

A meeting of the Meridian City Council was called to order at 6:00 p.m., Tuesday, May 24, 2016, by Mayor Tammy de Weerd.

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

Others Present: Bill Nary, Jacy Jones, Jaycee Holman, Bruce Chatterton, Josh Beach, Berle Stokes, Mark Niemeyer, Clint Dolsby, Ken Corder 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: Well, thank you for joining us. We appreciate you being here. For the record it is Tuesday, May 24th. It's a couple minutes after 6:00. We will start with roll call attendance, Madam Clerk.

**Item 2: Pledge of Allegiance**

De Weerd: Item No. 1 is the Pledge of Allegiance. If you will all join us in the pledge to our flag.

(Pledge of Allegiance recited.)

**Item 3: Community Invocation by Larry Woodard with Ten Mile Christian Church**

De Weerd: Item No. 3 is our community invocation. Tonight we will be led by Larry Woodard with the Ten Mile Christian Church. If you will all join us in the community invocation or take this as an opportunity for a moment reflection.

Woodard: Well, I enjoyed the music to kick things off tonight. That was different. I want to wish you all a very happy Memorial Day weekend that's coming up.

De Weerd: Thank you.

Woodard: But let's pray. Our Dear Heavenly Father, Meridian is now the second largest city in Idaho and it's led by a thoughtful Mayor and City Council that puts you first. I thank God every day that we have leaders like this. Tonight before the business of a growing city is discussed I pray for our city and now that we are

getting much larger crime is also becoming more common. I pray for our police who must deal with this challenge to keep our city safe. I pray for our other emergency personnel who stand ready to help our citizens in time of emergency. Keep our police in particular safe and be with their families. Recently with the purchase of the YMCA and the completion of the Boys and Girls Club we have new facilities for our youth this summer and year around. May these places be a place where our youth can find friends and mentoring as they grow towards adulthood. With the rapid growth of new people to Meridian -- I have read three percent annually -- this brings additional pressure on our infrastructure. Roads, schools, utilities, et cetera. May this Council and its employees be one step ahead on all of this, so that our city remains a clean and friendly place to live. We pray tonight for our nation as a whole as we enter into another election cycle. May good people be elected to our higher offices and we pray for the safety of our nation. I pray tonight for the families of our National Guard members who have been deployed overseas. Many are from Meridian. Many anxious days are ahead for our young men and women, along with their families. Comfort them and keep them safe. Because they are often overlooked, I pray for our city employees, such as our planners. They work quietly at their jobs and yet through their efforts the city grows in a logical manner and in a safe way. We pray for a couple of upcoming improvements to our road system that will be disruptive to many residents for a while, but when completed will make travel in Meridian much safer. I'm thinking specifically about Meridian Road and Chinden. Keep workers and commuters safe during this construction period. May wise decisions continue tonight during this Council meeting, in Jesus' name, amen.

De Weerd: I think, Larry, I'm just going to have you give the State of the City.

Woodard: Well, right now it's pretty good.

**Item 4: Adoption of the Agenda**

De Weerd: Thank you for joining us. Item No. 4 is adoption of the agenda.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: On the agenda Item 6-G, staff has requested that we vacate this from the agenda. Item 6-I, the resolution number is 16-1142. Item 6-J, the resolution number is 16-1143. Item 9-A has been asked to be continued until June 28th, 2016. Item 9-B has also been requested to be continued to June 28th, 2016. And 11-A, ordinance number is 16-1691. 11-B, ordinance number is 16-1692. Item 11-C, ordinance number is 16-1693. Item D is 16-1144. With that I move we approve the amended agenda.

Borton: Second.

De Weerd: I have a motion and a second to approve the agenda as amended. All those in favor say aye. All ayes. Motion carries.

MOTION CARRIED: ALL AYES.

**Item 5: Proclamation Rocky Mountain High School Golf State Champions Day**

De Weerd: Council, one of the -- and those in attendance, one of the pleasures that we have is being able recognize student athletes when they have achieved some really amazing and impressive milestones and tonight we have our Rocky Mountain High School golf state champions with us tonight, as well as their coach Mike McCrady. They are from -- they are the Grizzlies and I was privileged -- a little tidbit of information. I got to help name the mascot for Rocky Mountain when they were first opened. So, if you don't like Grizzlies I guess you can blame me, but I think the Grizzlies have really done us proud here in the city of Meridian with a number of their champions and we are just very grateful to have our golf team and so I'm going to move down to the podium and I would invite the golfers and the coaches to join me there. I'm going to read this proclamation and, then, I will ask if each of you will introduce yourself and tell us what grade you're in and, then, I will ask the coach to give a couple of remarks. Now, this may not mean anything to you today, but I do have a proclamation that I will be giving to your coach that lists all the names of the golf team. I don't have that in what I will read today, but it will be in the public record, so if some day you want to show your kids the public record that recognized this was your day named in your favor -- or in your honor, you can do so. So, with that said: Whereas being a Rocky Mountain golf player is more than hitting fairways and greens, making par, and having a perfect swing, it is training to build leadership, character, confidence, teamwork and resilience, traits needed to succeed on the course, in the classroom, and in the real world and whereas the Rocky Mountain golf team posted a final score of 587 at the 2016 state champion tournament for golf and whereas their hard work, determination and teamwork resulted in a 30 stroke victory over the defending state champions to bring home the 2016 state golf title and whereas capturing the state title builds spirit and allows these student athletes to walk the halls of Rocky Mountain with a little extra swagger 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, Tammy de Weerd, Mayor of the City of Meridian, do proclaim Rocky Mountain High School golf state champions day here in the city of Meridian and I call upon our community to join me in congratulating the Grizzlies on their remarkable athletic achievement and for representing Meridian so proudly in the state tournament. So, I would like to present this to your coach and, then, invite each of you to introduce yourself.

Barry: My name is Carson Barry. I'm a sophomore at Rocky Mountain.

Reinke: My name is Drew Reinke and I am also a sophomore at Rocky Mountain.

Bernard: My name is Henry Bernard and I'm a graduating senior at Rocky Mountain.

Downs: My name is Ranger Downs and I'm a junior at Rocky Mountain High School.

Tidd: My name is Sam Tidd. I'm also a sophomore at Rocky.

Gordon: I am Allison Gordon and I am one of the coaches.

McCrary: First off, I just want to say thank you so much for honoring these young men for all their hard work. This is definitely about the school that we represent and the city that we represent. Finally brought a championship for boys golf to Meridian, Idaho, instead of Eagle, which makes us very happy. But these guys just -- they worked their tails off and they are just an exceptional bunch of young men and the beauty of this is we are only losing one of them, but he has done well that he's moving on to the next level and he's going to play college golf at NNU, which is incredible. So, Henry Bernard, our senior, we are going to miss you, but these kids just are awesome and they are just such a good bunch of guys and we are just privileged and honored to have all the families and parents that back us up and support us. We are definitely a family and it's been a neat part of this community and, hopefully, we can bring back more of these, so thank you very much.

De Weerd: Well, I, too, would like to thank the parents. I know one of our city council women -- her son is a golfer. We know the commitment that it takes and we appreciate you supporting your student here today. It was great hearing the -- these young men introduce themselves and talk about the grade level they are in, because we might see them back again next year. I am sorry, Anne. There is Mountain View behind you. But, again, our heartfelt congratulations to the golfers, the coaches, the families, to the school, to your community. So, thank you so much for joining us tonight.

**Item 6: Consent Agenda**

- A. Approval of the May 10, 2016 Workshop Meeting Minutes**
- B. License Agreement Between the City of Meridian and the Nampa and Meridian Irrigation District Regarding a**

**Pathway for the Purdam Drain Located Within the Baray Subdivision No. 1**

- C. CableONE Movie Night in Meridian 2016 Single-Night Sponsorship Agreement Between the City of Meridian and Biolife Plasma Services for a Not-to-Exceed Amount of \$1,000.00**
- D. CableONE Movie Night in Meridian 2016 Single-Night Sponsorship Agreement Between the City of Meridian and New Horizon Academy for a Not-to-Exceed Amount of \$500.00**
- E. Development Agreement for Swindell Subdivision (RZ-15-011;AZ-15- 010;PP-15-013;A-2016-0072) with Volante Investments, LLLP located off the northwest corner of S. Locust Grove Road and E. Overland Road, in the SE 1/4 of Section 18, Township 3 North, Range 1 East**
- F. Approval of Acceptance Agreement for Artist Tim Murphy to Exhibit 3D Works in Initial Point Gallery**
- G. Interagency agreement with ACHD for: Water and Sewer Construction at the Intersection of Ustick Road and Meridian Road, and Ustick Road between Linder and Locust Grove Road**
- H. Final Plat for Falconer's Place Subdivision (H-2016-0049) by Summit Equity, LLC Located East Side of Eagle Road and South of Victory Road. Request: Final Plat Consisting of Twenty-Three (23) Single-Family Residential Lots and Five (5) Common Lots on Approximately 4.69 Acres in the R-8 Zoning District**
- I. Resolution No. 16-1142: A Resolution to Amend the City of Meridian Standard Operating Policy and Procedure Manual to Add a New Policy 1.3: Establishment of City-Wide Policies**
- J. Resolution No. 16-1143: A Resolution to Declare Surplus Property of the City of Meridian to Various Governmental and Non-Profit Agencies**

De Weerd: Item No. 6 is our Consent Agenda.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: As stated earlier, Item 6-G has been requested to be vacated from the agenda. Item 6-I is resolution number 16-1142 and Item 6-J is resolution number 16-0043 and with that I move that we approve the amended Consent Agenda for the Mayor to sign and the Clerk attest.

