HR team to develop a formalized way to manage and be a custodian of our procedures and policy. What they provided in Attachment K is just some language that department directors and other staff members in the city can utilize if they put together a procedure and just to be beware of it, so that when they do go and formalize a policy around the custodian of these procedures, we are already in alignment and they will be bringing that back to you just to make sure that -- well, there is really two things, the observation in and around these team at risk and this last one right here that we haven't fully closed the door on.

Bird: Madam Mayor?

De Weerd: Yes.

Bird: Mike, when we get this together and get it back -- because our policy, with the purchasing policy that we are going to look at next week, then, we adopt a policy that goes up there and we can live by, tremendous reply to this report. I appreciate it. It's good. Each one of councilmen and the Mayor need to look through it and read it and if we have got -- I hope I'm not talking out of line, but if we got any questions or something we need to e-mail them to you, we see things that we have a heartburn or something, we would e-mail them to you, because we know Mr. Barry is going on a nice vacation down where it's warm and -- is that okay?

Pepin: Councilman Bird, absolutely. Yes.

Bird: Because I think -- I think this is -- to my fast observation, it's a tremendous piece of work that we -- that will help the whole city in doing construction jobs. It will save the city money in the long run by a long shot and we will all know what we are doing. We will do it on one way and one way only. So, thank you very much and I appreciate it.

Pepin: You're welcome, Councilman Bird.

Bird: Now I'd like to hear some of the other Council.

Pepin: And I'd just like to close and, then, obviously, open it up for any questions that you may have while I'm here. The goals and objectives of the construction program are to complete projects on time, within budget, and in accordance with specifications. This is

straight from the senior reviewer that some of you met -- the city has been successful in meeting its overall goals and objectives and those are right out of the -- the report and if I can reiterate the 12 observations, six of them we are formalizing work that was already in place and being conducted very well. Five of them were improvements to in place policies or procedures, no violations. We still have a couple open items that we will work on and get back to you and if you do have anything in response to the attachments, the slide show, or the actual report itself, you can -- you can contact me. So, at this time I'd stand for any questions with my colleagues, so --

De Weerd: Council, do you have any questions?

Cavener: Madam Mayor?

De Weerd: Mr. Cavener.

Cavener: Just -- Mike, a quick clarification point. Do these slides when it shows compliance, is that compliance as determined by your work group? Is that compliance determined by McGladrey? A combination?

Pepin: Madam Mayor, Councilman Cavener, that is determined by the four departments that were involved. There was -- there was no set expectation or standard from the actual reviewer or the firm that conducted the review. This was something internally that we worked with our Council president liaison and the Madam Mayor to determine compliance or open items. So, we took the initiative ourselves to draw a line in the sand on what compliance was. And I will remind you and the other Council that there weren't any violations. So, it was up to us to take this news and do something with it and we took all of it and we did have conversations with the reviewer and we did have collaboration back and forth on a few things that we felt we were acting appropriately with and we were and they agreed and they commended us for that. But these were the 12 that we landed on and knew that there could be improvements or upgrades to existing that we wanted to put the work into.

Cavener: Great. Thank you.

Pepin: You're welcome.

Barry: Madam Mayor?

De Weerd: Who said --

Bird: Tom.

De Weerd: It's like --

Barry: I'm still here.

De Weerd: -- I knew it wasn't God.

Barry: I just wanted to add maybe some confidence to Councilman Cavener's question. Keep in mind that the action plans that were developed by the departments were in coordination with the reviewers of the McGladrey corporation. So, what we have done simply here is follow through on those action items that were developed and reviewed in coordination with the reviewers from the McGladrey company. So, everything that's been presented tonight is in alignment with those action items, which were presented to the City Council as a plan going forward and we are also in alignment with what the reviewers had mentioned and recommended for us. So, you have I guess sort of an indirect stamp of approval that what we have done here is in alignment with the action plans that were approved or more or less reviewed and approved by the McGladrey corporation. So, just wanted to mention that as well.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: Mike, I was curious about the compliance line.

Pepin: Uh-huh.

Milam: How -- if you know how well that's been utilized or --

De Weerd: Think have had one phone call.

Nary: Madam Mayor?

De Weerd: Mr. Nary.

Nary: I did speak to Crystal Ritchie, Madam Mayor, Members of the Council, and one of the things -- they did roll out an introduction to all employees in January and, then, they have a -- essentially a communication plan going forward on how to refresh that to bring that back through the employee newsletters and through some other methods internally in the city just to remind folks that it's there. So, they plan on not just leaving it with just the one announcement back in January, but to refresh that every few months to remind folks that it exists.

Milam: Wonderful. Thank you.

De Weerd: And I would say that when they rolled it out they also -- they did have the communication plan, but it's also been reiterated at each department meeting as we discuss the employee assessment survey results. It was reiterated then as well. So, it's been mentioned a couple times.

Pepin: And it's visible in workplaces on bulletin boards in the environment with the attachments you see there, those are the poster items that are up and visible in the specific locations, so --

De Weerd: Okay. Anything further?

Bird: Thank you, Mike.

De Weerd: I appreciate all the work that's been put into this and that all departments are working together and you came with a unified presentation and, Mike, happy anniversary and, Tom, go and celebrate your son's birthday. Is anyone here for the item that was requested to be continue, Item 9-F? The applicant has requested this item be continued. They are still working out a couple of additional outstanding issues that -- I don't know if it will change the presentation or not, but that is why it's been requested to continue, so just want to make sure that no one is going to stay here until that item to find it's going to be continued.

Item 9: Action Items

A. Final Plat for Reflection Ridge Subdivision No. 5 (H-2016-0010)
by Schultz Development, LLC Located 575 E. Rumble Lane

- 1. Request: Final Plat** Approval Consisting of Fifty-Three (53) Building Lots and Nine (9) Common Lots on 18.88 Acres of Land in the R-8 Zoning District

B. Final Plat for Reflection Ridge Subdivision No. 6 (H-2016-0015)
by Schultz Development, LLC Located West of S. Locust Grove Road and South of E. Victory Road

- 1. Request: Final Plat** Approval Consisting of Thirty-Nine (39) Building Lots and Five (5) Common Lots on 12.75 Acres of Land in the R-8 Zoning District

De Weerd: Okay. Item 9-A is on Final Plat H-2016-0010. I will turn this over to staff.

Watters: Thank you, Madam Mayor, Members of the Council. The next application before you is a request for a final plat application. This site consists of 18.88 acres of land. It's zoned R-8. Located approximately a half mile north of East Amity Road and a quarter mile east of South Meridian Road. The proposed plat depicts 53 single family residential building lots and nine common lots on 18.88 acres of land in an R-8 zoning district. All of the lots proposed in this space comply with the dimensional standards of the district. A variance was approved in 2009 that allowed Blocks 9 and 14 to exceed the maximum block length allowed in residential districts. The location of the multi-use pathway along the Farr Lateral at the south and west boundaries of the site and that -- if you can see my pointer here, that's where the Farr Lateral runs right here. There is a multi-use pathway

that was required along there and the applicant has changed the location of that to the front side of these buildings and that has been approved by the Parks Department. Staff finds the proposed final plat to be in substantial compliance with the approved preliminary plat as required. Matt Schultz has submitted written testimony in response to the staff report. He is the applicant's representative. He is in agreement with the staff report, except for condition number eight -- that's site specific condition number eight, which requires the Farr Lateral to be piped or otherwise covered unless waived by Council. The applicant requests a waiver to allow the lateral to remain open due to the large capacity of the facility. He says that it would take approximately a 30 inch diameter pipe to pipe the facility. To preserve public safety, the applicant proposes to fence off the common lot where the waterway is located with a six foot tall vinyl fence. Staff will stand for any questions.

De Weerd: Any questions for staff? Okay. Would the applicant like to make comment?
Good evening. If you will, please, state your name and address for the record.

Schultz: Good evening, Madam Mayor and Council. Matt Schultz. 8421 South Ten Mile in Meridian. Here on behalf of Schultz Development. We are the development consultant for the land owner, which is Mission Coast Properties for this -- these are the last two phases of Reflection Ridge Subdivision. I'm actually here for phase five and phase six. So, my comments are going to apply to both. They both have the Farr Lateral in them. Between the two plats we are talking about tonight there is 92 lots. Fifty-three in phase five and 39 in phase six. The project's turned out wonderfully. We are kind of wrapping it up, coming down the home stretch here. Hopefully I won't be back in front of you for anything to do with Reflection Ridge, knock on wood. This is it. We are going to go build phase five this summer and phase six probably this time next year and finish it off. From time to time -- not on all projects, but from time to time it becomes appropriate to request a waiver of your policy which says, basically, pipe all ditches. Over the years -- you know, two or three times over the years we have requested and Council has granted where appropriate -- and I think this is one of those cases -- locations where it is appropriate for it to be left open. The Farr Lateral, unlike the Ridenbaugh Canal, is under the jurisdiction of the Boise Project Board of Control, which is essentially federal -- it's oversight by the Bureau of Reclamation and the federal government. They don't allow anything to be done inside their -- their easement. They would allow it to be piped, but they don't allow any pathways, any landscaping, anything that would allow it to be beautified and essentially utilized. We asked them if we could put a pathway in that easement and they said no, you know, unless you want to go to congress or something. I don't know. We just said okay. That's just how they are. And your Parks Department was open to us moving that pathway to the front. It's a ten foot still. It's a detached planter strip with trees. Your Parks is open as to moving at least the pathway to the front instead of the back, which is good. Now we are left with a 40 foot easement that we are deciding what we want to do with it and if we put pipe in it it's just going to be 40 foot no man's land that the HOA has to maintain. It's about waist deep as far as a ditch, but the water level is about calf deep. It's not very deep, not very wide, it's fairly flat. Because it's flat the hydraulics require a pretty large pipe. Thirty inches is considered a large pipe in the industry and other waivers, like Kingsbridge a few years ago that Council granted a waiver for a 30 inch pipe in the Boise

Project Board of Control on the perimeter. Almost identical situation. The HOA still will be responsible to maintain the area. We would rather leave it open as a unofficial amenity, if you will. We are not doing anything to it, other than keeping the weeds down. But we think it would be nice to leave the water open as long as it's not a safety hazard and it's not a safety hazard to leave it open. We are going to fence it off. We are going to maintain it and you -- this Council granting a waiver would be consistent with previous councils -- and I know this Council is different. But previous Council granting waiver for a very similar situation across the other side. This is looking -- obviously this is looking east. See if I can remember how to do this. Oops. I moved something accidentally.

Watters: I'm not sure it's going to work, Matt.

Schultz: We will see. No. Anyway, on that -- on this -- this side towards the mountains is where our fence will be. It's -- you can see it's about waste level, but the actual water level is down there in the bottom, it's three or four feet deep. It's fairly -- it's a nice, little calm -- little brook in the summer between April and October. It's dry in the winter. It's a delivery ditch, it's not a -- it's not a drain and as such -- across over here to the south is the gravel pit, abandoned gravel pit. It's not abandoned, they are filling it up right now. But it's -- they are not extracting gravel out. They are bringing stuff in occasionally. So, we think it's a good location to grant the waiver. We think it's safe and we think it's consistent with some other projects you granted the waiver on and for that reason we ask for your approval on phase five, as well phase six for this waiver. Thank you.

De Weerd: Thank you, Matt. Council, any questions?

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: I don't -- well, I don't have a problem with it as long as it's safe and fenced. That's always my number one. But I just had a question about your -- your multi-pathway.

Schultz: Yes.

Milam: Because it looks like a sidewalk. How is it different from -- where she pointed to it looks like it's -- just because it's in front of the houses isn't that called a sidewalk?

Schultz: Yes. It's actually ten foot, so it's not -- sidewalks are five. So -- it is in front. So, it is like a sidewalk in terms of its location. However, in the rear it would have been in a slope, in kind of a tunnel, if you will, and not open to any policing or anything else. People looking down into the backyards. So, we thought it better to be in the front. Have it more open. But it is ten foot, just like the pathway would have been ten feet.

Milam: Okay. Thank you.

Schultz: Yeah.

De Weerd: Okay. Any further questions? Thank you, Matt.

Schultz: Thank you.

De Weerd: So, Council, in front of you is a final plat for Reflection Ridge in both Item 9-A and B.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: I move that we approve final plat for Reflection Ridge Subdivision No. 5, H-2016-0010, with all staff and applicant comments.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Before I second it, does that include waiving the --

Milam: Oh. Yes.