Borton: Second.

De Weerd: I have a motion and a second to approve the Consent Agenda as changed. Any discussion from 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.

**Item 7: Community Items/Presentations**

**A. City of Meridian Scholarship Presentations**

De Weerd: Okay. I am moving back down to the podium. This is an awesome, time you know, with the champions from Rocky Mountain, but also with many of the youth members that have been engaged in our community -- I won't promise to not get emotional. I will do my best not to, but I can almost guarantee you I won't. But I will tell you that youth are a priority in our community and it's -- it's shown in a lot of different ways from a lot of different community partners and I'm just proud to be part of a community that celebrates the achievements of their youth and that embrace the leadership of our youth as well and you will hear why I say that when I read some of the descriptions on this next item under our scholarship presentation. The City of Meridian has been celebrating our student leaders that have given back to our community time and time again through these youth scholarships. These are funded by our sponsors at the State of the City and we appreciate those sponsors that invest in the future of our youth and want to also invest in those youth that have invested in our community. We had a panel that myself and Ken Corder in my office removed ourselves from, because while all the names are redacted, we know many of these students so well it's hard not to know who they are, so we did have a panel that wouldn't know these youth members and I can tell you every one of the students that applied for this scholarship were very deserving. It gives me such confidence in the future, especially you graduating seniors that I will be talking to in a little bit, that while you go away and go to college and spread your wings, we do expect you to return, so -- and this is not bribery to the seniors that are being presented

to today, we just hope that you know that this is a community that wants to invest in you, because you have invested in us. So, the first one I will recognize and I would -- well, I won't make you stand next to me while I read this, because that probably would be miserable. But it's -- and Brianna Ramirez -- if I said that wrong I apologize. Awesome. So, she is graduating from Meridian High School. She is currently the president of the National Honor Society at Meridian High School and is active in other social clubs and activities that directly impact the City of Meridian. Brianna has spent over a hundred hours in community service, which included Teens Against Tobacco Use, Idaho Drug Free Youth, Link Crew and SLAM where she visited elementary schools during lunch to play games with kids. She has devoted her personal time and even her Christmas to people in need during the holidays feeding the homeless, providing necessities and is using her talents as singing and sewing to enrich the lives of others. Brianna will be going to Brigham Young University in the fall and plans to study science to continue her work in the dental field as a hygienist. Brianna, if you will, please, join me up front. I would like to certainly, again, offer you our heartfelt congratulations and as this is a -- read in recognition of your high level of community involvement, academic merit, and outstanding leadership potential, both current and what we know you will do in the future to come. So, congratulations and thank you for joining us. So, at the end I'm going to ask all the recipients to step outside. We will have envelopes that will detail how you can get your scholarship funds to your school. Okay? Thank you again.

De Weerd: Melinda Westerdorff -- Westindorff. Thank you. She is graduating from Cole Valley Christian and has maintained a 4.0 all four years. Melinda is active in her church and has held student body positions as secretary-treasurer and representative in your school. She has been an active mentor in the community with the Timothy Project, coaching summer volleyball and basketball camps and devotes her time in helping the homeless and people in need in the Treasure Valley. She has spent the last four years volunteering with KTVB care day helping to benefit Idaho Food Bank. Her desire to help others will continue as she pursues a degree in biology and continues her education in pre-med to become a surgeon. She would like to work with Doctors Without Border where she can satisfy her love of travel and commitment to helping others around the world. And certainly Doctors Without Borders is one of my husband and I's charity of choice, so it makes me feel even better donating to that cause knowing that I will be supporting someone like you, Melinda. If you will, please, join me up front. You know, one of the things I didn't ask, would you like to say a few words?

Westindorff: Oh, man. I just want to say thank you so much to the Meridian City Council for choosing me for this award. I'm extremely honored. I will be putting this money to good use. I will definitely work hard next year in college and I'm just so grateful for this and thankful. Thank you.

De Weerd: So, Brianna, would you like to say a few words? I know I'm putting you on the spot, but this is your -- your, what, 15 seconds in fame.

Ramirez: I just wanted to say that I was really grateful for all the community service opportunities that I did have, because they led me to where I am today and the opportunity to apply for this scholarship and I'm just really grateful and honored for receiving this, so thank you.

De Weerd: Okay. These other two are going to be a little bit more difficult. Okay. Maybe I just need to have someone else do this. Okay. Brianna Siddoway is graduating from Rocky Mountain High School. She has been active -- very active in the Mayor's Youth Advisory Council for three years and served as vice-chair on the community service subcommittee. She certainly is driven to help other teens make wise choices through peer interactions with MYAC, Treasure Valley Youth Safety Summit, Alive After 25, and Celebrate My Drive event. In her personal time she has volunteered with the Idaho Food Bank and Toys For Tots and has worked with the deaf community since 2013 where she has built relationships and developed an interest in her future career goals. She will be attending Brigham Young University in the fall for one year, then, transfer to Utah Valley University where she will major in American Sign Language. She intends to work as an interpreter for Video Relay Service and I can tell you that this young lady has certainly blossomed through her involvement in MYAC, but also you see her heart worn on her sleeve as she gets involved in the community in giving back to a community that she truly shows she loves in everything she does. So, please, join me in congratulating Brianna Siddoway.

Siddoway: Okay. Well, I'm just so incredibly grateful to be able to get this scholarship and MYAC -- gosh, you can't start crying. It just goes on. It has blessed my life incredibly and I'm so grateful for it and grateful for this opportunity that I have to be able to apply for this scholarship and grateful also to be able to serve the community more and know that I am leaving an impact on people's lives.

De Weerd: Okay. Hannah, I'm working on this one. So, Hannah is graduating from Rocky Mountain High School. She -- she has been a very active member in the Mayor's Youth Advisory Council and can tell you she was also in my Mayor's CEO Book Club. Still remember that note card you wrote me. Touched my heart -- since 2014 and has served as a Teen Activities Council chair and secretary. She was a member in MYACs STAND grant activities, helped write the grant, and volunteered at numerous community events as a MYAC member. She has served on the Meridian Parks and Recreation Commission and as a page in the Idaho Senate for Senator Winder. At school she is active in NHS and Key Club, volunteering her time at Cable One Movie Night in Meridian, Read With Me, the Idaho Food Bank, March of Dimes and the American Heart Association. She also volunteers at Discovery Center of Idaho. She intends to attend Boise State University in the fall where she will major in business administration and minor in

political science. She would like to run for Meridian City Council someday in the future and I think she would be excellent and, then, pursue or as she does that pursue a career as an attorney to give back to the community and serve the community which she loves. So, please, join me in congratulating Hannah Struvick.

Struvick: Thank you, Mayor Tammy and City Council. I am very grateful and blessed to have lived in the City of Meridian and I wouldn't be the same without its leaders and its programs that have made me into the person I am today. I hope to -- I hope to give back to Meridian and with this scholarship funds I plan to attend Boise State, but not spread my wings too far and come back here and hopefully make some other teenagers days and life a little bit better and I'm really appreciative for the passion that our city and the priority that our city has of our youth.

**B. Mayor's Office: Mayor's Youth Advisory Council Update  
- Final Report for the 2015-2016 School Year and  
Farewell to Seniors Presentation**

De Weerd: I'm going to turn this over to Brianna for our last update for the Mayor's Youth Advisory Council and, then, we will have a special presentation for our seniors in the Mayor's Youth Advisory Council to send them off.

Siddoway: I promise I will try and cry again. Madam Mayor, Members of the Council, for the record my name is Brianna Siddoway and I will be giving the final update of the Meridian Mayor's Youth Advisory Council of the year from 2015 to 2016. I just want to say that I am so honored to have been able to do this. Okay. I promise you I can get this. Oh, it changed. Okay. So, one of our recent activities was at the wastewater recovery facility and we were able to have the MYAC'ers take a tour. Through this tour we were able to gain a better understanding and appreciation for all that people do at this wastewater recovery facility. We are planning to take MYAC'ers there every year and they will be able to become ambassadors for water resources and learn more about the STEM careers that you can apply for and this also helps to promote the Public Works Week. Okay. So, we had our annual end of year fundraiser, which is Ball at the Hall. This was such a fun activity. We held it here at City Hall and we raised 1,357 dollars just from the door and silent auctions and we used those to help fund raise the rest of our trip to DC and future events as well and we were able to honor Jeff and Meegan Yarnall, who are the owners of the Meridian Dutch Bros, by crowning them king and queen of Ball at the Hall for the year 2016 and it was a great experience and party. Officer Gomez was our DJ and it was such an exciting event and friendly event for everyone who -- who attended. Oh, yes, you're going that for -- okay. So, now I'm going to show you this video about our National League of Cities sponsorship video.