Bird: To include waving the tiling of the ditch?

Milam: Yes. Include waiving the tiling of the ditch.

Bird: Second.

De Weerd: I have a motion and a second to approve Item 9-A with the change requested by the applicant. Any discussion? Madam Clerk, will you call roll.

Roll Call: Bird, yea; Borton, yea; Milam, yea; Cavener, yea; Palmer, yea; Little Roberts, yea.

De Weerd: All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

De Weerd: Item 9-B.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: I move that we approve the final plat for Reflection Ridge Subdivision No. 6,

H-2016-0015, with all staff and applicant comments, and including the waiving of the tiling of the lateral.

Bird: Second.

De Weerd: I have a motion and a second to approve Item 9-B with the changes as noted in the motion. Any discussion? Madam Clerk.

Roll Call: Bird, yea; Borton, yea; Milam, yea; Cavener, yea; Palmer, yea; Little Roberts, yea.

De Weerd: All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

**C. Public Hearing for Shops at Victory Vacation (H-2016-0017) by
White-Leasure Development Company Located 3210 S. Eagle Road**

- 1. Request: Vacation** of a Ten (10) Foot Wide Public Utility Easement that was Created with the Amended Plat of Lots 3, 4, 5, 6 and 7 of Golden Eagle Estates Subdivision

De Weerd: Item 9-C is a public hearing for Shops at Victory vacation. It's H-2016-0017. I will open the public hearing with staff comments.

Beach: Madam Mayor, Members of the Council, this is an application for a vacation for the Shops at Victory. Get there on my slide there. The southeast corner of Victory Road and Eagle Road. The applicant is requesting approval to vacate a portion of a ten foot wide public utility easement located on the northwest corner boundary of Lot 3 of Golden Eagle Estates Subdivision. As I said the easement is ten feet wide and covers approximately 0.037 acres of land. The -- a concept plan was approved with the annexation of the property back in 2008. This concept plan shows that a building pad site lies directly over the easement in question. The applicant is requesting this vacation of a public utility easement for the purpose of constructing a future commercial building on the site as depicted on the approved concept plan. The applicant has received approval from all the applicable public utilities to vacate the easement. Staff did not receive any written testimony and staff is recommending approval.

De Weerd: Thank you, Josh. Council, any questions?.

Bird: None.

De Weerd: Is the applicant here this evening? Good evening. If you will, please, state your name and address for the record.

Huber: Madam Mayor, Members of the Council, my name is Jeff Huber. The address is 8385 West Emerald and I represent the applicant.

De Weerd: Thank you.

Huber: And we are in agreement with the staff report.

De Weerd: Okay. Thank you very much. Council, any questions for the applicant?
Thank you.

Huber: Thank you.

De Weerd: This is a public hearing. Is there anyone who would like to provide testimony on this item? Okay.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Seeing none, I move we close the public hearings on H-2016-0017.

Milam: Second.

De Weerd: I have a motion and a second to close the public hearing Item 9-C. All those in favor say aye. All ayes.

MOTION CARRIED: ALL AYES.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move we approve H-2016-0017 and include all staff and applicant comments.

Milam: Second.

De Weerd: I have a motion and a second to approve Item 9-C. Any discussion by Council? Madam Clerk, will you call roll.

Roll Call: Bird, yea; Borton, yea; Milam, yea; Cavener, yea; Palmer, yea; Little Roberts, yea.

De Weerd: All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

D. Public Hearing for Quenzer Vacation (H-2016-0016) by Prestige Homes, Inc. Located 3997 N. Quenzer Way

1. Request: Vacation of a plat note #5 form the Quenzer Commons Subdivision No. 10

De Weerd: Item 9-D is a public hearing on H-2016-0016. I will open this public hearing with staff comments.

Beach: Thank you, Madam Mayor. This is a -- an application for a vacation of a plat note. The site is located at 3997 North Quenzer Way. The application is requesting approval to vacate a plat note, plat note number five on their recorded plat that requires that Lot 11, Block 13, take access from North Quenzer Way. If you can see here on the map, Quenzer is the north-south road here. So, currently the plat requires that this home, once built, the vacant lot currently take access from Quenzer and the applicant is requesting that plat note be vacated, so that they are allowed to take access off East Leighfield Drive. As I said, the applicant is desiring to construct a single family home on the lot with the orientation of the home taking access from Leighfield Drive. Staff has received an e-mail from the Ada County Highway District stating that Leighfield Drive is not designated as a collector, which was the case back when this was originally approved. This was a condition imposed by the Ada County Highway District and staff has received approval from the highway district of the proposed change and with that staff is recommending approval and did not receive any written testimony from any citizens. Stand for any questions you may have.

De Weerd: Thank you, Josh. Council, any questions? Okay. Is the applicant here? Good evening.

McMonigle: Good evening, Mayor, Members of the Council. My name is Pat McMonigle. 2701 Table Rock Road. And I'm in agreement with the staff's recommendation.

De Weerd: Thank you, Pat. Council, any questions for the applicant? This is a public hearing. Is there anyone who would like to provide testimony on this item? Okay. Council, seeing no public testimony and no further questions for applicant or staff, do I have a motion to close?

Cavener: Madam Mayor, I move that we close the public hearing on the Quenzer vacation H-2016-0016.

Bird: Second.

De Weerd: I have a motion and a second to close the public hearing on Item 9-D. All those in favor say aye. All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

Cavener: Madam Mayor?

De Weerd: Mr. Cavener.

Cavener: Thank you.

De Weerd: Mr. Luke.

Cavener: I move that we approve Item No. 9-D, Quenzer vacation, H-2016-0016 and include staff and applicant testimony.

Bird: Second.

De Weerd: I have a motion and a second to approve Item 9-D. Any discussion by Council? Madam Clerk, will you call roll.

Roll Call: Bird, yea; Borton, yea; Milam, yea; Cavener, yea; Palmer, yea; Little Roberts, yea.

De Weerd: All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

E. Public Hearing for Brinegar Prairie Subdivision (H-2015-0046) by Suggs Community Solutions Located 2220 N. Ten Mile Road

- 1. Request: Annexation and Zoning** of 23.46 Acres of Land with an R-8 Zoning District
- 2. Title Amended to read: Request: Preliminary Plat** Approval Consisting of Ninety-Six (96) Building Lots and Twelve (12) Common Lots on 22.6 Acres of Land in a Proposed R-8 Zoning District

De Weerd: Item 9-E is a public hearing on H-2015-0046. I will open this public hearing with staff comments.

Beach: Thank you, Madam Mayor. This is the -- an application for Brinegar Prairie Subdivision for annexation and zoning and for a preliminary plat approval. The site consists of 23.46 acres of land currently zoned RUT in Ada County, located at 2220 North Ten Mile Road on the east side of North Ten Mile north of West Cherry Lane. There is no history on the project. It's -- as I said, it's a parcel in the county currently. As you can see on the map here it is surrounded by single family residential dwellings, all currently zoned R-4. The Comprehensive Plan future land use map is medium density residential, which is consistent with -- with what they are applying for and with the surrounding

neighborhood. The applicant has submitted an application for annexation and zoning of that 23.46 acres of land with a proposed R-8 zoning district. A preliminary plat is also proposed consisting of 96 single family residential building lots and 12 common lots on 22.6 acres of land for the Brinegar Prairie Subdivision. The applicant has applied to annex and zone a total of 23.46 acres and, as I said, in the R-8 zoning district and it is consistent with the future land use map. The plat consists of 96 single family residential lots and the average lot size is approximately 6,536 square feet. The proposed gross density of the subdivision is 4.25 dwelling units per acre, which is consistent with both the density requirements of the Comprehensive Plan and the proposed R-8 zoning district. Staff has reviewed the proposed plat for compliance with the dimensional standards listed in the UDC for R-8 district and found the plat in compliance with those standards. The minimum lot size for a single family detached dwelling is 5,000 square feet, with 50 feet of frontage. Street lighting is required to be installed with the development in accord with the city's adopted standards, specifications and ordinances. The applicant shall provide six foot tall privacy fencing along the border of the subdivision. The internal common lots the applicant is proposing to construct four foot tall vinyl fencing consistent with the fencing standards set forth in the UDC. Based on the area of the preliminary plat, which is 22.6 acres, a minimum of 2.3 acres or ten percent of open space is required to be provided on site. The applicant has proposed ten percent or approximately 2.4 acres in compliance with the UDC. The amenities for the development include a play structure, a community park, and several micropaths. The Rutledge Lateral runs across the site and will be tiled as part of the development. The existing irrigation easement bisecting the property is to be relinquished and replaced with a new easement as depicted on the submitted plans. No structures, other than fences, are to be built within the easement without the approval of the easement holder, which is the Nampa-Meridian Irrigation District. The applicant has submitted conceptual building elevations for the future homes in this development and building materials are proposed to consist of board and batten, stone accents, covered front porches, et cetera. Staff is in favor of the proposed elevations with their associated architecture features and I will show you those -- a picture of those show in just a second. As a review of the Commission public hearing, Dave Bailey was in favor. There was none in opposition. Several folks commented. Jeff and Claire Chappel. Patrick Cunningham. Deborah Hoberg. Randy Witt. Daren Welch. Michael Mattson. Peggy Gardner. David Fulkerson. Randy Zegatta. Mike Miller. And Dave Washbaugh. Written testimony was received by Shawn Brownlee, the applicant's representative. And staff representing the application as Josh Beach, myself. Other staff commenting was Bill Parsons and Ted Baird. Key issues of discussion by Commission that would work. Traffic on Chateau, the location of the bus stop on North Ten Mile Road, location of North Swainson Avenue in relation to North Ten Mile Road. Key issues of discussion were, as I said, those streets to the Commission, changes to the staff recommendation. The Commission requires the applicant to submit a revised preliminary plat showing the change to the location of the street connection of West Chateau. So, as you see this is their preliminary plat that was brought from Planning and Zoning and this was the -- the street question. The Planning and Commission recommended that they move this further to the east to accommodate some of the issues of concern from the neighbors and in doing so created a couple of other issues that we need to address as far as the code is concerned and that's why I have here that we will show that going back here that this is the plat that was brought to

the Commission and this is the revised plat being brought to the Council. So, in moving the street further to the east it created an issue with the cul-de-sac. It exceeded the UDC's requirement for the block length and so there was some -- some changes made and the applicant decided to connect the road here and in doing so adjusted some of the lot sizes on the south. So, these are -- this is the memo that was forwarded to the Council and just to read that and so including those two additional common lots, realignment of North Swainson Avenue, which is this street here, which does no longer connect directly to Chateau, but it's lined up with an existing street from the -- from the previous version of the plat. Realignment of the interior streets to meet the block length -- length requirements and the applicant increased the number the lots and reduced the lot sizes along a portion of the southern boundary, which are -- which are these lots here. With that there are some -- some recommended changes by staff to meet code. So, we included a DA provision 1.1.1B should read: Because several of the lots front on arterial or collector streets, all of these homes shall receive planning division approval prior to issuance of any building permit. These lots include Lots 3 through 15, Block 1, Lots 2 through 15 and 26 of Block 2. Condition 1.1.3E should read: Lots 7, 19 and 34 of Block 1 shall be constructed in accord with UDC 11-3A-8 and UDC 11-3B-12. So, those are two to be modified. A couple of new conditions. 1.1.3H, that should read: The applicant shall submit a revised landscape plan consistent with the revised preliminary plat at the time of final plat application. We did not receive an updated landscape plan with this -- received a final plat update, but not a landscape plan, so we want to add that, that the applicant would submit that at the time of their final plat application. Another new condition, 2.1.3H to read the applicant shall be required to construction an eight inch diameter sewer main for an existing manhole in West Chateau Drive through common Lot 7, Block 1, as proposed. The width of the common lot shall be a minimum width of 20 feet. With that staff is recommending approval of the application and I will stand for any questions you may have.

De Weerd: Josh, I'm --

Beach: Yeah.

De Weerd: I'm sorry, I didn't catch -- Planning and Zoning had a concern with the -- the western street, so did they approve this or recommend denial?

Beach: They did recommend approval.

De Weerd: It has substantial change that, again, should be considered by Planning and Zoning. What is -- what is our criteria to -- to look at these plats and the changes that sets in motion that it be heard or be reverted back to Planning and Zoning?

Beach: So, staff was comfortable, because the lots -- the number of buildable lots has not changed and so --

De Weerd: The sizes on the southern portion certainly have.