(Video played. )

Siddoway: So, I, myself, would just like to really thank our sponsors and for -- you know, we definitely would not have been able to make our trip to NLC in Washington DC a possibility without their help and, you know, we hope that people will recognize them throughout Meridian and that they will know how grateful we are for their time spent helping as the Mayor's Youth Advisory Council. Okay. So, with our participatory budgeting I just wanted to give you a short little update. We are working with the parks and recreation department and we are working to find a location for the adult and teen gym equipment, which was what the MYAC'ers had voted on doing and once we have more information we will share that with you and we are really looking forward to this. Okay. So, Ken asked me to talk about the influence that MYAC has had on me and -- I knew I couldn't do this. When I started in MYAC I kind of had my own little shell and I was afraid to kind of get out there and share my opinion, but after, you know, many -- many people, including my parents and my friends, you know, they encouraged me and they were pushing me to do more things and to become stronger. They -- I have been able to then -- to be put in this position and it has allowed me to make amazing decisions, I believe, and I feel like it has truly blessed my life. So, in 2014, November, I was able to attend the National League of Cities in Austin, Texas. Here I was able to learn tons and tons of new ways to represent MYAC throughout the community. I have more leadership skills and it really strengthened my relationship with -- with members of MYAC at the time. I was definitely kind of coming out of the box and pursue changing my own attitude and the attitudes of others especially. We are more inviting seeing everyone from the beginning of the year and, then, watching them as they grow and become more of their own individual. That has been such an important theme that I -- I really wanted to pay attention to here and I have been able to do that and I think that it was such a -- a great experience. I was able to do the Dutch Bros CPR training with the help of Yarnalls and the American Heart Association and I not only taught myself, but thousands of other people throughout Meridian how to do hands-only CPR and it was such a great experience and helped me to draw closer to friends and people in the community. Also, I was able to attend the Treasure Valley Youth Safety Summit I would say four times, I believe, and each time I always -- always learned something new and for the past two years being able to plan the event and -- and make decisions about who would be presenting and what activities they would do. It's -- it's amazing to have that opportunity to do that. So, then, this year -- in March we were able to go to NLC, the National League of Cities, in Washington DC and we had this joke, because we went to this first time welcome, because it was a breakfast, why not go. And -- and everyone else on the executive council had not been to and so you can see in the top right-hand corner that was my second one, so -- because there was my second one. And, then, you know, being able to go there with the Mayor and Ken and Stephanie. It was such -- such a great experience and definitely drew closer to everyone. My best friend and I, Susanna, we kissed all the monuments that we could and -- I know. You can see it on the bottom right-hand corner. It was such -- such a great

experience and I learned so much about the government, being able to tell if it's the White House and the capital. It was amazing all around and I would never ever change that for anything. Some more about NLC. Even though it was definitely testify exhausting, you know, one day you can see we walked 13.8 miles and I was about very tired -- you know, you can see that picture of me napping outside of the Library of Congress. You know, but all in all it was such -- such an amazing experience and I was able to draw closer to everyone and I know that all of those -- not only the numbers of the executive council, but everyone in MYAC, but I know that I will have relationships with them in the future and -- because of our strength that we had an NLC, it just strengthened us so much at the core and kind of said this multiple times but he says that this is one of the strongest executive councils that he feels that we have had and I see that. It's such a blessing and a compliment to each and every one of us. Also, just some other things. You know, teaching the Mayor how to take selfies was always exciting. Also being able to be put in the Meridian Press. I was able to do that a few times and, you know, my grandma would always be super excited -- hey, guess what, my granddaughter is in the newspaper, you know, and it was such -- it was so fun and, you know, you can see in the bottom right-hand corner that's when we started out last -- last year and that was when we were just newly elected and, you know, we really didn't know each other and through the year we have been able to draw closer together and, like I said, we are definitely a family now. Just a few more. I promise. I just got really excited and I was like, I'm in MYAC. So, also, I was able to attend NLC a few times -- or, sorry, AIC -- too many letters and you can see in the -- in the top middle picture that was one of the first times that I feel like I had really went and opened my voice and my opinion and shared it with others. I remember being so nervous sitting there and I'm like I want to do this, but I'm so scared to and, you know, I got up and I just talked and when I sat down, you know, I just felt so good and, then, Ken came up to me and he said, Brianna, I'm so proud of you and, you know, I will never forget that. And it was such a great experience, you know, being able to work with the Idaho Youth Ranch and seeing Ken try on some of the weirdest clothes I have ever seen. It was hilarious. Like a bunch of sizes too small. It's hilarious. And, then, in the bottom right-hand corner I fell inside of the bin and -- so that was -- that was definitely exciting when we were organizing clothes and I just fell inside of it. So, then, they decided to take a picture. Anyways. So, yeah, that was really fun. And, you know, that was really fun. And, you know, we have had amazing advisors. Patrick -- I will never forget him. He worked with my dad. He worked with us and just the best that we were able to put on and I just -- I love it so much. So, I will now stand for questions.

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

Cavener: Madam Mayor?

De Weerd: Mr. Cavener.

Cavener: I think it's been part for the course of question and a comment if I can. Brianna, first, like my first question, I'm not going to ask about numbers this time.

Siddoway: What?

Cavener: Unless you want me to.

Siddoway: Yeah. Ask me, because I actually asked Ken right before, so --

Cavener: Well, in that case can you tell me numbers that we ended the year with?

Siddoway: Yeah. Okay. So, our last meeting we had about 70 people in attendance and that was for electing officers and stuff and, then, just yesterday at our final evening we held at Wahooz there were 56 MYAC'ers there, so -- yeah.

Cavener: Incredible.

Siddoway: Yeah. It was great.

Cavener: Madam Mayor, a couple of other questions, then, if I may? Of all these events that you have participated in, what to you was your most favorite event and why?

Siddoway: Okay. Madam Mayor and Council Member Cavener, all the events -- oh, man. I would say Ball at the Hall was definitely one of the best. It expands us from just our little group of MYAC'ers and invites other people from the community and so that -- that's always great. All of the events that we do with The Village, they have always been such a great support of us and we did one, the Rock the Beach. That one was a really fun one. I -- you know, I still have the T-shirt from it. It was so fun. And -- so, yeah, I would say that those are some of my two that were my greatest events in MYAC.

Cavener: Great. Comment if I may, Madam Mayor? Your reports each month have been not short of incredible and I -- everything -- every time you get up and read the legacy and it's not just your individual legacy, but the legacy of the entire youth council has left in our community.

Siddoway: Yeah.

Cavener: It's really impressive and is no doubt as a result your hard work and the youth council and your amazing advisers and I think the other piece of this is really incredible and it goes with what the Mayor talked about earlier. It's truly investing in our youth and while she's maybe not the first person in City Hall each day, I think she's definitely the last one to leave City Hall each day and I just wanted to thank the Mayor for continuing to invest in our youth of all ages. This

program is a success from great youth, but you give them just ample opportunity to fly and each year I keep saying -- I think I say it to Ken, it's like, oh, it can't get any better than this year. I mean you guys have like tops and, then, the next class comes in and no disrespect to the classes past that have come before, but you guys continue to set the bar high and what's amazing to see the next youth council come in and just achieve even greater success.

Siddoway: Yeah.

Cavener: So, thank you, youth council members, that are here, thanks to the parents who lend their children to us and to our community. Thanks to Ken and to OG and, Madam Mayor, thank you. This is -- it just continues to get me more and more excited about our community well into the future. It's really great.

De Weerd: Thank you. Any other comments or questions? Okay. I will ask Ken if he will join me up at the podium. I will say that since I see one of our alumni here -- Danny, you rock it on KTVB or whatever channel covered our number two story, but you were awesome. So, see, that's what our alumni go out and do. They spread the good word of the City of Meridian. So, anyway, this is kind of bitter sweet for Ken and I. We -- as Councilman Cavener said, every year we see our executive team and we think that it can't get any better and, then, the next year does. We see incredible growth from each of you when -- as an executive council or as a MYAC member when you step into the room during parent orientation night and you think why on earth am I going to get involved in this and, then, you do and you may come with some reservations, but your voice is important in this community and it's our job to make sure your voice is heard, whether it's a majority vote voice or a minority voice. We have appreciated the diverse of opinions from our MYAC members and we will miss this graduating class. You have helped us continue to transform MYAC into a respected youth organization that your voice is valued by not just those here in the City of Meridian, but beyond our city limits. You're a respected voice and a request voice at the state legislature. You are a desired bit of energy, because you guys got that energy from other organizations in our community that was to somehow tap into your creativity and your energy to get your involvement in what they do. I have really appreciated and valued seeing each of you spread your wings and it give me the confidence as you move on to your careers or your education, that those wings will have even a broader reach, but I will continue to tell you, just as I did the first night that you and your parents sat in this very chambers, that our intent in the Mayor's Youth Advisory Council has been selfish. We want to invest in our youth so when you start your families and your career you come home and want to reinvest back into the community that gave your wings. So, we love each of you. We appreciate what unique qualities that you have each given to our -- our city and all of the events that we had and just thank you for being a part of this.