Beach: And that is the prerogative of Council to make that decision to remand it back to P&Z if you feel that's necessary. Staff felt comfortable at the time making these changes as a result of the recommendations by P&Z. There were some potentially significant changes to the layout of the streets and to some of the lot sizes. Now, staff did not require that the applicant change sizes of the lots on the south. That was something that they did to accommodate some of the concerns that the planning department had as far as the length of this -- of what was a cul-de-sac. So, their -- their fix was to connect to the street here and as a result they decided to alter the sizes of these lots on the south boundary. As I said, that was not something that staff required of them.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Josh, show -- show me the site again, so -- what is the -- if I recall, all the subdivisions -- and I think you said it -- are R-4s around it?

Beach: Correct.

Bird: They are all R-4s and here we are coming in with an R-8 that's going to be massive? Okay. Thank you.

Beach: You're welcome.

De Weerd: Okay. Any other questions for staff at this time? Okay. Is the applicant here? Good evening. If you will, please, state your name and address for the record.

Suggs: Good evening, Council and Mayor. Jane Suggs, 200 Louisa Street in Boise and I'm here representing Trilogy Development and the Brinegar Prairie Subdivision. First, I think Josh did a really good job, because it was a little complicated, since we had a condition that did change our layout. I think that I would like to go over that a little bit. I'd like to tell you a little bit more about the previous plan, if Josh could put that up. So, first, just know that we -- with this plan we were in agreement with all the conditions in the findings of fact that the staff had given us on this original plan. It was the change -- that was only one change that was added to the P&Z -- after the P&Z meeting to address some of the concerns of the neighbors. Also I want to tell you that we are agreeable to all conditions of approval for the new plan that we have brought, too. So, we don't -- we don't have any conflict with those conditions. So, we really have two plans here that you can approve tonight. We have the original plan or we have the plan that shows the change that P&Z requested. This is kind of a special piece of property. The Brinegars have owned this property for a long time and, in fact, Meridian has sort of grown up around it and, in fact, this is sort of an enclave and an in-fill piece. You don't think of something like this as being in-fill, this -- on Ten Mile, but from a mile in every direction there is Meridian and it is -- we are coming with a zone for R-8, though our density is 4.25. So, very close to the four units per acre. And R-8 is smack dab in the middle of your medium density residential that's part of the Comprehensive Plan there. So, we are meeting exactly in the

middle where the Comprehensive Plan says we should be. We were very careful in designing this, so that we met the intent and the policies of Meridian's Comprehensive Plan and also meeting all the subdivision requirements. The neighbors did voice their concerns at the P&Z meeting about traffic. Chateau Drive is a collector street and that has usually a threshold of three to five thousand cars a day. In 2015, which is over -- a little over year ago the counts were done and the traffic was 1,515. Along with the traffic the neighbors were pretty concerned about the school buses that stop on Chateau -- well, on Ten Mile, but just at Chateau. The kids wait for their buses there and also the parents will line up on Chateau waiting to drop their kids off if it's bad weather or waiting there to pick them up. That creates a little bit of the conflict we are having with Chateau and Ten Mile, the buses and the parents waiting. A traffic study was not required by ACHD, but we -- we heard the neighbors and so after the P&Z meeting we were able to contract with Dan Thompson at Thompson Engineers, to do kind of a brief study, at least a simply count of traffic so that we would have something up to date. A few of the neighbors were concerned with not having up to date traffic numbers. We were -- we did this count this month and Mr. Thompson determined that the Chateau Drive has a peak directional volume of 106 in the p.m. peak, which is the highest, and this is much lower than the 425 vehicles that are allowable in the hour of the p.m. peak. So, that's current numbers. He also found that the Chateau -- intersection of Chateau and Ten Mile now operates at a level of service C in the a.m. peak. He added the traffic from Brinegar Prairie, it will not change. He checked the p.m. peak -- no. He checked the a.m. peak and found that it now serves -- operates at a level of service D, the intersection. He added the traffic from Brinegar Prairie and the level of service will not change. So, one of the things that I'm finding as we go through this analysis of traffic is we can move the street, but it's not going to change the traffic on Chateau and it's not going to change the intersection issues. Also since the P&Z I was a little concerned with the bus stop on an arterial. Those are 45 mile an hour streets and you're stopping buses there. Several. I talked to ACHD, they are not happy about it too much either, as a matter of fact. So, I went and talked to the people who do the routing at West Ada School. I spent an hour talking to the folks that do the routing and this is what I found out, that those bus stops can change just about anytime, depending on where the location of the school districts -- and you know they have been going through that recently. And also, depending on where the kids live. So, we actually -- I said, look, if we -- if you will take the bus and you will turn it on Chateau, we will do a turnout, because we are building that area, Chateau, all the frontage now, which is unimproved, and we will do a little turn out for the bus and we will even put a simple shelter there and she said no. She said the only way that the West Ada School District can meet their bus schedule -- bus budget for gasoline and travel expense is to stay on the arterials. So, that's something that I think really I would like -- maybe one of these days we will work out is to try to see if we can't get the buses back, so -- on the collector streets, kind of off the arterials.

De Weerd: Which is really strange, because they will turn onto Muirfield and pick up kids on Muirfield across Ten Mile and just north of there, but they won't do it there.

Suggs: But they won't do it there.

De Weerd: It doesn't make any sense.

Suggs: They won't do it there. I thought, well, gosh, just do it there and turn around in the subdivision even. We will loop the street. Again, trying to find a solution, because we sort of like the original alternative and we know that the Planning and Zoning Commissioners wanted to hear the neighbors and I think they are -- they live there and so they are concerned. Our issue is that nothing we do where the street goes is going to change the traffic or the buses. What's going to happen is there are a few properties there on the northwest corner, if they can't get out in the morning, because there is stacking, they will just have to go through the other intersection and I have to do that on my street. I'm just off Warm Springs on the east end and so if I can't get out, which I have a school near me, Adams, and if it backs up I have to choose another way out of the subdivision. So, it happens in lots of places where you have schools and buses and that type of thing. So, as we requested, we did move the street, as P&Z requested and, of course, it -- as Josh mentioned, it's not that simple. We lined up with Warwick Street -- there we go. Thank you. And, then, we realized that we didn't meet the cul-de-sac length. We were too long. And that's when we decided to -- we needed to connect the street. So, we talked to staff, we had a special meeting with them as we were doing through this to figure out, okay, where are we running into issues. So, we made that connection. Of course you lose lots there and we thought, well, we can add -- we can keep the number -- or same number of 96 lots that we were approved for if we just changed some dimensions. We feel pretty comfortable with those lots. They meet the code. R-8. And they are also separated from the lots to the south by a 35 foot irrigation easement that has landscaping, trees, a pathway, a road for the irrigation district, and fencing and lighting. So, 35 feet is more than you would even ask to separate residential from commercial. Your buffers there are like 20 to 25 feet. We are going to be 35 feet here. So, we don't think that there is a compatibility issue because of that separation. Oh, yeah. And one of the things I just realized as I was working through this, we are meeting the R-8 old dimensions. I think you have just made some changes to your dimensional standards your in zoning ordinance. Well, plus there were a couple other things we needed to do. We needed to use the sewer. One of the reasons you actually put the street originally where it was was because there is a street across the street and the sewer is there. So, it makes sense to use the sewer. We still have to use that sewer, so we put a sewer easement through and that's a pathway and one of the other staff conditions was at one time to move from the cul-de-sac at the end of Swainson to go to Ten Mile up to loop a water line. We are now looping the water line within the subdivision, but we are going keep that as a pathway. So, the more pathways the better. We kept the property owners informed. We tried to at least. We had a neighborhood meeting on September -- excuse me -- December 7th and I sent follow-up e-mails to -- the neighbors gave me their e-mails on January 15th to describe the application we had made. February 2nd to describe some of the changes that have been made and, then, just last night sent another e-mail kind of explaining what they were going to see tonight because of the change from P&Z. And, finally, just Brinegar Prairie can be approved tonight just as the staff presented, the change that was made to P&Z with the changes and the memo or you could also approve the original layout if you remove the condition that the P&Z added about moving the street. In all cases all the conditions of approval we will meet and we are satisfied with all of those.

So, there are actually two ways to approve this project. I think Brinegar Prairie is going to be a wonderful addition to Meridian and we ask for your approval of either option and I will stand for questions.

De Weerd: Thank you, Jane. Council, any questions?

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Jane, on your revised, what's the average lot size -- square footage on the south there and also that bunch of -- it looks like apartment houses -- what is the width?

Suggs: Fifty.

Bird: Fifty feet.

Suggs: They are 50 and I'd have to look -- actually blow it up or get a larger scale. Just a minute and I will get a larger scale.

Bird: There we go. Thank you.

Suggs: They are 50 by 105. So, they are 5,250. Five thousand two hundred and fifty square feet. Now, that is the old R-8 dimensional standard and you guys just changed that 4,040 in your change to your code. But we are going by the code that we submitted for R-8.

Bird: Madam Mayor?

De Weerd: Anything further? Yes.

Bird: Yeah. I -- follow-up, please. Jane, I -- I have a real problem. You have got some real nice size lots on your corners and stuff, but I have a real problem sticking an R-8 with that small of lot inside of all those R-4s, you know, and I realize that when those were all done that the City of Meridian was strictly an R-4, but I just -- I just have a real problem. I have got to really think on that one. I -- I would -- I like the old one where you were -- had the wider lots to match up and even though there is a 35 foot buffer, that's still 35 foot, you still -- we would like to see it matched up. But I don't like the street --

Suggs: Well --

Bird: -- configuration that way, so --

Suggs: Well -- and I -- and what about the street is difficult? Is it because P&Z changed it or -- I mean we are finding out that the traffic is not really going to change, so --

Bird: The traffic isn't -- go back to the -- the full one where I can see the whole -- of the revised, please. There we go.

Suggs: There you go.

Bird: I -- the biggest thing is I think where we are coming out is so much better. You're kind of -- in the preliminary -- the new -- the original one you were coming out so close to Ten Mile it was -- had to be dangerous.

Suggs: Well --

Bird: And that had to -- I mean that had to be from a safety point. I can't believe our fire or police even buy off on that as close as -- you know. I -- coming back on your -- after they changed it and where you're coming back now -- see where you're coming out, it's an eighth of a mile back I guess. I don't -- I'm sure you have to have two entrances and exits in that subdivision. I don't know how you could get by with just one, but that -- while I love your lot size on the original, the road configuration I don't -- I don't think is safe. That's my personal opinion.

Suggs: Well, Council Member Bird, can I address that a little bit?

Bird: Sure. You bet.

Suggs: We -- well, the original location of that street is because there is a street right across the street from there. So, it's -- there is a street already. Swainson goes north from there. So, there is a street -- ACHD didn't have a problem with it and we didn't hear any kind of conflict --

Bird: I apologize, I had forgot --

Suggs: Yeah. So, there is a street. And that is really one of the reasons that it's -- do you -- you know there is a street across the street and it's safe because you're entering and you see the traffic if there is traffic across the street or if you move it down you have to now look for traffic coming either way and, then, look around to see if there might be a car coming from across, just a few hundred feet away and so the difference about 200 feet, maybe, between where the street is and now and it's looking at the number of lots, maybe two -- 220 feet. So, again, I -- it's just -- this is hard to -- we would have loved to have just moved the street and kept it. Now, that cul-de-sac length is just a number. I don't know if it's something that's -- kind of keep us from having long cul-de-sacs, but in this case, you know, there is a turn, it comes in, it goes to the west and, then, comes down and so that was the reason we had to make the change, is because there is just a number in your code that says it can't be that long. So, hopefully, that -- I mean we could go back and not put that connection in and just you approve a cul-de-sac length that's larger and --

De Weerd: Which is possible.

Suggs: Yeah.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: The one on the north side in there, you're not -- you're not crossing traffic as you're coming out of there. If you're turning right -- and I would have to say that -- I would imagine that 80 percent of the people that come out of that subdivision on that road turn right to get to Ten Mile. Where if you come out of yours and you're density is twice almost, you're coming out and if you want to get to Ten Mile you're crossing traffic. You're crossing traffic. You're crossing eastbound traffic off of Ten Mile. Two wrongs don't make it right and I think we made it wrong there, but I --

Suggs: I will read from the report if you don't mind.

Bird: Sure.