Corder: I might have allergies here. I'm sorry.

De Weerd: Me, too.

Corder: First I'd actually like to acknowledge the fact that we have pushed some of our students out of the nest, so to speak, and there is proof in the room that they do come back. The Mayor mentioned Daniel Heithoff, but we also have the birthday girl, our former chair Katie Snell in the audience as well, so it's great to see you, Katie. I don't know if you guys have ever seen the movie Toy Story -- or the third one where --

De Weerd: The third one?

Corder: The third or fourth or seventh or whatever. There is a scene where Andy packs up his toys and drives off to college and I must admit my allergies kicked in pretty -- pretty big at that point and feeling like that right now with this group leaving. I want to speak directly to you right now and just one final time tell you guys that you have so much worth and talent and you have so much to offer this world and you guys are absolutely amazing. You really are. You have been a gift to this city, a gift to the Mayor, a blessing in my life and I cannot tell you how bright the future for you, our city and the world is because of what you guys do. You get it at an early age. I love you.

De Weerd: Me, too.

Corder: Okay. Allergies. Okay. We are going to call you up in no particular order and we are going to have our historian Tanna take photos. We will go ahead and white out the red eye when it does on Facebook. Please. And if you can Photoshop -- if you can Photoshop out the gut, too, that would be great.

De Weerd: Oh. And wrinkles and --

Corder: So, first up Mr. John Gonzales.

De Weerd: This is our research guy. I mean you can't get better in researching our policy papers.

Corder: If I can also add, when we have a good plan, just when you think it's ready to go, John says not so fast, let's talk about this.

Gonzales: I just wanted to say thank you to the City Council, the Mayor, Ken, my parents and anyone else who supports the youth and me particularly. Thank you for really investing in the future and providing us opportunities that really changes lives. Thank you.

(Picture taken.)

Corder: Okay. Next up is Ariel Tilden. Well, I think we are lucky we get to make a few comments about each one of these students here and Ariel showed her true colors last Friday at the Ball at the Hall and just when you thought we had it all looking pretty, Ariel comes in -- and she's the general and overhauls everything and so event planner in the future? Perhaps. But Ariel is an extremely polished young woman who has an extremely bright future and we have been tremendously blessed to have her on the council.

Tilden: I just want to say thank you to everybody here for investing in me and the rest of the youth, because it's given us opportunity, it has given us more confidence in ourselves for -- our future selves for future jobs, opportunities, college, education and I just want to thank Ken and Mayor Tammy for giving me this, because it's really grown me as a person and as a leader in the community. Thank you.

(Picture taken.)

Corder: Next up is Lexie Seamons and one thing about Lexie is I sent out a lot of e-mails and Lexie is always the person who -- she always responds first and says how can I help and I can tell you that this is a young woman who gets it. She's a woman of faith and she has a tremendous attitude and, as you know, attitude takes places. So, Lexie, you are amazing.

Seamons: I just want to say thank you to Mayor Tammy and to Ken for working so hard to invest in us. Each -- as a group, but also as an individual. Without MYAC I definitely would not be where I am today and I'm grateful for that, so thank you.

(Picture taken.)

Corder: Tanna, our historian, just said gorgeous. Next up is perhaps our future president, Mr. Jesse Smith. A few comments about Jesse. We went to the NLC trip in March and I have never seen a young person so giddy over meeting a politician. Jesse had the opportunity to me Rand Paul in the airport -- Ron Paul. Oh, fatal flaw there. Ron Paul. And I mean you would have thought it was the kid from a Christmas Story getting the red -- the rifle. I mean it was -- it was absolutely amazing. Jesse just -- he thinks differently and the world needs people like that. So, Jesse, you are an amazing young man with a huge future.

Smith: Well, first of all, thank you to everyone. Mayor Tammy, Ken, Stephanie, everyone in MYAC, thank you. The lessons that I learned in MYAC and the things that I -- the things that I saw and the things that I did, those are memories I'm going to hold onto forever. The things that I learned in MYAC are important to me and even the friendships that I made with you guys, you know, I'm going to hold onto those things. It's really important to me and I love you guys.

(Picture taken.)

Corder: So, this next young lady -- I personally had the pleasure of doing a double daddy daughter date with her once. You have heard from her a couple times already, but Brianna Siddoway really has -- has flourished in this program and I remember those moments vividly and I will take those to the grave of you standing up and realizing your voice, amongst hundreds of people and, then, to do this in this arena, to do the updates and, then, I won't get into it too much, but to know her heart, it is pure, and she is a world changer and we simply adore you. Come on up, Brianna Siddoway.

Siddoway: Hi again. Well, there is not a lot more that I can say, but I just -- I just know that serving others in the community will change your life and will change the people around you and, Katie, you have to stop crying or I'm going to start crying again. Seriously -- okay. Serve others, you will feel better.

(Picture taken.)

Corder: A few more here, ladies and gentlemen. Okay. You know, there are times in MYAC when we say, oh, if we just could have had this student in the freshman year, the things that we could have done. The evil things that we could have done. Yeah. This next young lady shot out of a cannon and hasn't stopped and you heard from her earlier and she's so well deserving of the scholarship that she received and Hannah just knows -- knows people. She knows how to tap into other people's emotions and I mean she was making me cry yesterday at Wahooz. So, Hannah Sturtevant come on down. You're amazing.

Sturtevant: You have all heard from me. I appreciate everyone's patience and time devoted to MYAC today. My biggest regret is definitely not joining MYAC earlier and I have definitely made the most of my time with MYAC. MYAC has become my family and if you're not already convinced to send your children to MYAC you will be in good hands.

(Picture taken.)

Corder: Yet another one and another young man if we could have just had him a little bit sooner it would have been amazing. This last year we did a lot of work on trying change some seat belt laws here in Idaho and we are going to get it one of these days. But this next young man also has as very bright political future. He is just a wealth of knowledge and during the legislative process when we had questions we went to this young man. Tyler, come on up, you have just a tremendous future and it is amazing that you joined us for your last year.

Ricks: I want to say thank you to everyone, the Mayor and Ken, to MYAC as a whole. And thank you to Jesse for actually getting me to join MYAC the last

year. I was afraid to join MYAC my freshman year, sophomore year and my junior year, because I have a difference of opinions on most of the City Council members on several issues and I was afraid to join and Jesse convinced me to join it and it was really through MYAC that will give you the opportunity to have your difference of opinion that Ken and the Mayor were talking about earlier and so I'm saying if anyone is listening, if they have differences of opinion of how the city is run, join MYAC, let your voice be heard. Thank you.

(Picture taken.)

Corder: If you have ever looked at our Facebook page you might notice a young man wearing a really weird cowboy hat. He's known in the MYAC circles as Four Pack and to this day I still don't know why they call him that. But really fast I would like to tell a story of a young man who overcame adversity at a very young age. He actually had several burns at a young age and I remember having a chat in my office with this young man about turning that tragedy into triumph and what he does is he goes down to Utah every summer and he donates his time to help other students who are victims of burns and I think that changed his life in an amazing way, because he is so empathetic and sympathetic to others, it is a world changer and, you know, he -- I like to call him mini me, because he does out beard me. Justin Iverson, come on up, sir.

Iverson: Gosh, where to begin. MYAC has been awesome. Thanks again for putting it on. You definitely are doing stuff great with the community, especially the youth. I just -- I love all of the opportunities we have to make a difference in the community. Thank you.

(Picture taken.)

Corder: Okay. Last, but certainly not least, he comes from a legendary Meridian family. This young man is -- is confident, he's educated, he's witty, he's funny, he's charming and, man, he --

De Weerd: He can be loud.

Corder: He can be -- oh, can he be loud. He started off every MYAC meeting with an all right. That was at about decibel level 20. So, he knows how to get the attention of a room. He oozes charisma. He certainly has become a friend -- a life long friend and he's changed the scope of how you run the meetings, how you work with other individuals with the different departments in the city and just what an attitude. You know, anything that we needed oftentimes in the 11th hour, Drake Heithoff always came through. J.D. and Dena, there is no mistake here, because of the foundation that you have laid for him and so I know on behalf of the Mayor and Council we would like to say thank you and, now, Dena, this does not get you out of being the MYAC team mom, though.