Suggs: I just want to add a little something here. When Dan Thompson prepared this analysis -- and we just got this, because he was doing it between the P&Z meeting. With the addition of site traffic we estimate the intersection will operate at a level service D. This is the p.m. peak with -- we calculate that the bulk of the -- that the average queue would be about two vehicles. Now, the queue -- the line up of vehicles waiting average. Now, we know there are times when there are going to be more and you're right. But there is about space for six vehicles to queue up there before you actually enter -- enter into the Swainson intersection, so -- I mean, again, like I said, people that are trying to do that will find another way to get out. They will go to the other intersection and queue up, so -- I mean I just think that there is a real opportunity to just keep this original design with the lots along the bottom again, because we are not really changing the traffic configuration at all by moving that -- by moving that street. If we do move the street we have to make that connection and we have to kind of adjust our lots a little bit and 35 feet is pretty big, so --

Bird: Madam Mayor, can I have a follow up --

De Weerd: Mr. Bird.

Bird: Would Josh -- while -- don't leave, Jane. So, would the staff -- were you comfortable with the -- the original preliminary plat with the street at that area?

Beach: Staff did recommend approval.

Bird: You did -- that's what I thought. You were okay with the -- but the Planning and -- what was the reason Planning and Zoning -- if you were there -- what was their reasoning?

Beach: Most of that was concern from the neighbors.

Bird: Okay. Well, we will have them coming up, too.

Beach: And the traffic on Chateau and the proximity to Ten Mile and having to do with the bus stop and kids waiting on the street and things like that.

Bird: Okay. Thank you. Thanks, Jane.

De Weerd: Any other questions for Jane at this point? Okay. Thank you. I have several people signed up. When I call your name if you would like to come forward. Randy Witt. Signed up under neutral. Randy, if you will, please, state your name and address for the record.

Witt: I'm Randy Witt and I live at 2823 Kandice -- West Kandice. That's in the Sunburst Subdivision to the south of this proposed development.

De Weerd: Thank you.

Witt: And, Mayor -- Madam Mayor and Council, thank you very much for letting us speak tonight and the first thing I would like to say is, Mr. Bird, thank you so much for the questions you have been asking. I have been at the elementary school meeting. I have been at the previous hearing and this is the first time I felt like there is someone sitting there that actually hears what we have been expressing.

Bird: Thank you.

Witt: We have had concerns with the fact that this is zoned R-8 and all of us around -- the subdivisions around it are R-4 and I know they say the lot size is okay, but I think you have to figure in -- look at the lot size on most of the lots -- there is a big green area in there and there is a few big lots, but most of the houses are small lots and so it seems out of character with all of our subdivisions around there and that makes us concerned about our house values, what will they -- will they go down in the coming year? We don't know that, but we ask those questions and we get concerned about the traffic congestion because of the density of the houses in there, you know, and we think Meridian is a great place to live, but we feel will our part of Meridian be such a great place to live if this changes that way and we think that one simple thing this Council could do that would alleviate probably most of the concerns here would be to simply require that it was rezoned and replatted to be in harmony with the rest of the subdivisions around it. I think that would address most of what we are concerned about and I could say more, but right there, if you would do that for us, I think most of us would leave here satisfied.

De Weerd: Okay. Please don't do that. We appreciate your enthusiasm, but would ask if you would refrain. Joe Bongiorno signed up neutral. And could probably say that's the only name I probably won't totally mutilate tonight, so I will apologize in advance. Please state your name and address.

Bongiorno: Joe Bongiorno. 2812 West Gemstone Drive, Meridian, Idaho. Thank you, Madam Mayor and City Council. I am the HOA president for the Sunburst Subdivision, where Mr. Witt was just talking about. I also agree with Council Member Bird. I have problems with the R-8 zoning as well. It's -- I mean Josh showed the map. It's -- we are surrounded by R-4. There -- it doesn't seem -- again as Mr. Witt stated, the harmony is not there with an R-8. The lot sizes, in my opinion, are too small. Everything in our neighborhood is large and now you're going to take that 23 acres or whatever it is and jam all these little houses into it. I know as the HOA president one of my biggest complaints that I get in my subdivision is with parking and now you're going to have these small houses -- I can't imagine where people are going to park. So, it's -- there is going to be issues. As far as approve of one plat or the other -- as others I'm sure are going to be following me, Chateau is a very busy street. Cars are stacked up in the morning more than two deep. That first plat there would be -- it would have to be a right turn only out of the subdivision. There would be no way you can make a left out to get onto Chateau to get onto Ten Mile. I can guarantee that would not happen. So, again, my biggest complaint or concern is -- is the zoning and, again, I -- I agree with Mr. Witt that I think if we were to go R-4, make the lot sizes bigger to match what's surrounding it, I think that would take away a lot of the heartburn that's going on here. That's all I have. Thank you.

De Weerd: Okay. Thank you. Margaret Enking. Sign up mixed. Thank you for being here. If you will, please, state your name and address for the record.

Enking: My name is Margaret Enking. I live at 3100 West Gemstone and that is in the Sunburst Subdivision.

De Weerd: Thank you.

Enking: And Madam Mayor and Council, thank you. Mr. Witt and Mr. Bongiorno have spoke very eloquently and it is the lot size that concerns me. I have a lot that is 98 feet wide and, then, I think of a lot 50 feet wide that is just so dense and it's not just the immediate area that is zoned R-4, it's several sections on both sides of the area that are also all R-4s and the R-8 is just so crowded and, yes, I'm concerned about traffic. I walk a lot. I walk on Chateau and the fact -- I don't think there is really room for six cars before the Swainson goes north into the subdivision on the other side of Chateau. It's quite busy and I think adding that many more houses and that many more vehicles is just going to be very challenging. Thank you.

De Weerd: Thank you.

Cavener: Madam Mayor, I have a question if I may.

De Weerd: If you -- yes, Mr. Cavener.

Cavener: I appreciate your testimony tonight. Can you maybe articulate for us what access is like off Gemstone onto Ten Mile for you in the morning or in the evening?

Enking: Well, I'm retired at this point.

Cavener: Congratulations.

Enking: I know. And there are usually -- I have been retired for two years. There were usually no more than two or three cars. But Gemstone doesn't go all the way through to Linder, which Chateau does.

Cavener: Great. Thank you.

De Weerd: Thank you. Blaine Tewell. Signed up as mixed. And, Blaine, if you will, please, state your name and address for the record.

Tewell: My name is Blaine Tewell. I live at 2953 West Gemstone Drive in the Sunburst Division. Subdivision. First of all, thanks a lot for spending some time here tonight and allow us to come forward and express our thoughts and our views and what's on our mind. Does anybody on this Council or the Mayor or any of the staff members live in these developments that we live in that are adjacent to this proposed property development? You're in the same developments we are?

De Weerd: I am in that area, yes.

Tewell: Good. My concern is --

De Weerd: I used to live on West Chateau.

Tewell: Oh.

De Weerd: Thank you.

Tewell: Good. My concern is similar to these. The size of the lots. Mine is 7,800 square feet. We are looking at 5,200 square feet, approximately. It's about a 30 percent reduction in size. Unless you're building the Taj Mahal on a small lot like that, it's got to bring the property values down or at least set the reference point lower than where it is currently. I'm concerned also about the traffic issue. I can't see where you put 96 homes in a small area like that. Two cars to a home. That's over 180 vehicles that are going to be in and out of that development. It's got to impact our area. I think Meridian got it right the first time with R-4 and I hope they stick with that. Thank you.

De Weerd: Thank you. Patrick Cunningham. Signed up against. Okay. Thank you. John and Regina Behrend. Good evening.

Behrend: Good evening. My name is John Behrend. I live at 2836 West Kandice Street in the subdivision that -- Sunburst Subdivision.

De Weerd: Thank you.

Behrend: To address City Councilmen Cavener's question, leaving the Sunburst Subdivision and trying to turn left and go to Cherry Lane is impossible now that there is the Walmart down the road from us. You have widened the street and changed the traffic patterns and it's -- it's either turn right or go out the other direction and wander your way to find the best way out. There is luckily three ways out. These folks are out of luck. There is not a good way for them to go where they need to go. That's neither here nor there. You can optimize it however you would like as far as the traffic goes and I appreciate Councilman Bird's comments about that. I don't think there is a good solution there. When I stand out on my back patio on an upper raised deck and I look out right now I see the field across the settling pond, which there is just an eye sore from our side of it anyway, but now I'm going to be looking at a number of houses into their backyards from an elevation. I would just as soon limit the number of backyards that I have to look into from that standpoint and the smaller lots are going to make more people there, more traffic, and just -- so, when I said against, I was against the second plat, because of the added number of houses there, but I see the problems with the first plat as far as the traffic pattern. So, anyway, thank you very much.

De Weerd: Thank you. Ken Tetrault signed up against. And Monica. Good evening. If you will, please, state your name and address for the record.

Tetrault: Monica Tetrault. 2830 West Gemstone in the Sunburst Subdivision and I am the vice-president of the HOA and I am in agreement with what has been said. Also I go out in the mornings and it's difficult to get out both on Cherry Lane and on Gemstone, either one now with the additional traffic because of construction on Black Cat and also with the additional speed limit increase, find it just takes a little more. So, I'm in agreement with what has been said by the previous people. I also am concerned with the lot size, but I have found our subdivision some of the houses, because of being a little bit smaller, we have lots of rentals. With lots of rentals we tend to have more problems with people complying with what is in our HOAs. That's something that that subdivision would have to be concerned with and I'm also concerned with the first plot that they chose the exiting out onto Chateau, because there is quite a bit of traffic there. So, I thank you.

De Weerd: Thank you. Dennis Wickstrom signed up against. Good evening. If you will, please, state your name and address for the record.

Wickstrom: Dennis Wickstrom. 3062 West Kandice Street, Meridian, Idaho.

De Weerd: Thank you.

Wickstrom: Thank you, Madam Chair. We have been at this address for over 20 years and we have seen Ten Mile go from the two lane to the four lane with the Ten Mile interchange, which we kind of always wanted and we are thankful to have, but it really made it an issue getting out of Ten Mile off of Gemstone and with this -- I always thought that this was coming, this development, and when I saw this plan I thought, well, that's

doable. I don't like it. But when I saw the second plat it just burned me to think that they could rezone and I think that the best thing to do is go back to their original plan. I don't even know what the setbacks will be with that 50 foot lot, if it will be ten foot on each side. Then you have got a 30 foot wide house and skinny lots isn't in our plan in Meridian. I don't think it is. But I will let Pam talk. She has got some other issues.

P.Wickstrom: Well, we are --

De Weerd: Thank you. Pam, if you will also state your name, please.

P.Wickstrom: Pam Wickstrom. I live at 3062 West Kandice Street. We live -- we would be on the opposite side of the south road -- or the south housing that they want to put in there. So, we are in agreeance with what everybody else has said here. One of my biggest concerns is pulling out onto Ten Mile from Gemstone, because with the four lane road now it also pulled it closer to the fence, so when you pull up you do have to really creep out into the road, because if you look to the left it's almost impossible to see down the road and with the interchange, with the Walmart, with everything going in traffic has --

Wickstrom: It's too fast.

P.Wickstrom: -- doubled and the speed limit -- we have a 15 year old daughter who is going back and forth to school, which, you know, like that lady over here said, well, you know, if people can't get out they will find another route. But do they really? Because they buy a house, they want what's convenient for them and they are going to say, well, this is my house, I can go out this entrance and if you want to reroute people from Chateau, all it's going to do is take you through other subdivisions and there is really -- if you go the opposite way on Chateau it only takes you through subdivisions. It doesn't take you to another main road that will, you know, get you there quicker. So, people nowadays want convenience and, you know, we are in agreeance with where we sit -- you know, the number of houses within R-8 zoning, the number of houses that are going to be there lowering -- you know, possibly lowering the value of our house and, you know, everything else, so --

De Weerd: Well, thank you both for being here. Is there anyone else who would like to provide testimony? If you would come forward and, then, we will get you. Good evening. If you will, please, state your name and address for the record.