De Weerd: Yeah.

Corder: Yeah. We need you. Drake, the future is yours my friend and the future is all of yours. You guys are amazing and so to round out our senior send off we would like to have our outgoing chair Drake Heitoff come on up.

Heitoff: I just want to say thank you to everyone who has been supporting our program. As you can see it has outreached plenty of teens and many more in the future. I originally, actually, did not want to start MYAC. You can ask my parents and they will definitely back it up. I know. True story. They told me -- they said, hey, there is this pretty cool organization that you should go and check out and me being the young, narcissistic freshman that I was I was like why would I go and help other people, I should be helping myself and -- and now I'm the chair of this wonderful organization four years later. So, I can definitely say it has helped me reach wonderful people that I would have never met any other way and I have lasting relationships with these people and they have not only helped me grow as a person, but I feel that we truly have grown this community and I just want to say thank you one last time to everyone.

(Picture taken.)

Milam: Madam Mayor? Madam Mayor?

De Weerd: Like where did that come from.

Milam: Can we do this at the end next time so I just cry for four hours.

De Weerd: Well, thank you for allowing us to send off our seniors with a deserving send off. I -- I can tell you that those of you who are not here for this send off, the investment of these youth in our community has been second to none and we can't thank you all enough for what you have done and I will tell you that Jesse and Tyler and Drake and Lexie and on and on, we expect you to come back and give in different ways. Also come back and support the rest of the team with being extra numbers and busting seats. So, we need you and we learned a lot over this last year in terms of our efforts in several different fronts and we will need your experience and your voice to continue to be there and invest in the upcoming leaders. So, thank you for being here and you, too, don't need to stay, but thank you for being here. And, Council, we were going to show a really long video, but I think we will forego it and we will do it at the pool party.

**C. Continued from May 17, 2016: Dairy Board Request for Cost Share for the Annual Dairy Days Parade**

De Weerd: Okay. Item 7-C is continued from May 17th. The information that I pulled together I buried, but in -- in total we have in our police department around 7,000 dollars in control that includes the hard cost that you saw last week of

4,400, personnel fees in overtime and on straight time equal 2,250 and the fire department 960 dollars, which are personnel costs in two EMS bike teams and a command officer to help with the instant command post. The parks department 2,269 dollars, with event staffing and reservation fees and under our clerk department 150 for the TUP fee waiver. Last year we set aside 20,000 that this does cover it and what I would also like -- and maybe, Mr. Bird, you can bring that back is to maybe sit down and have a conversation after the event to see how we can help in finding ways to reduce these costs like we have done with the Winterland Parade. Our Winterland Parade does almost break even -- actually, it is in a profit of 433 dollars. So, there are ways that we can do that and we would love to -- to sit down with them and maybe share some of that information as well. This is a community event that's long term that defines where we have come, but also defines where we are going in terms of pulling together our community on things that are important to it and Dairy Days has been a staple to our community. With that would answer any questions you might have.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I would be really glad to come back afterward and we will discuss the stuff -- it's hard to compare Winterland Parade with the Dairy Days, because there is more to Dairy Days than just the parade. But we should sit down and talk it out and see what's going on. But, anyway, that's -- we will get -- we will sit down afterwards and go through it. I have no problems at all doing that and I don't think the board would either.

De Weerd: Thank you. With that I believe that we did need a motion to -- well, we don't need a motion, because we have a budget and so we do have the budget in our Police Department line item to cover the hard costs in terms of the traffic control and we do have line items in each of the departments for overtime and staff cost.

**D. Meridian Arts Commission Recommendations for Traffic Box Wrap Artworks and Locations for FY16**

De Weerd: Okay. Item 7-D is under our Meridian Arts Commission. Thank you for being here with us today, Mary and Hillary.

Jensen: Madam Mayor, City Council, my name is Mary Jensen and I'm the chairman of the Meridian Arts Commission. You know our girl Friday Hillary. And we are here -- you may fondly remember the days when the arts commission used to come to you once a year with an update and now it seems like we get to see you often, but, hopefully, it's with good news. We are excited for the year -- the fiscal year 2016 to present 20 new traffic box art wraps for your

approval. You don't actually have to approve all of them, you get to approve 12 tonight. When we came to you last year it was six, so we are growing, we are going to move forward with this project, we are finding more interest from the community, as well as more money and we have gotten a lot of public feedback about these traffic wraps and their locations that we are just really thrilled about the way that this project has been rolled about and is currently moving forward. Tonight we do have -- like I said, there are actually five traffic art boxes that are already in production and you have previously approved, so we do have 12 more that we would like your approval on the art, as well as the location and there are three that are actually sponsor boxes that we will just show you for your information. The first one is Franklin and hopefully you can see the picture that the artist is Deb Pence and the artwork is called the Meridian Map. The second is Carlton and Meridian. The artist is Tiegan Sloan and it's Birds On Bloom and this is a youth art.

Bodnar: And to help differentiate, I did put the boxes -- different colored boxes around the artwork that were from West Ada, so those are the gold boxes. You will see those as we go through. The other ones are from the repository.

Jensen: Thank you, Hillary. Also you should be aware, like Hillary just said, we did have certain art that's already in our repository that has been approved. The rest of the art does come from the West Ada School District art show and that is what we are looking for approval for tonight. Gem and Main, the artist is Brian Shreiner and the artwork is called Misplaced Wheels. Cherry and Meridian. The artist is Moira Huges and the artwork is called Crossing. That is a youth piece. Corporate and Main. The artist is Cortland Lowry. By The Seaside. And that is a youth piece. Rosa Germancy Hill. The art is Butterfly in the Rain Forest. That is at Corporate and Meridian. And that is a youth piece. Linder and West Stone Valley, the artist is Karen Deskramer and the art is Passing -- Pasuering. Linder and Chateau. The artist is Susan El and the artwork is Bang. Linder and Pine. The artist again is Susan El and the artwork is Golden Pond. Overland and Millennium Way. The artist is Dwight Williams and the artwork is faces. Overland and Blue Marlin -- or Lowe's. The artist is Bonnie Peacher and the artwork is A Time For Planting. Fairview and Records. Laural Lake McQuire. And the artwork is The Old Ways. All right. Those are the ones up for consideration. I will quickly show you, just for your information, the sponsored boxes. This is Cherry and Ten Mile. This is a youth artist, Morgan McCallough, and the artwork is Autumn Tree. Linder and Ustick. The artist is Suzanne Lee Chitwood and the artwork is Traces Of Wheat. And Overland and Meridian. The artist is Barbara Williams and the artwork is Tulips. We are happy to entertain any questions at this time.

Cavener: Madam Mayor?

De Weerd: Mr. Cavener.

Cavener: One question. Mary, can you give us some idea as to how the locations were selected?

Jensen: Yes. Absolutely. When we initiated this project we had a subcommittee sit down and prioritize where traffic boxes were and which ones should be wrapped first. Also in conjunction with our partnership with the Meridian Development Corporation based on the boxes that they specifically sponsor, they have a priority list. So, some of these are based on their priority list and some are based on ours that were selected by our subcommittee.

Cavener: Madam Mayor, follow up? What type of thought process goes into selecting this particular art piece on that particular box? Is it random draw or is there some thought behind that?

Bodnar: A lot of conversation.

Jensen: It is. It is a lot of conversation. We do select the art pieces first and, then, kind of try and match them up to our top priorities on the list and it's based on the art commissioners' thoughts and feelings at that time. Some of them -- I do like the -- the truck with the missing wheel they put near a Les Schwab, which I thought was kind of thoughtful. But that's kind of how the thought process worked.

Cavener: Thank you.

Jensen: Yeah.

Cavener: These are great.

De Weerd: Any other questions or comments?

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: Just a really nice job selecting these. I notice some other locations to with like similarities to the location and --

Jensen: Right.

Milam: -- I really appreciate the thought and the work that goes into that.

Jensen: Thank you.

Milam: Do you need a motion --

Jensen: I think we do.

Milam: -- to accept these? Madam Mayor? I move that we accept the recommendations for the traffic -- traffic box wrap artworks for locations for FY-16.

Bird: Second.

De Weerd: I have a motion and a second to approve Item 7-D. Madam Clerk.

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

De Weerd: All ayes. Motion carries.

MOTION CARRIED: ALL AYES.

De Weerd: Thank you very much.

Jensen: Thank you.

### **E. Mayor Tammy's Walking Club Update**

De Weerd: Item 7-E is an update on the walking club by Danyeale and as Danyeale comes up here I will tell you that Danyeale has been a rock star in all of this in communicating with our elementary schools as there are 12 of them that are participating in this and coordinating with the sponsors as you saw last week. Our sponsors cover the cost of the program and recognizing the youth that get out and participate. But Danyeale is certainly the -- the energy behind this. So, heartfelt thanks, Danyeale, to everything you do.

Jansen Van Beek: Thank you, Madam Mayor and thank you Members of the Council. For the record my name is Danyeale Jansen Van Beek and I am presenting before you Mayor Tammy's Walking Club and first and foremost it is a great honor to be able to be before you and make this presentation as this a project that is on my desk that I truly enjoy to do and appreciate the opportunity to work right along side Mayor Tammy, riding to the schools, walking with her at the schools and just watching her interact with the youth. Last week I told her how much I appreciated her and our City Council and just our community and how youth centered we are and I'm sure that has been said over and over and as you can tell from today everything is very youth centered and I just -- I think it's extremely important. I know other families I have interacted personally and that's the number one thing that they appreciate about Meridian. So, you guys are all doing a great and wonderful job. So, thank you very much. So, I will go ahead and get started. Maybe. Okay. Thank you, Sonya. So, we kicked off the walking club last spring 2015. We started with five elementary schools, which

was a total roughly around 3,032 students. They walked for that spring semester 25,403 miles, which equates to traveling at least once around the world at the equator. This year we started in the fall, went through the entire school year and we jumped participation to 12 elementary schools, which equates to 6,900 students and 165,574 miles. That's a lot. They traveled, our youth, elementary, kindergarten through fifth grade, traveled around the earth 6.7 times. They -- they have seen the world. We had some great community partners that came alongside us and helped make -- helped develop this program and helped make it more enjoyable for the students and helped -- came along side the elementary schools to assist with building their walking program and getting the students out there and walking and also our heart behind this is to create good habits at a young age, that they carry on through middle school, high school, college and on through adults is the true heart of Mayor Tammy's Walking Club. We had Primary Health Medical Group, who was our title sponsor, they came out walking with Mayor Tammy every time this -- this spring, which was 12 schools, and they handed out Primary Health water bottles to each and every student that walked that day. We did make them walk at least three or four laps, so they had to run at least a mile get something and they were all thrilled. The kids were just like how many laps do I have to run? Three or four laps and they are like, okay, I have two more and they would just take off running. I mean you could just see the -- see the dust behind them. It was really cool to see that. We had the Boise Co-op also partner with us and, then, we had Fleet Feet Sports Meridian who not financially gave, but was there every time walking with the students. They had racing flags, they had a starting big inflatable arch there as well just to get the students excited and raring to go and -- and kids always come strong in the fall. Students -- or the elementary teachers are always talking about how -- how the kids start out so strong at the beginning of the year, but as the year goes on it just starts lagging and lagging and they -- not as many participate or they are not running as hard or fast and so the teachers are extremely appreciative for that excitement that is built by, one, Mayor Tammy coming. The students absolutely love seeing Mayor Tammy. As soon as she walks through those doors you can hear everyone saying Mayor Tammy, Mayor Tammy and it's a lot of fun to see at such a young age that they know who the Mayor is of the City of Meridian. I cannot say that I did at that age. Prizes to also help encourage the students to get out there all throughout the year and not just at the beginning of not just to finish hard. We -- each elementary school competes within itself and not amongst all the 12 elementary schools, because, one, not all the walking programs are the same at each school, so it's extremely difficult to standardize something that they have different resources for. So, within each school the number one class who has ran the most miles throughout the school year gets to have lunch with Mayor Tammy. Mayor Tammy also presents to the first place classroom the City of Meridian pins. This year as prizes for -- for the top three classrooms at each school we handed out reflectors that flash at three different levels and our -- or our thought behind that is because a lot of our students are walking to and from school and as we are trying to become a more connected city, we want to also instill safety amongst our students and so we have the

reflector there, so that way they can either wear it on themselves or their backpacks and they are flashing so that way automobiles, bicyclists, anyone can see them while they are walking. We had hacky sacks and we had Frisbees. The students were able to choose which out of those three they wanted for their hard work and each time Mayor Tammy went out to the schools she would either hand out a Mayor Tammy Walking Club wristlet or a Mayor Tammy Walking Club button, which are extremely coveted at the schools. They -- they definitely do not lose them. They wear them constantly and I have seen them around town and they have posted on Facebook and tagged Mayor Tammy. They are very proud of their buttons and very proud of their wristbands, which they also have to run at least a mile when Mayor Tammy goes and walks with them. Our goals for the walking club for 2016 is having a hundred percent elementary school participation. This coming school year adds a new elementary school, so right now we have 12. Next -- this fall our goal is to have 15 elementary schools participate and, then, also partner with the West Ada School District to provide the lunches. Currently right now we are working with Whole Foods and they have provided wonderful lunches that the kids really enjoy and they have been great to work with. Super easy. And that's it. Do you have any questions?

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

Bird: Great job.

De Weerd: Good job. And, really, it was initiated in the beginning from Blue Cross of Idaho that had the Mayor's Walking Challenge every fall that kicks it off and we won a thousand dollars this year that went to an elementary school -- or actually -- where did we put that?

Jansen Van Beek: We put that towards the -- the walking club total fees.

De Weerd: No. Wait. Last year went to Ponderosa for a walking pathway, but this year it did get reinvested back in the walking club, so they could have their wristbands. So, thank you, Danyeale, again for everything you do.

Jansen Van Beek: Thank you. Thank you, Council.

**Item 8: Items Moved From the Consent Agenda**

De Weerd: Okay. Item 9 -- or 8 we had no items moved from the Consent Agenda.

**Item 9: Action Items**

- A. Public Hearing Continued from May 3, 2016 for Browning Plaza (H-2016- 0008) by SLN / Boise-Waltman, LLC Located 505, 521, 615 and 675 Waltman Lane**

**1. Request: Two (2) Year Time Extension on the Preliminary Plat to Obtain the City Engineer's Signature on a Final Plat**

De Weerd: Item 9-A, the applicant did request to continue to June 28th. I will -- this has been an open public hearing that was continued from May 3rd.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move we continue H-2016-0008 to June 28th, 2016.

Milam: Second.

Cavener: Second.

De Weerd: I have a motion and a second to continue this item to June 28th. All those in favor say aye. All ayes.

MOTION CARRIED: ALL AYES.

**B. Public Hearing Continued from April 26, 2016 for Waltman Property (aka Browning Plaza) (H-2016-0038) by SLN Planning/Boise-Waltman, LLC Located 505, 521, 615, and 675 Waltman Lane**

**1. Request: Modification to the Development Agreement to Remove the Requirement (#5.1.8) for Corporate Drive to be Extended North of the Site from the Ten Mile Creek South to Waltman Lane**

De Weerd: Item 9-B is under -- has also been requested to continue to June 28th.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move we continue Item H-2016-0038 to June 28th, 2016.

Milam: Second.

De Weerd: I have a motion and a second to continue Item 9-B to June 28th. All those in favor say aye. All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

**C. Public Hearing for Granton Square Subdivision No. 2 (H-2016-0034) by Granton Square Properties, LLC Located 1714 E. Challis Street**

**1. Request: Combined Preliminary / Final Plat Approval Consisting of Two (2) Building Lots and One (1) Common Lot on 0.28 of an Acre of Land Zoned R-8**

De Weerd: 9-C is a public hearing for H-2016-0034. I will open this public hearing with staff comments.

Watters: Thank you, Madam Mayor, Members of the Council. The application before you is a request for a combined preliminary and final plat. This site consists of .28 of an acre of land, currently zoned R-8 and is located at 1714 East Challis Street. A little history on this site. In 2014 this property was included in the annexation and zoning and preliminary plat for Granton Square Subdivision. A development agreement was required as a provision of annexation. In 2015 a final plat was approved which included the subject property as Lot 6, Block 2, Granton Square Subdivision. The Comprehensive Plan future land use map designation for this property is medium density residential. A combined preliminary and final plat is proposed consisting of two building lots and one common lot area lot on .28 of an acre of land in an R-8 district for Granton Square Subdivision No. 2. The proposed subdivision is a resubdivision of Lot 6, Block 2, Granton Square Subdivision. The proposed plat complies with the dimensional standards of the R-8 district. Access is proposed via existing local streets. Future structures on these lots are required to comply with the elevations included in the development agreement. The Commission did recommend approval of the subject application. Kirsty Grable testified in favor. No one testified in opposition or commented. Written testimony was received from Kirsty Grable, the applicant's representative in agreement with the staff report. There are no outstanding issues for City Council and there were no major issues of discussion by the Commission. Written testimony since the Commission hearing was submitted by Kirsty Grable, the applicant's representative in agreement with the Commission recommendation. Staff will stand for any questions.

De Weerd: Thank you, Sonya. Council, any questions? Is the applicant here? Good evening. Thank you for joining us. If you will, please, state your name and address for the record.

Grable: You bet. Thank you. My name is Kirsty Grable with KM Engineering, 9233 West State Street in Boise.

De Weerd: Thank you.

Grable: Thank you, Sonya, for presenting the project. It's such a simple project there is really not much I can add, so in light of not taking up more of your time I'm just happy to stand for questions should you have any.