Hoberg: My name is Deborah Hoberg and I live at 2254 North Swainson in the Kentfield Subdivision, Meridian, Idaho, and I really appreciate you, Madam Mayor, Council Members, for listening to us tonight. There is a lot of concerns that were not brought up -- have been brought up, but not readdressed. Number one was the traffic with the bus stop there on Chateau and Ten Mile. When the original study was done for traffic that was in January of 2015. Since then Ten Mile has gone to four lanes and the speed limit's increased to 40 miles per hour. Okay. Also with -- if you look at the subdivision, the original plan for Swainson was coming out to meet Chateau -- the new Swainson. I live right on that other corner and it's not two cars deep in the morning. If you're talking a.m.

traffic studies, that would be from, what, 6:00 a.m., 8:00 a.m., until 1:00 p.m. It's in the morning when people are going to work. It's not just my subdivision, it's all the surrounding subdivisions. They cut through, because they can't get out on Ustick. So, all of those people come down -- they cut through and they come out there. I hear the cars, they start about 6:00 o'clock in the morning and they don't quit until 8:30 and it backs up as many as ten to 12 cars deep at that. If you're trying to come out headed north on the new Swainson that they want to put in, there is no way you could be able to make a left-hand turn onto Chateau to get to Ten Mile. People in traffic are like electricity and water, they will take the shortest route and that would be the shortest route. They will have to go through more subdivisions to get to Linder and go around and that's putting them, pardon me, out of their way. Todd that cuts through, the next subdivision over, but that's still going through subdivisions to go out to Cherry Lane to go down to Ten Mile, because everyone uses that on-off ramp right now. The other concern is all three schools pick up children there and it's crowded. I live there and I'm afraid I'm going to have to call 911 one morning because of an accident, some kid getting hit. There has been several almost hit already. They don't stop for the school buses, they don't stop for anything, and when they come off of Ten Mile onto Chateau turning right headed east on Chateau they speed through there. My mailbox has been taken out three times already since they have opened all that out. I'm still trying to get it to stand up straight. They speed through there. There is going to be an accident -- car accidents and people hit and, then, of course, the other thing that everyone is addressing is the R-8 versus R-4. Every neighborhood around there is R-4. Someone at the last -- at the zoning and planning commission said -- is that my time up?

De Weerd: Yes. But you can -- you can wrap it up.

Hoberg: They said that -- excuse me. At the last Planning and Zoning Commission they said that the -- it was -- and this tonight also it wasn't going to increase the traffic there. Well, I'm not a rocket science or -- scientist or mathematician, I'm a retired hairdresser and I'm there all day, by the way. So, I do see all this traffic. Ninety-six homes in that area is definitely all only exiting onto Chateau. You can't tell me that's not going to add to the traffic there. That's a lot of cars. That's a lot of kids going to school trying to catch the bus there and they are going to be trying to cross Chateau. That's where it's at. It's dangerous to have that many homes and R-8, it should be an R-4 like everyone else around there for the safety, not only of the traffic and the cars, but for the kids, too. Our comps on the housing. It will take it down. It would be too crowded. It's -- you know, I love Meridian. I moved here -- well, I moved up here in '97 and I fell in love with Meridian. Everyone wanted Eagle, but I wanted Meridian. I loved it. And I plan to -- I bought that house as my retirement home and I want to grow old there, but I don't want to do it watching kids get hit and car accidents on my corner. I think it should go to an R-4, make the lots larger, like all the surrounding neighborhoods. We are not so desperate --

De Weerd: Deborah, I need to ask you to summarize.

Hoberg: Yes, ma'am.

De Weerd: If you could summarize.

Hoberg: Just what everyone is saying. Also I might say that I did get the e-mail from Ms. Suggs and it didn't describe the new plan that she described tonight. It sounded different, like she was going to come out into a different subdivision to go out to Ten Mile. We need to just refigure it. This whole thing. Wipe the slate clean. They need to refigure it. They can't put all those people on Chateau.

De Weerd: Thank you.

Hoberg: Okay? Thank you so much.

De Weerd: Thank you. Yes, sir. Good evening. If you will, please, state your name and address for the record.

Matson: My name is Michael Matson. I live at 2343 North Morello, just on the north side of the proposed subdivision.

De Weerd: Thank you.

Matson: First, my concerns aren't so much about the housing. That's pretty well covered by everyone else so far tonight. My major concern is with safety, as Council Member Bird has alluded to and a number of other people. I'm one of the people who picks up my daughter at the bus stop at the corner of Chateau and Ten Mile. There are -- there are things within the works to get that bus stop moved. It's not as simple I don't think as the developer has said about making a -- a bus lane or something to pull off on Chateau for. The district is very open to moving it. I have spoken with both Cascade Busing Company and Meridian School District and it's more of an issue of input from the residents in that area. Not so much an inability to move it. Both people -- I have talked to both Cascade and at West Ada have never said it's impossible to move that. In fact, they would appreciate our input and we are working on that with them. Secondly, I'm in contact with Austin Miller, ACHD, about getting a new traffic study done and he informed me in an e-mail just a day or two ago that they are going to be doing a traffic study on that intersection, mostly because of the concern of the increased speed limit to the 40 miles an hour, the wider lanes, and how much traffic increase there is. When I pick up my daughter at the school bus stop at 4:00 o'clock every day, there are cars flying through there. The number of 106 or whatever that she gave during that peak time, I can count that in the 15 minutes I'm waiting for my school bus for my daughter. There is way -- it's a hundred cars. Secondly, my daughter has only been taking the school bus one year, just this first year, and we routinely see cars going through the school bus stop sign. My concerns are not so much, like I said, about the number of homes there, because whether it's, you know, downsized to 50 homes or left at 90, the major concern for me is the safety of my family and I don't feel safe already taking my daughter to that school bus stop, because of the crowded, intense intersection. The kids come north out of this new subdivision would have to cross Chateau where cars go flying around that corner, where it's busy. So, that is one of the concerns there along Chateau. My other concern is at the

other end of this subdivision where just out of the picture there is a -- a large park. Chateau Park is right there. I take my kids and my dog there every day. We enjoy that park. But getting to that park can be tricky, even coming out in your car, because there is a slight jog in the road right there just to the north maybe 15 feet. But just enough that you have to inch out of Morello heading south onto Chateau and I imagine the cars coming north out of that subdivision will also have to proceed with caution and one of the things that I would like to recommend to this -- to this group -- to the Council Members, if you have charge to do it, is to install a stop sign at the corner of Morello and Chateau for two reasons. One, for the number of cars that will be there and, two, people treat Chateau as a -- as a drag strip, basically, and there are cars that just fly down that street. They have a -- occasionally they put up a speed limit monitor from the police out right in front of the park, but it's probably more of a challenge to people to see how fast they can go down that straightaway. It's dangerous and that's a huge concern and I think that would help with the -- with the traffic flow is to put in a stop sign at the corner. The last thing I want to kind of conclude with is there has been quite a few people expressing concern about the size of the development. To me, as I said earlier, it's all about safety and I would implore you guys to take this opportunity to respond to the safety issues and the concerns of us, rather than in two or three years when we come back because there have been the accidents or things that people have brought up where there has been injuries or people hurt or property damage because of the number of people that -- and the amount of traffic going to that intersection. Thank you.

De Weerd: Thank you. Is there further testimony? Okay. I'm sorry -- Council?

Milam: If she has something new to offer.

De Weerd: If you have new information. Yes, ma'am.

Enking: And I'm Margaret Enking and I live at 3100 West Gemstone.

De Weerd: Thank you.

Enking: I have wondered why they have the buses stopping on Ten Mile, because it is so dangerous for the kids. 4:00 o'clock traffic can be backed up behind those buses a quarter of a mile, solid cars, and so the second the bus takes down its stop sign it's pedal to the metal to try to get around the bus and the traffic is -- it does worry me with the kids waiting right there with it. It's a five lane road, because of the suicide lane, and the traffic really books through there, all the way from Pine to Ustick there are multiple stops and every time the bus stops, as I say, there is a tremendous amount of very impatient traffic behind those buses and it is a safety concern. Thank you.

De Weerd: Thank you. Yes, sir. Good evening.

Tetrault: Hello. My name is Ken Tetrault. I live at 2830 West Gemstone in the Sunburst Subdivision and thank you, Mayor and City Council Members, and appreciate the opportunity to be here and I just came up to clarify a few things about the bus station. I

used to work for the Meridian School District and I worked on school buses and had occasion to drive them at times and the key factor on where the buses stop is economics. They will try to make the stop where it costs them the least money to -- to stop and so that's all I wanted to say.

De Weerd: Thank you. Okay. Any further testimony? Justin, could we ask you to come up and --

Lucas: Madam Mayor, Members of the Council, Justin Lucas, Ada County Highway District. My business address is 3775 Adam Street, Garden City, Idaho. I am a Meridian resident and I live in this area, so --

De Weerd: So, you're very familiar with West Chateau.

Lucas: I'm extremely familiar with this area, yes.

De Weerd: And West Chateau, especially Kentfield is high speed and it is a little bit crooked around there. What is the answer to slowing down the traffic?

Lucas: Madam Mayor, Members of the Council, West Chateau is designated as a collector street, so --

De Weerd: It is. But not a speedway.

Lucas: Certainly not a speedway. The purpose of a collector street is to collect traffic from neighborhood subdivisions and route them out to the arterial streets and that's what West Chateau does. I would say it does a pretty good job of that. One thing about the street is it's -- it's not complete. There is only sidewalk on the one side and you get kind of a narrower section, because it's not complete due to the fact that one side is undeveloped. I think the nature of that street will change a little bit when and if it is completed through the development process. Certainly at the curve where you enter off of Ten Mile onto Chateau. Right now you make that turn and it goes down pretty quick to -- because you have the barns right there and the horses and that little house that sits on the corner. So, the nature of that will change quite dramatically if -- if and when all of those things are removed and so the issue of speed on that street -- I'm not aware of a speed study that's been completed. If the neighbors come together and want that type of study to be completed, ACHD is happy to do that. We do those kinds of studies all the time. I know there has been targeted enforcement on that street with the -- not only the, you know, signs that show you what speed you're going, but with -- I believe Meridian police has done some target enforcement out there in the past. I don't know how recently. When it comes to speeding, that's the way to do it is to enforce the limit and so that's one of those hard things that happens with a street like this. There is no front-one housing. There is no driveways. That all slows down traffic, but for a collector street sometimes it's better not to have those things, because you want cars to be able to move to where they are -- where they are going. So, I don't know if that answers all of your questions. Certainly not -- you know, these can be difficult issues. I will always, as I usually do, route you to the

written staff report and that's ACHD's official position on all of the issues raised tonight. You have all the traffic counts there. You have the policies and procedures that we look at when we evaluate streets. I did have a chance to sit down with Christy Little, our development review supervisor, today and talk about the location of that -- that street. ACHD was okay with how it was proposed and ACHD is okay with -- and how the new proposal is. So, we are not taking a strong position either way on that. The -- the location meets our policies, so --

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Justin, we have asked about putting a stoplight up there.

De Weerd: Stop sign.

Bird: What?

De Weerd: Stop sign.

Bird: Yeah. No. Light. Oh, sign. Okay. I thought it said lights. Oh. Okay. He can -- what do you do to do that?

Lucas: I can certainly speak to that. ACHD is reluctant to put stop signs out for traffic -- traffic control reasons -- well, control is not the right -- for traffic calming. That's the word I'm trying to get at. Because what happens is people just don't pay attention to them. And our experience has been it's better to not have a stop sign there, rather than a stop that's not going to be followed, because it can give a false sense of security to someone crossing the street, it can give a false sense of security to a driver who is trying to make a turn and that's -- that's been our experience. Now, that specific location we haven't studied it and we certainly could look at it if, indeed, this were to go forward, we could certainly look at, you know, what -- what's needed there and if anything is needed. So, I can't really say one way or the other, but I certainly can't promise that it would be a good location for a stop sign.

De Weerd: Okay. Other questions for Justin?

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: It's not a question. I just -- I so appreciate you coming to these meetings. I mean it's really an asset to us to have you here on behalf of ACHD to provide this kind of input and for the members of the public to -- to hear your involvement in some of these specifics, so it's very helpful. Thank you.

Lucas: Well, thank you. I actually, you know, manage the group that does all of the liaison work to the cities and I think it's really important that we are here to try to answer questions as best we can and our relationship as an agency with this agency is critical to the success of the highway district and I believe to the City of Meridian. So, we want to be in full partnership on these issues. Sometimes it's -- they are tough ones and it's hard to come to a real clear solution, but hopefully together as we work on these things we can -- we can achieve that, so -- thank you.

De Weerd: Thank you. Okay. Would the applicant like to wrap this up?