De Weerd: Thank you. Council, any questions?

Grable: Wonderful. Thank you.

De Weerd: Thank you. This is a public hearing. Is there anyone who would like to offer testimony on this item? Okay. Seeing none, Council, anything further for staff or the applicant on this item?

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Seeings how we have none, I move that we close the public hearing on H-2016-0034.

Cavener: Second.

De Weerd: I have a motion and a second to close the public hearing on Idaho 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-2016-0034 to staff, applicant comments.

Cavener: Second.

De Weerd: I have a motion and a second to approve Item 9-C. Madam Clerk, will you please call roll.

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

De Weerd: All ayes. Motion carries.

MOTION CARRIED: ALL AYES.

**D. Public Hearing for Fairview Lakes (H-2016-0044) by  
Grace at Fairview Lakes Located North Side of E.  
Fairview Avenue, Midway Between N. Meridian  
Road and N. Locust Grove Road**

**1. Request: Modification to the Development  
Agreement to Change the Use on the Northern  
Portion of the Site from Apartments to an  
Assisted Living and Memory Care Facility**

De Weerd: Item 9-D is a public hearing for H-2016-0044. I will open this public hearing with staff comments.

Watters: Thank you, Madam Mayor, Members of the Council. The next application before you is a request for a development agreement modification. This site consists of approximately 24 acres of land. It's zoned R-15, R-40, C-N and C-G and is located on the north side of East Fairview Avenue midway between Locust Grove and Meridian Roads. A little history. Back in 2002 this property was annexed with a requirement of a development agreement. A conditional use permit and planned development was also approved, which includes a conceptual development plan for the entire site. Since that time the development plan associated with the planned development has been modified several times. The last of which staff found that the development agreement was not consistent with what had actually been developed on the site and with the current zoning. The proposed modification to the development agreement is, basically, to clean up the agreement to reflect the uses and zoning boundaries that have been approved to develop on the site since the development agreement was recorded in 2002. Originally the northern approximately nine acres of the site, which was zoned R-40 at the time, was approved to develop with a 192 unit apartment complex. No changes in the uses were allowed without modification to the agreement. Since that time an assisted living facility and assisted living units have been approved instead of apartments and a rezone of the portion of the R-40 area was also approved to R-15. Written testimony had been received from Doug Tamura, the applicant, in agreement with the staff report. He was unable to be here tonight. He may have sent a representative, though. He did communicate that with staff before the meeting. Staff will stand for any questions.

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

Schalk: Good evening. My name is Kevin Schalk. My address is 2473 North Cribbens Avenue in Boise.

De Weerd: Thank you.

Schalk: I think the staff has summed up the modification request quite well. I don't think there is anything else I can add to it. If you have any questions.

De Weerd: Okay. Council, any questions for the applicant?

Bird: I have none.

De Weerd: Okay. Thank you.

Schalk: Thank you.

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

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: Seeing none, I move that we close the public hearing on H-2016-0044.

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.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: Move that we approve H-2016-0044 with all staff and applicant comments.

Bird: Second.

De Weerd: I have a motion and a second to approve Item 9-D. 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.

**E. Public Hearing for Whiteacre Subdivision (H-2016-0019)  
by Providence Properties, LLC Located at the SWC of N.  
Meridian Rd and West McMillan Rd. Request:  
Annexation and Zoning of 40.88 Acres of Land with an  
R-8 Zoning District**

**1. Request: Preliminary Plat Approval Consisting of  
197 Residential Building Lots and 33 Common  
Lots on 40.88 Acres of Land in a Proposed R-8  
Zoning District**

De Weerd: 9-E is a public hearing for H-2016-0019. I will open this public hearing with staff comments.

Beach: Thank you, Madam Mayor, Council Members. This is an application for annexation and zoning and for preliminary plat. The site consists of 40.88 acres of land, which is currently zoned RUT in Ada County and located near -- near the southwest corner of North Meridian Road and West McMillan Road. The Comprehensive Plan future land use map designation for the property is medium density residential. The applicant has submitted an application for annexation and zoning of, as I said, 40.88 acres of land with an R-8 zoning district and preliminary plat consisting of 197 building lots and 33 common lots. The applicant proposes to develop this site with a gross density of 4.8 dwelling units per acre and a net density of 7.7 dwelling units per acre, which is consistent with the density desired in the medium density residential designated areas. 4.33 acres or 10.6 percent of qualified open space is proposed, consisting of parkways along some of the local streets, half the street buffer along North Meridian Road. The shared use pathway along the White Drain. The micropath lot and internal common open space areas. Staff is requiring that the applicant provide two additional micropath connections, one from West Fallen Leaf Drive and North Elsinore Avenue and one from West Kaibab Trail Street to North Meridian Road. The applicant proposes to provide a tot lot, a segment of the city's multi-use recreational pathway and pathways through the internal common areas. Staff believes the additional amenities are warranted due to the size of the development. Therefore, staff is recommending that a covered picnic area be added to the open space, which is -- to the open space lot, which is Lot 1, Block 3. The property is proposed to develop in five phases, starting in the southeast corner as shown in the phasing plan. In general staff is supportive of the proposed phasing plan. However, staff recommends the applicant change the phasing boundary and constructs the entire frontage of North Meridian Road. Construct a multi-use pathway along the south boundary of the site and remove the direct access to North Meridian Road for the existing home with the first phase. I will add that there has been some conditions that were modified in the

recommendation from Planning and Zoning that I will go over in just a few minutes here. Access to the site is proposed to via one access to North Meridian Road and via the extension of the existing stub street from Ambercreek which are North Ambercreek Avenue and Elsinore Avenue and from the Cedar Springs Subdivision, which are West Fallen Leaf Drive and North Elsinore Avenue and the entry street, West Halpin Street off of North Meridian Road aligns with East Halpin Drive on the east side of Meridian Road. The applicant is also proposing a centrally located alley, as well as eight common driveways. Going back here you can see those. The applicant is also proposing a vehicular and pedestrian bridge over the White Drain. A 25 foot street buffer is required along North Meridian Road, which is designated an arterial street and staff again is recommending that that buffer and detached sidewalk be constructed with the first phase of development. The applicant is requesting a waiver from Council to allow the White Drain to remain open due to its large capacity and proposes to provide a bridge over the drain for vehicular and pedestrian crossing. The applicant is also requesting that they be allowed to obtain several building permits prior to approving of the final because of the number of lots that are on site now and I will let the applicant go over that a little more in detail. Because there are some homes that back up to North Meridian Road and they will be highly visible, staff recommends the rear or sides of those homes incorporate articulation through changes in material, color, modulation, and architectural elements to break up monotonous wall plains and roof lines. In our recommendation to the planning commission, staff felt that there were several changes that needed to be made to the plat to make it a little bit better and those are providing a micropath connection from West Fallen Leaf Drive to North Elsinore Avenue. The applicant did modify their plan to provide that. Provide a picnic area -- picnic shelter and seating area on Lot 1, Block 3, to compliment the proposed play structure. Again, the applicants did comply with that. Move in North Ambercreek Avenue section between West Halpin Street and West Wanda Street one hundred feet to the east, so that the road provides better pedestrian access to the park. I think I still have that slide in here. They have removed that. Just follow my cursor here. Our recommendation was that they extend the roadway, so that the roadway abutted the park, thus adding greater visibility to the park from these surrounding homes. The applicant did not feel that that was warranted and Commission did not require that change. And, then, staff recommended that Lots 18 through 21, Block 8, which as you can see here, is kind of the northwest corner, be reconfigured so that the two lots take access from North Elsinore Way and two lots take access from North Price Avenue, we felt the configuration was a little bit strange and, again, Commission did not require that the applicant change that, but that was staff's recommendation in the staff report. In addition to this -- this staff report usually includes comments from other governmental agencies, as well as departments within the city of concern. In this specific instance staff did receive a letter from the school district that was not included in that staff report. It is part of the public record, however, and I will go over a couple concerns that the school district has with this specific application. These are items from the letter. Approval of the Whiteacre

Subdivision will significantly impact school enrollments at the elementary, middle school and high school levels in the West Ada School District. Based on U.S. Census data we can predict that these homes, when completed, will have 158 school age children. Revenue supports from developers of new residential subdivisions for the purchase of a school site necessary to serve the proposed subdivision is required. West Ada School District estimates the revenue required for the purchase of future school sites is 830 dollars per new home constructed. The approval of Whiteacre Subdivision will create a need for 163,510 dollars in revenue to purchase the school sites the subdivision will require. Commission did recommend approval with conditions. A summary of the Commission hearing -- Kent Brown, the applicant's representative, was in favor of the -- of the application. There was none in opposition. Randy Gile, one of the current property owners, commented. We received no written testimony. I was the -- the staff member presenting the application. There was additional testimony from Bill Parsons. Key issues of public testimony were the configuration of the northwest corner of the project and timing of the development of those lots. The key issues of discussion by the Commission were configuration of the northwest corner of the project and timing of the development of those lots, having one side of the park be vehicle access and one side of the park be walking access. Timing of the construction of the park amenity. The applicant requests to obtain several building permits prior to recording of the final plat. Timing of the sidewalk, construction along Meridian Road, location of the alley loaded homes and the potential parking issues with their proximity to the park. The complication in installing a sidewalk and landscape buffer and allowing the property to be farmed until development is completed. Commission did change several of the staff conditions, modified conditions 1.1.1J to read: The applicant shall coordinate with Public Works on the timing of the utility connection for the existing home in place of staff's condition that it be connected to city utilities within 60 days of being annexed into the city. To add a condition 1.1.1K to read: The applicant shall obtain certificate of zoning compliance and design review approval for all attached homes in the proposed subdivision. They modified of one point -- excuse me. Removed condition 1.1.2.3 and 5, removing the requirements that they realign the road and that they modify that northwest corner of the plat as required by staff. Outstanding issues for the City Council are the applicant's request to leave the White Drain and allowing for the several building permits to be issued prior to recording of the final plat. With that I will stand for any questions you have.