Suggs: Thank you, Council. Jane Suggs responding to the concerns of the neighbors and I do appreciate them coming out. I think -- excuse me -- we have had really good conversation. The thing that I sent last night has a plat attached to it, so if you weren't able to open that you probably couldn't see that there was a change that was made, because it had this drawing -- the new drawing attached to it. I'm going to talk about a couple things and, of course, they are the same things that everybody talked about. It's the density and, again, I just want to let you know that we looked very closely at this. This is listed as medium density residential on your Comprehensive Plan and medium density is three to eight dwelling units per acre. Our gross density is 4.25. I did look, oh, a few weeks ago at Kentfield across the street. Kentfield. And it's at about 3.56 or something. So, it's just a little bit lower than this, that they are both within the medium density residential. We are building at a 4.25 density, which is at the lower end of your medium density residential Comprehensive Plan density. So, we are doing this. The idea that we are not doing the same thing is because we are not the same city we were when these were built. We are talking about adding vibrancy to an area that already is serviced by a lot of commercial areas that are very close by. Again, this is an in-fill piece. We are taking a piece that's surrounded by the city and we are adding in-fill to it. So, the R-8 require -- request for the zoning for this annexation fits right into your need for adding residences that can utilize these infrastructure. Now, one of the things that we didn't point out was we are a little bit -- have a little hardship. You know, if this was another time and place there would be stub streets and we would be connecting to other subdivisions. There were no stub streets on the south or the east and we have an arterial on the west. So, the only place we can take our traffic is to Chateau and as Austin pointed out, I mean we -- we do -- excuse me -- as Justin pointed out, we do have it -- we are connecting to a -- a collector street. A collector is supposed to take traffic from those subdivisions. It has a threshold. It's much higher than what it's actually being used for right now. So, to get back to the density issue, we feel like each of the houses will have at least a two car garage, some will have a three car garage. Somebody was worried about parking. So, there will be at least a two car garage for all the homes. We do meet the comp plan. P&Z was understanding of the code and the Comprehensive Plan and why we are doing this development at this density that's 4.25. They considered it and they both -- they said and they decided that this was the appropriate zone and they agreed with the conditions of approval that allowed this to be built at the R-8 zone. Let's talk a little bit about the traffic and I guess what I heard of a lot of is there is some traffic issues there. But that doesn't stop development from occurring, because that's -- I mean we will do what we can to fix that. I did meet with the West Ada School District and I will provide a pull out if they will

move the bus stop. I mean I told them we would do these things and they said no, that they -- they were not going to move the bus stop. I will work with the neighbors and try to get that bus stop moved. I'm in agreement with every one that it seems crazy to me -- in fact, I mentioned to the person I talked to, Miranda, and I said you're telling me you're putting economics in front of safety if you put those buses on those arterial streets. I will do everything I can to make that change. If we put a pull out there it means we get to do something to -- to help move that along. The improvements on our section on Chateau will make a difference. We are putting curb, gutter -- we are putting in separated sidewalks and, then, behind the sidewalks there will be some landscaping. So, there is a pretty large area there, so kids will have a safe place to stand and walk on the south side of Chateau. It will change the way the street looks. I will tell you this, we had originally thought that we would pull the curb -- the existing curb return that's on that south corner, we thought we would pull it back and make a wider street there and ACHD said, no, they wanted to go back to the 36 foot street, so in a sense they are actually going to build a 36 foot locally -- kind of a local street section in that area and hopefully that will -- with the curb, gutter and sidewalk make a difference that Justin was talking about. So, again, requesting strongly that you consider one of our designs, either the one that has the street where it was, because that is approvable by ACHD. The one that was original. Or you approve the one that we changed to -- to reflect the requirements of P&Z and provide that connection of the street on the bottom. Again, there is that third option and you could just say don't worry about the street length, the cul-de-sac length, just make the connection of the street and Warwick where we have done that and don't make that connection and, then, we get the larger lots along the bottom. And I think -- I don't think staff has a problem with that, because nothing really changes. We will still keep all the other connections, we will keep the sewer connections.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Jane -- right now -- don't leave, Jane.

Suggs: Yeah.

Bird: Josh, throw up an overview of that whole square mile. From Cherry to Linder to Ustick back down.

Beach: Give me just a second to get there with the --

Bird: Do you have that?

Beach: I can get it for you. Just give me a second.

Bird: Okay. With the zoning on it, because I think you're not going to find an R-8 zone in any part of that --

Milam: R-15 are you?

De Weerd: Yeah.

Bird: R-8 in any part of that quarter mile -- or that 600 and --

De Weerd: Yeah. That --

Milam: There is a little R-8.

Bird: Where?

Cavener: Up Muirfield.

Bird: Yeah. But that's across the road. I'm talking in that square mile.

Suggs: Of R-15.

Bird: Those -- anything that was built in Meridian, Idaho, before 1999 or 2000 was an R-4. I believe -- and I -- I mean we might have one up there on the north -- the northeast corner of this -- of this mile square that is an R-8. The code or something like that might be, but I don't think so. And my -- Jane, my -- I'd like to ask you is there any way that you guys would consider going to an R-4? Let me tell you, I believe in property rights, you own the property, you should be able to put on what -- but I also believe that we need to protect the existing property owners that are there, too, and there is many, many of them. A lot more than 22 acres. I -- I just have a real hard problem. It's no different than when I was talked into voting for an R-8 zone back in 2000. So, I just -- with this area, if there was R-8s around it, other than across the street -- and we know why that was done up there. Is there any way that -- that your owner would consider an R-4 or is he so tied into it that he can't?

Suggs: Council Member Bird, I know that R-4 is not going to work for this particular property. Just the amount of money that had to be paid to buy property that's around -- surrounded by city services and it's just that. It's -- city services are already there. We are already being serviced by fire and police. I mean even though it's county property -- and this is what we are trying to do in Meridian is we are trying to make this change. In fact, I don't want to sound glib when I say this, but if you build more of the same it doesn't really necessarily help property values, because no one is going to buy the 1999 house if there is another house just like it that's newer. So, what you really need to do is mix it up and put something with a 50 foot lot in that allows people to live here. These are not going to be rental, cheap houses. These are 200 to 300 thousand dollar homes, just like those homes that are out there now. They are really nice. I mean they are -- they are going to meet any kind of size requirements you have. Like I said, two car garages for all of them. At least. And some with three, so -- I mean we are talking about valuable property and a value option of providing a really good tax base, too, with lots of good home utilizing these commercial services that are right here, too. These -- all of these services and completing

this street. I just know that R-4 is not going to work. We are not going to get the density that we need to make that work.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Let's -- let's go back to the public safety.

Suggs: Okay.

Bird: You're paying -- you're paying a big mill levy for the fire. You're rural. You pay for rural coverage. The city isn't furnishing it to you. Okay? Ada County and Meridian City have an MOU that we jointly cover for each other. So, when you're paying Ada County taxes you're paying for the sheriff's department. You're not getting per se city -- city services now.

Suggs: Right.

Bird: Okay?

Suggs: Yeah. I'm --

Bird: I want that -- I want that clear out here.

Suggs: Yeah.

Bird: That you guys are paying a very high mill levy to have that rural fire district. I realize -- what is -- and, then, my next question. What's going to be your minimum square foot in there?

Suggs: Of homes?

Bird: Homes.

Suggs: I think we said at P&Z 1,800 square feet minimum. Which is --

Bird: And you -- and what kind of setback on the side?

Suggs: Whatever the R-8 calls for. Just five foot side setbacks.

Bird: Yeah.

Suggs: Twenty in the front -- 15, 20 in the front, 20 in the back. Josh, help me --

Bird: Five on the side.

Beach: I believe it's 12 in the rear.

Suggs: Twelve in the rear.

Bird: Oh, the rear -- but five on the sides; right?

Beach: Correct. Unless you're on a corner. But interior it's five feet. Correct.

Bird: Thanks, Jane. Appreciate it.

Suggs: I do ask that before you defer us or deny us, that you let me talk to you again.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: Jane, I actually have a couple questions for you.

Suggs: Okay.

Milam: I wanted to talk about density a little bit. You threw a bunch of numbers out there and you said the neighborhood across the street was -- what is that neighborhood?

Suggs: Kentfield and I just ran a rough area around Kentfield, because it's such a rectangular piece, it's about three and a half to 3.6 units to an acre.

Milam: Gross or net density?

Suggs: That's gross.

Milam: And we are at 4.25 gross.

Suggs: Yeah.

Milam: Josh -- I don't know. I mean I -- I was just comparing that number and I was looking at -- your net density is 6.76.

Suggs: Net density. That takes out everything. So, I haven't run that on Kentfield to take out their streets and their open space and all of that. I haven't run that, so -- but --

Milam: They need to be under four; right?

Suggs: No. No. R-8 allows eight units to an acre, but we are actually building to a gross of four units -- 4.25 units to an acre. And that's how you measure density. That is with the -- it's not net density that you typically use, so --

Milam: Right.

Suggs: So -- but, yes, we are developing at 4.25 dwelling units per acre, taking the entire area of our preliminary plat and -- so we have 96 lots divided by the 22.6 acres, gives us the 4.25.

Milam: Okay. Madam Mayor?

Suggs: Does that make sense?

De Weerd: Mrs. Milam.

Milam: Yeah. It does. I just wanted to make sure we were comparing apples to apples.

Suggs: Yes.

Milam: I wanted to make sure if you were talking about your gross density that you were talking about their gross density, not your gross to their net or -- you know.

Suggs: No. No. And mine was rough. Mine was just taking a measurement using Google to measure off the 20 -- the 50 acres that makes up -- 50 sites that makes up Kentfield and they have X number of lots that -- I don't know how many.

Milam: So, I appreciate when you're talking about the school district, but this -- to me this project as a whole -- the density is too -- it's -- the density is too high for the area. You said you wanted to know, so --

Suggs: Yeah.

Milam: I feel like you're as minimum amenities, minimum open space, minimum lot sizes for maximum profit and that's -- that's what this project looks like to me and I don't feel like -- to me that's something that adds value to Meridian.

Suggs: Can I look at one thing? Give me just a minute. Council Member Milam, I would like to respond. First is that we are building to your Comprehensive Plan. That's the guidance that you have approved -- given to say build to your Comprehensive Plan and use that as your guidelines to go in and purchase property and develop property. So, we are, as a low end of what you said you want in that area. So, this is why we are doing what we are doing. I do want to add that we have a total of 17 percent open space, of common areas. Now, we didn't count all of that in our usable open space. We didn't even count the big 35 foot long lot along the bottom. We counted up until we got to the ten percent and we showed that as usable open space. But we actually, instead of having ten percent, we have 17 and a half percent common lots, which are open space. It's the drainage lots, it's the park, which is an acre. It's the micropaths and it's that long open space that's going to be -- have sidewalks and trees and lighting along the south side that

we have -- we count a portion of it. The Ten Mile setback is larger, because we have an irrigation easement there. We are doing separated sidewalks along Chateau and a drainage swale behind it. We have some high waster tables that we are filling in, some of the lots. I think that was one of the questions from one of the neighbors is because this lot is a little lower we are having to fill to keep the sewer appropriate. So -- I mean we are doing a lot more open space than is actually required. So, this isn't about minimizing open space and minimizing lot sizes. We have a mix of lot sizes. We have a mix of lot sizes and, yes, we have some that are meeting the R-8 zone and that's one of the requests for the R-8 zoning request is we meet those lot dimensions. And, again, this is a good opportunity to provide different -- I mean it's really the same housing. Single family residential housing, some of these will be two story houses, you have a lot of one story ranch -- older ranch houses out there. I even have some photographs of some of the neighbors' houses. Some of them are two, some of them are one. I have examples of houses I don't think you showed those. These are examples of some homes. I even brought a couple more, because I know a couple of these show three car garages. If you use that jump drive, Josh -- I'm sorry.

Beach: I was going to try to show three car garages.

Suggs: I know two of them do and I want to show you some that hold two car garages, so you can see that we can still get an attractive two car garage home on many of these lots. There you go. Thank you.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Jane?

Suggs: Yes.

Bird: These homes we are seeing right here you're going to put on a 50 foot wide lot?

Suggs: Yes, sir.

Bird: Am I not right?

Suggs: Yes, sir, we are. Do you have a question? I'm sorry. I wasn't --

Bird: Yeah. It looks awful big for a 50 foot -- but without a scale to tell, you know, it might only be 40 foot. So, I don't know. It would have to be 40 foot, because we got to have five foot on each side.

De Weerd: We have these all over town. Just -- just saying. I mean --

Bird: I know. I know. Not in this location.

Palmer: Madam Mayor?

De Weerd: Yes. I'm sorry. Mr. Palmer.

Palmer: Madam Mayor, I have a question for staff. Josh, I don't know if you have heard, I'm kind of new around here. So, I have got a question about zoning.

Beach: Sure.

Palmer: So, if -- say this was done are R-4, would that mean across the whole plat there has to be an average of four or less residents per acre or is it a minimum lot -- or a maximum lot size or how does that work?

Beach: So, you use that as a guide. So, as Jane said, our medium density residential covers both R-4 and R-8 and we don't have a specific -- kind of use it as a guide. So, on average we would like to see for the density to be within the R-4, roughly four homes per acre, R-8 roughly eight homes per acre, but as you can see there is -- the Comprehensive Plan allows for some sliding, but we don't like to go over the four for R-4. We don't like to go over the eight for R-8. Does that answer your question?

Palmer: And that's average across the whole plat?

Beach: Correct. We like the average for the subdivision to be within --

Palmer: Okay.

Beach: -- as Jane said, three to eight. And so this does technically meet the Comprehensive Plan requirements --

Palmer: Okay.

Beach: -- for that medium density residential designation.

Palmer: Okay. Follow up. So, then, if -- so, if we are at 4.24, if say we reduced to the minimum theoretically at four homes per acre, we are looking at 90 instead of 96? No?

Suggs: Madam Mayor, Council Member Palmer, with the R-4 zone is a minimum lot size of 8,000 square feet.

Palmer: So, there is minimum lots --

Suggs: Yes, there is. So, I think that was part of the question, too. There is a minimum lot size of 8,000 square feet. So, when you take the 8,000 square feet and put it in with the streets, you're not going to get four units to an acre. So, we -- again, we are working with an R-8 zone that allows us lot sizes and dimensional standards that allow us to get

close to four. You will not get four units to an acre in a four -- R-4 zone, because 8,000 square foot lots don't allow that. If you have any open space and you have a minimum of ten and we have 17 and any streets. So, yeah, that's the --

Palmer: Thank you.

De Weerd: Any other questions from Council?

Suggs: Can I ask one more thing?

De Weerd: Uh-huh.

Suggs: It's really important for us to get approved tonight with one of our plans or some negotiated plan, so -- and we ask for you to consider that.

De Weerd: Okay. Thank you.

Suggs: Thank you.

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: I will kind of frame what I see from what I have heard and the notes I have taken and lots of good comments from the public, that may or may not be helpful to the discussion.

De Weerd: Can you pull that a little closer to you. Thank you.

Borton: Certainly. A lot of good comments concerning some of the highlights with regards to traffic, parking, transition and lot sizes and density were kind of blended together. I think they tried to address both of those considerations in particular to the south and safety as well were the primary highlights that I noted of concern. But I also noted -- and Councilman Bird brought it up, which that was a good point, focusing on trying to be consistent in the development of an area such as this and avoid surprises and one of the lists of items that I found in reviewing this application and the testimony and the work done prior is -- for what it's worth we have an application that has been told what to do and given direction by a variety of entities, including our future land -- future land use map, the Comprehensive Plan. We have had ACHD, our transportation authority, we have had our staff work diligently with the applicant --

De Weerd: Can you hear in the back? Okay. Can you just pull that closer, please.

Borton: Certainly. The future land use map, the comp plan, ACHD's review, our Planning and Zoning's review -- what I'm getting at is we have a variety of entities that have all reviewed this and have provided input, all of which support its approval and have tried to

address all of the concerns and Ms. Suggs had brought it up. As I see it is this is, quite frankly, an application that we have told the developer it's exactly what should go there, at least with regards to the density and, quite frankly, it could be more dense and that's just the message that we are telling the developer and that's the expectation that they have. So, I understand why the application has come through and I can understand why staff would support it, ACHD would support it, and our Planning and Zoning Commission would support it in a way that I was initially surprised there wasn't a request that it be remanded with regards to relocating the street. Josh, if you will pull up the initial proposed plat and I see -- it really wasn't addressed, but when I look at the initial plat, when I reviewed it before today, you can see the efforts at transition. You have got nine or 14 lots on the southern border adjacent to 14 lots, you have got eight or nine lots to the east adjacent to eight or nine lots, which goes to the distinction between density of the project as a whole and transition and I believe transition is one of the relevant considerations to the south and I see the applicant has done things to try and address that, in addition to the 35 foot buffer, which is from R-4 to R-8, which is not an uncommon transition, is a pretty grand effort to minimize the impact of that transition between those two zones. So, I give you that laundry list, because it appears to be efforts by a lot of people to assist the applicant to provide to this Council exactly what, for better or worse, we are telling them to do. So, if there is a plat that is to go forward, it's the plat we are looking at right now. If the access to Chateau moves to the east or not, that might be worthy of a remand. That was the request that P&Z had. They didn't ask that it be redrawn and remanded -- or redrawn and brought back before them, at least from what I saw, and still make it worthy -- I appreciate P&Z's input and their recommendation here does carry some weight. So, in balancing the considerations, that list of objective criteria that the applicant is compliant with, leads me to favor approving it with the existing plat or at the very least remanding it -- the application, who has volunteered to do so, chooses to move that access to Chateau to the east and provide the city what would be a noncompliant cul-de-sac length, which hasn't been addressed -- the pros and cons haven't been discussed, but that might be option three that is the best option. That's how I look at what's been presented by all -- everyone that's been involved.

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: I have another legal question I suppose. Can we -- do we have to have the map before us to approve something or can we move the road to the east and give the waiver for the noncompliance to the -- can we do that tonight or do we have to have a map before us with it drawn and done?

De Weerd: You need to see the preliminary plat that you're approving.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I agree with Councilman Borton on a lot of the stuff, but there is one thing -- once you zone this R-8 and you get the preliminary plat, you want to remember that this can come back, can be sold or done something else and come back with a completely different plat, with minimum R-8 lot sizes and everything else and medium density -- medium density is R-4 or R-8. Everything around that -- everything in Cherry Lane across there that crosses it, is R-4. The R-15 is a half mile up and on the other side of the road. I just -- we have got a mile square of homes that these people built and have lived in for years and stuff and I -- I just don't -- and I understand where the owner is coming from, don't get me wrong, and I think everybody is entitled to make a fair profit, but, I will tell you, I just have a real problem putting this density in a bunch of -- in the middle of a bunch of R-4s and I know the one just north of it probably has got almost as much density, but if you look in it it don't have the roads out of it. So, they have squeezed some in there much. So, I -- I don't know. That's -- that's my view and I'd like everybody else to weigh in here. I have taken enough time.

De Weerd: Council, any other comments?

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Hearing no comments, I move we close H-2015-0046 public hearing.

Milam: Second.

De Weerd: I have a motion and a second to close the public hearing on --

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: For discussion purposes, in lieu of closing the public hearing, I think -- and the applicant's requested, so at least they have got direction where the Council might be leaning. We don't -- we don't know that yet and we have oftentimes reopened public hearings, so I would invite us to skip that step and share our concerns and thoughts now. We might get a wave from the applicant based on what we say that could save us some steps. We may want to address -- they have made that request.

De Weerd: Okay.

Bird: I will pull the motion if -- if that's -- but if we are just going to sit here and look at each other, I'm not --

De Weerd: Okay.

Milam: Second agrees.

De Weerd: Second agrees. Okay. Did the applicant have something further to say?

Suggs: Yes. Thank you very much, Mayor and Council Members. I really appreciate the opportunity to talk to you again. It is very important for us to get some sort of approval and not a remand tonight. First thing is that we will sign a development agreement to make sure that this zoning and annexation is contingent on the plan that you approve tonight. So, we won't come back or sell it and come up with another R-8 plan. So, the zoning will go away to the development if we don't do according to the development agreement and that's part of the conditions of approval, that we sign a development agreement that says we will annex and rezone according to this plan. And I have worked in other jurisdictions where city council can condition a plat, so that you don't actually have to see, but you add a condition, just as P&Z did, they add a condition to move the street. If you want to allow the extension of a cul-de-sac that's longer than the code, which is just a number, that is allowable. If you take out the condition to move the street and add a condition to allow the long cul-de-sac -- I would also add one more option -- my developer is -- if -- we need to do this tonight, because there are lots of ways that we could approve this -- a condition could be added that the lots along the south side meet the R-4 zone. That's the transition that Mr. Borton was very eloquent in saying that we tried hard to do that when we could put our street in the original configuration, but when we began to have to connect streets, we lost too many lots and we went with some smaller lots, so they weren't the same. We would consider that if you would consider an approval tonight, so making that transition happen again. Or, again, allowing that cul-de-sac length to be longer, so we don't have to make the connection at the bottom. Does that make sense at all? Does anybody get that --

Palmer: Madam Mayor?

Bird: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: Madam Mayor, common sense dictates that if it's legal for us to do that, to just say we want to move the road over without having to see a map, that is common sense to me. So, Bill, can we legally do that?

Nary: No.

Palmer: Common sense isn't legal tonight.

Suggs: Okay. Well, other places have, so --

Bird: Madam Mayor?

Nary: Well, Madam Mayor, Members of the Council, I guess not to be short on that. You can approve the annexation and zoning, but you cannot approve a preliminary plat without

the plat. So, without that you can only approve number one. You would have to continue it and -- or they would have to come back with a different plat to put in front of you -- a preliminary plat.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Go to the revised where we moved -- where the road is moved back. Now, you're going to tell -- you're reply to Mr. Borton that those on the south in this revised plat, you're going to go to the 8,000 square foot lots?

Person: R-4 minimum -- to R-4 dimensional standards.

Bird: Which is 8,000 -- which is 8,000.

Suggs: Eight thousand. If Mr. Nary will allow that condition to be added to the plat for approval tonight.

Bird: It can't be.

Nary: Madam Mayor, Members of the Council, I'm sorry. It's still the same problem. They can't approve a plat that is not in front of them. So, they still can approve the annexation and zoning, but they cannot approve a plat based on just conditions without seeing it.

Palmer: Madam Mayor?

De Weerd: Mr. Borton -- I mean -- sorry.

Palmer: That is a compliment.

De Weerd: Mr. Palmer.

Palmer: Thank you. I didn't even have to pas the bar. A question for the applicant. You're really pushing for tonight. Does next week -- if we did this next week, if you could bring us a new one with that adjustment, is that --

Suggs: If you're willing to -- and staff is willing to make that, we will make that happen.

Beach: Madam Mayor, if I may, typically staff needs a minimum of ten days to review a revised plat to make sure it meets all of the -- we are going to run into the same issue we had with P&Z. It seems like a simple change, but there was a lot of consideration having to do with fire and utilities -- it's not as easy as just changing it and coming back. We need to make sure that it doesn't cause any additional issues --

Bird: That's right.

Beach: -- that are unforeseen tonight.

Nary: Madam Mayor?

De Weerd: Mr. Nary.

Nary: Madam Mayor, Members of the Council, not to throw a wrench into it, but you're going to have to have it, because what Josh just said is you need to make sure it's compliant and it isn't a substantial change that should be reviewed by the Planning and Zoning Commission, because any affected party, whether it's the applicant or an affected party like a neighbor, could claim that it wasn't the same thing that was seen before, even though it is part of this discussion and it was significantly different and should be, then, reviewed again. So, I would hesitate to put it off only a week if you're looking at a different plat. Rather than changing -- you know, because now we are talking changing a road, changing the density, changing the size of the lots -- I mean you're changing a number of things and all of those really need to make sure they are compliant with your code.

De Weerd: Unless you keep the first plat and you just move the road on the west side to line up with the -- the other road as Planning and Zoning suggested.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: After hearing staff, Jane, I think the soonest we could bring it back would be the April 5th and that don't meet your criteria -- criteria I don't think. My biggest concern is when we change this and if we go to the revised with that thing and go -- make the south ones 8,000 square feet, then, to keep 96 lots -- those interior ones are going to be the 4,000.

Suggs: We won't get 96 lots.

Bird: But you're going to -- you're going to make the interior ones smaller lots.

Suggs: We will --

Bird: You will stay to the 5,500 or 5,000, whatever it is?

Suggs: We are going to lose -- yes. We stay at -- keep it to what --

Bird: You're going to take out lots.

Suggs: We are going to take out lots.

Bird: Okay.

Suggs: It's important for us to get approved tonight in some way or fashion.

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: Then in that case I'm -- I'm fine with the first one, because it -- with this one where it keeps the lots big on the south side.

Milam: We can't approve it, because we don't have it.

Palmer: No. Just as it is.

Milam: Oh, just as it is.

De Weerd: There is too many people speaking up here.

Bird: Council? Or Madam Mayor?

De Weerd: Mr. Bird.

Bird: Council, if this is -- if Jane needs this done, we either give an up or down tonight. If they need it. Because I don't -- I don't want the developer to -- to suffer through the deal. So, I'm willing to give it a yes or no.

Cavener: Madam Mayor?

De Weerd: Mr. Cavener.

Cavener: Question for Jane. It sounds like our first meeting in April would be a no go for you guys, I understand that, and it also sounds like from staff that a week from now is -- would also be a no go. I may get daggers from -- from my colleagues up here, because we don't have a meeting scheduled on the 29th, but if we were all willing to meet on a night that we didn't have a Council meeting to further discuss this issue, would you be amenable to that?

Suggs: Yes.

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: My wife might object, but I'm in.

De Weerd: Silent partner. Okay. Well, Council, you have all kinds of options up here. So, I think that -- thank you, Jane.

Suggs: Thank you very much.

De Weerd: You have outlined a number of different choices that you have. So, we can keep this open. We can close it. We can make a decision. You can continue this. What's your pleasure?

Milam: Madam Mayor?

Bird: Madam Mayor? Madam Mayor?

De Weerd: Mr. Bird.

Bird: Bill, I got a question. We can -- we can continue -- can we continue this until the 29th and have -- have them change -- do the -- bring back the preliminary plat without making a decision on the zoning and that right now -- could we continue the whole thing, Bill?

Nary: Yes, sir.

Bird: Until the 29th? Do we have a quorum on the 29th, Madam Mayor?

De Weerd: It looks like we have at least four of you, so -- I haven't seen -- I have seen indication from four of you. So, you have a quorum.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: With your approval and the Council's permission, I would make a motion that we continue public hearing H-2015-0046, Items 1 and 2, the annexation and zoning and the preliminary plat, to a special meeting for only this item on March 29th and for the applicant to get with staff and bring back the revised preliminary plat showing the R-4 lots on the south and east and the rezoning -- or not the rezone, but the difference in the lots and the open common lots. Am I clear?

De Weerd: No.

Nary: Madam Mayor and Members of the Council?

De Weerd: Mr. Nary.

Nary: Part of the discussion was the roadway and the extended cul-de-sac and I don't know off the top of my head if an extended cul-de-sac is simply a Council waiver or is it

something that requires an application and a hearing. Because that was one of the discussion points and I don't know if that's still a discussion.

Beach: So, it doesn't meet code and I don't know if we have the language in our code that allows for a waiver of that specifically by Council. So, that is still going to be an issue moving forward and I'm not -- I'm not sure if that's the way the Council can do that, unless it's specifically laid out by code.

Nary: And I'm not sure off the top of my head that we can waive the cul-de-sac issue, but if that's not a consideration, that's fine. I just didn't know if the roadway of still an issue. I guess I wasn't clear on Mr. Bird's motion if that was still what your direction is.

De Weerd: Well, we don't have a second, so why don't we --

Palmer: Second.

De Weerd: Why don't we discuss it before we have a motion so you know what you want.

Borton: Madam Mayor?

De Weerd: Just saying. Yes, Mr. Borton.

Borton: Now we have got a second, so we can discussion it. So, we are getting to the same spot. I think in light of those comments to include in the motion -- okay. A timing question. To include in the motion that the plat that -- what's the date of the plat that we are looking at right there? Just for reference, Josh?

Beach: Give me a second here. I have got to look at -- 12/23/2015 was the previous version.

Bird: What? 12/23?

Beach: Yeah. So, that's just -- that's just when they are -- that's just from the engineer putting a date on it.

Borton: Okay. And show me the next plat version. This one -- what's the date of this one?

Beach: Just a second here, I will pull that out for you. Assuming they updated the date. January -- they did not update the date. So, they are both 12/23, so --

Borton: Okay. We can call it the original and the revised. The question to the motion maker was which of those two plats has the applicant asked to incorporate their requested changes on and, then, whichever plat that is, that the applicant be asked to also show the location of the road that accesses Chateau, moving it to the east as recommended by P&Z -- to the extent that could be done by a waiver to bring that forward in that fashion

and if they find out that it's not possible to do that, then, obviously, it won't be brought back in two weeks. But if it's possible do so and if it's not, let us know. So, both of those questions I guess to the motion makers to which plat you want to --

De Weerd: What did you second?

Bird: Madam Mayor?

De Weerd: Uh-huh.

Bird: The revised plat was what we -- because it seemed they want to move the deal. The only thing on the revised plat we need to find out is the cul-de-sac length and also they have got to show the 8,000 square foot lots on the south end and they are going to have to show more than that, but that's -- that was the revised -- the revised plat was the one I understood we wanted to bring forward.

De Weerd: So, your motion was regarding the revised plat, to change the configuration on the south side to --

Bird: The R-4 specs.

De Weerd: -- be an R-4 -- okay.

Borton: Okay.

De Weerd: And second -- is that what second agreed with?

Borton: With that clarity second agrees.

De Weerd: Okay.

Borton: And that also would address to the motion maker the question on the location of the access to Chateau has already been addressed.

Bird: Right.

De Weerd: Okay. Can I ask the motion maker if you would like to also denote a pull out for the bus stop? I appreciated what Ms. Suggs' comment was and if the neighbors, the developer, and the city work together we can definitely get that bus stop moved.

Bird: Madam Mayor, I think that's a great thing, but do we -- knowing the way entities work, should we make this a condition on her rezoning and preliminary plat where maybe she can't live with it, so let's just -- let's just encourage her to work with West Ada and ACHD -- maybe ACHD can help with some of that. I don't -- I personally don't want to amend it to a condition on the annexation, zoning, and preliminary plat. I don't think it's fair to the developer. But I do encourage her and you and everybody else to work on that.

Beach: Madam Mayor, just as a point of clarification so I understand exactly what the motion is and assuming this -- this motion is approved by the Council, if it's having to do with the revised plat, there is not an issue with the cul-de-sac length, because there is no cul-de-sac.

De Weerd: It's only about the lots on the south side and changing those to adhere to R-4 standards.

Beach: Thank you.

De Weerd: Okay. Anything further to this motion? There is a motion to continue this to the 29th of March to allow staff time to look at change in plat and that meeting would start at 6:00 o'clock. Okay. Anything further? Okay. All those in favor say aye. Any opposed? Okay.

MOTION CARRIED: ALL AYES.

De Weerd: So, to the neighbors that means you get to enjoy our company again on the 29th and this will be taken up. The revised plat will be filed with the city, so you should be able to contact our Planning and Zoning Department and see what that is and I would imagine that Ms. Suggs will e-mail that out, so if she hasn't been e-mailing you, please, get your e-mail address to her and she can -- she can take care of that. Okay. Thank you so much for being here this evening.

F. Public Hearing for Copperbrook Subdivision (H-2015-0029) by Hayden Homes Idaho, LLC Located 4725 N. McDermott Road

- 1. Request: Annexation and Zoning** of 51.45 Acres of Land with an R-8 Zoning District
- 2. Request: Preliminary Plat Approval** Consisting of 199 Building Lots and Eight (8) Common Lots on 51.45 Acres of Land in the R-8 Zoning District

De Weerd: Okay. 9-F was required -- or requested to continue the public hearing on H-2015-0029 to April 5th, 2016. I will open this public hearing and ask for a motion from City Council to continue this.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move that we continue public -- the public hearing on Copperbrook Subdivision H-2015-0029 to April 5th as requested by the applicant.

Cavener: Second.

De Weerd: I have a motion and a second to continue Item 9-F to April 5th. All those in favor say aye. All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

Item 10: Ordinances

- A. Ordinance No. 16-1675: An Ordinance of the City of Meridian Granting Annexation and Zoning (Citadel Storage H 2015-0031) for a Parcel of Land being Parcel A as shown on Record of Survey 9941, Ada County Records, and a Portion of S. Meridian Road Right of Way and a Portion of E. Amity Road Right of Way, located in Government Lot 1 of Section 31, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho Which Contains 17.55 Acres to the I-L (Light Industrial) Zoning Designation and is Generally Located at the Southeast Corner of E. Amity and S. Meridian Roads in Meridian, Idaho; and Providing an Effective Date**

De Weerd: Item 10-A is Ordinance 16-1675. Madam Clerk, will you, please, read this by title.

Jones: Thank you, Madam Mayor. An Ordinance AZ MDA H-2015-0031 for annexation and rezone of a parcel of land being Parcel A as shown on Record of Survey 9941, Ada County Records, and a Portion of South Meridian Road Right of Way and a portion of East Amity Road Right of Way, located in Government Lot 1 of Section 31, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, as described in Attachment A and annexing certain lands and territories 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 said lands from RUT to I-L, Light Industrial 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 rule and providing an effective date.

De Weerd: Thank you. You have heard the reading of this ordinance. Is there anyone who would like to hear it read in its entirety? Thank you for not saying yes. Council?

Palmer: Madam Mayor?

De Weerd: Yes, Mr. Palmer.

Palmer: In an attempt to improve my motion approval rate, I move we approve Ordinance No. 16-1675 with suspension of rules.

Cavener: Second.

De Weerd: I have a motion and a second to approve Item 10-A. Any discussion by Council?

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: Just kidding. Just wanted to get the expression.

De Weerd: Madam Clerk, will you, please, call roll.

Roll Call: Bird, yea; Borton, yea; Milam, absent; Cavener, yea; Palmer, yea; Little Roberts, yea.

De Weerd: All ayes. Motion carried.

MOTION CARRIED: FOUR AYES. ONE ABSENT.

B. Ordinance No. 16-1676: An Ordinance of the City of Meridian Granting the Rezone of 1.650 Acres of Land Known as Earl Glen (RZ 15-009) From an R-8 (Medium Density Residential) Zoning District to the R-15 (Medium High Residential) Zoning District. The Property is Generally Located at the North Side of McMillan Road, East of N. Locust Grove in the Southwest 1/4 of the Southwest 1/4 of Section 29, Township 4 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho; and Providing an Effective Date

De Weerd: Item 10-B is Ordinance 16-1676. Madam Clerk, will you, please, read this by title.

Jones: Thank you, Madam Mayor. An Ordinance RZ 15-009, Earl Glen, for the rezone of a parcel of land being part of the Southwest 1/4 of the Southwest 1/4 of Section 29, Township 4 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho; establishing and determining the land use zoning classification of R-8, Medium Density Residential Zoning District to R-15, Medium High 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 rule and providing an effective date.

De Weerd: You have heard this read by title. Is there anyone who would like to hear it read in its entirety? Seeing none.

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: Madam Mayor, I move we approve Ordinance No. 16-1676 with suspension of rules.

Bird: Second.

De Weerd: I have a motion and a second to approve Item 10-B. Any discussion from Council? Madam Clerk.

Roll Call: Bird, yea; Borton, yea; Milam, yea; Cavener, yea; Palmer, yea; Little Roberts, yea.

De Weerd: All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

Item 11: Future Meeting Topics

De Weerd: Council, any topics for future agendas?

Item 12: Amended onto the Agenda: Executive Session Per Idaho State Code 74-206 (1): (a) To Consider Hiring A Public Officer, Employee, Staff Member Or Individual Agent, Wherein The Respective Qualities Of Individuals Are To Be Evaluated In Order To Fill A Particular Vacancy Or Need. This Paragraph Does Not Apply To Filling A Vacancy In An Elective Office Or Deliberations About Staffing Needs In General

De Weerd: If not, Item 12 is Executive Session.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move we go into Executive Session as per Idaho State Code 74-206(1)(a).

Milam: Second.

De Weerd: I have a motion and a second to adjourn into Executive Session. Madam Clerk, will you call roll.

Roll Call: Bird, yea; Borton, yea; Milam, yea; Cavener, yea; Palmer, yea; Little Roberts, yea.

De Weerd: All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

EXECUTIVE SESSION: (9:11 a.m. to 9:48 p.m.)

Bird: -- Executive Session. Let it be known no decisions were made.

Milam: Second.

De Weerd: I have a motion and a second to come out of Executive Session. All those in favor say aye. All ayes.

MOTION CARRIED: ALL AYES.

De Weerd: Do I have a motion to adjourn?

Bird: So moved.

Milam: Second.

De Weerd: All those in favor?

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 9:49 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR TAMMY DE WEERD

_____/_____/_____
DATE APPROVED

ATTEST:

JAYCEE HOLMAN, CITY CLERK