De Weerd: Council, any questions for staff at this time?

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: Madam Mayor, I don't have a question. I just wanted to point out that I'm currently in contract to purchase a home that borders the north border of this

project, but I plan to participate in the discussion and vote unless anybody on Council or the public has any objection to that.

Bird: I have no objection.

De Weerd: I don't think you have any personal gain. Any objection? Thank you. Would the applicant like to make comment?

Brown: For the record, Kent Brown. 3161 East Springwood, Meridian, Idaho. Josh, could you go to those slides for me, please?

Beach: Yes, sir.

Brown: At the P&Z hearing we had a lengthy discussion about the northwest corner. In that northwest corner the Giles are retaining the ownership. They have that house -- that existing house that's in the corner.

Beach: Sorry. I thought you had it keyed up. I don't see it here.

Brown: The reason that the lots are configured the way that they are -- they are within the Gile's property that they are going to retain, the two acres that they own and we followed the existing lines and it complies with the ordinances of the city. The lot configuration might be a little longer than someone might want south of the house, but nothing to say that that doesn't meet the code and the rules. That ownership is separate from the majority of the rest of the site. We -- on the drawing that you have on the screen we have complied with the recommendations of the Planning and Zoning Commission and staff. Over here on the west side we have the micropath -- yes. Right there that aligns and connects with the alley. The recommendation of the Planning and Zoning Commission went along with our vision of this site. We envision those houses that are opposite that micropath with lots to the north of the micropath that's 40 feet wide to the park and the lots to the south that the fronts of those houses with their porches and so forth, are facing out onto that park space, instead of the backyards, making that more inviting. Plus also as you come in from Meridian Road you will -- you will see those houses. It makes that a lot more preferable to have the shady part of your lot with your house providing that shade as the sun goes down. Josh, would you go to the next slide. Here is kind of a rendering of what that might look like. You have the fronts of those houses facing onto that park space. We have the picnic and the shelter that was talked by staff. The ones on the side, they have the rear of those facing, but there would be a sidewalk that loops, connects all of those together. We felt that that was a very nice transition. Josh, would you go back to the first slide. So, we, basically, have an alley-loaded product in the center of the loop area and, then, those that are on the west side of the park. We have made the connection that staff's asked for out to Meridian Road. The other items that we have talked about -- Josh, if you would move forward two slides. This is some of those houses that would be alley

loaded and facing onto the park and facing onto the street with the alleys in the rear. Continue, Josh. This is actually one that they have built in Boise. The next one is a side view. Really nice. You can see the alley in the rear. These are duplex units. Again, something that has been built in Boise that we would like to do. One more slide that shows how those look. By attaching the garages you have a greater reveal on the house and supported by your guys' ordinance also. On our phasing plan basically we are in agreement with everything the Planning and Zoning Commission talked about, but it has to do with phasing and construction. In taking this property down we really need to try to get the first phase in and as you can see the first phase on this drawing is in green and our intent is to build it this fall. If -- I don't know if you're aware, but the process -- you approve us tonight, we immediately -- we have already got the plans drawn and we have to finalize the development agreement with you, but we submit to the highway district. They are taking two to three months for their -- their approval. Your staff will not even look at our plan until the City Council has approved the final plat. So, those plans are sitting, we get approved, and we have that construction so we try to beat the fall and get that paved. We are thinking that this is about as many lots as we can get in. If we have much more then we risk the ability to be paved before they close the plants down. The recommendation to put the berm in all along Meridian Road with the first phase, we generate that dirt by the roads that we are doing. Our intent is to try to farm as much of this property as it's been farmed for the last few years and that helps maintain the weeds and everything else and so what we are hoping is that, basically, we can tie the development agreement to the time frames that we are talking about in this timeline. We submit phase one immediately and build it this fall. We will have phase two go in in the spring of 2017 and phase three that would give everyone those improvements would be by the fall of 2017. The real difference ends up being, in our opinion, just a few months in getting those improvements. For example, the request as conditioned is that we do the micropath that's along the White Drain all in one phase. When we do that we also have to put in the pressure irrigation services -- all of those things need to be put to grade and if there is not in this phase, then, you have a difficulty in putting that pathway in. We probably wouldn't put that pathway for the entire thing this -- this year anyway, so, then, it ends up being in the spring and we are talking about building that phase in the spring. So, that improvement goes in, basically, in the same amount of time. We would bond for that improvement if -- if we move forward with our phases as we are proposing and, then, we try to have to work out what the grade is for the phase two, so that we could be able to put that pathway in. Phase three, to put that berm along Meridian Road, we need -- we need more street excavation, so that we can generate the dirt to build the landscape berm that you -- and that we would like to see also that screens us on Meridian Road. So, in our opinion, if you would tie the development agreement to having us put these improvements in, you get the same thing just a few months difference in the time frame. Rather than the spring 2017 for the berm all the way along, you would have the fall of 2017 for those and generate it by the streets that we excavate. It allows us to still have 20 acres to farm that we

can maintain and keep the weeds down by farming that portion and so that's the scenario that we see that I think gets both of us there, gives the city a reassurance that as I have sat through numerous meetings, a concern that you go in with one phase or two phases and, then, you're stuck and that's not going in. We are committing to doing those in those -- that time frame. When know that we are going to need the lots. We are seeing that activity in north Meridian for my clients and so we know that those are realistic time frames and we would like to be tied to that in the development agreement. I would stand for any questions that you might have. I can explain the building lots if you want. There is currently three existing houses on the site. We are demolishing two. We are asking not for several permits, but two permits that we could get as early as possible and, then, the White Drain, it's not tiled to the west of us. It carries a large amount of water. It's a drain. It's pulling and sucking water and it works better when they are not tiled. So, we would like to leave that open. Any questions?

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Kent, how many building permits are you asking before we get a final plat?

Brown: Two.

Bird: Two building permits before you get a final plat.

Brown: Before we record the final plat.

Bird: Before you record it. And what's -- what's the average size of your lots in there?

Brown: There is a variety, because there is the five and six thousand square foot lots. The alley loaded that's some 40 and, then, there is the larger seven, eight thousand lots.

Bird: Thank you.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: Can -- do you have -- you said -- were those attached homes that you showed on your slide show?

Brown: Yes.

Milam: Do you have some of those in here?

Brown: Yes.

Milam: Where are those and how many are there?

Beach: I have a slide for you. Just a second and I will get it open for you. The single family attached are those in red here, as indicated by the applicant.

Milam: Okay. What would be the total number of dwellings?

Brown: I can't remember, Josh.

Beach: It looks like it's about 18.

Milam: Sorry, Madam Mayor. I guess the question was does that change the number -- so, in the application there are 197 building lots, are those on -- two homes on one lot?

Brown: No.

Milam: They are individual?

Brown: They are individual. So, what those are are a town -- duplex townhouse.

Milam: Thanks.

Brown: Property line. Zero lot line. The ones that were on the picture -- actually, the rest of the house is detached. The only part that's attached was the garage. I don't know if that's the client's intent.

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: There were five changes to the staff recommendations coming from the Commission. I don't know if all those were addressed. Are any or all of those changes coming from the Commission acceptable to you or do we need to walk through them?

Brown: The only changes that we were looking at that the Commission -- we would like to tie those -- they had the sidewalk -- the pathway along that the -- the White Drain to be done in the first phase. There was the sidewalk along Meridian Road in the first phase and, then, they had a condition that -- in the second phase of development that the entire park be done. We are doing the entire park. I think in the -- what they would view the same time frame, but we are

looking at doing it with phase three by the fall of 2017. We would like to tie it to the -- those dates if we could.

Borton: Madam Mayor?

De Weerd: Uh-huh.

Borton: I apologize if I'm confused or reading it wrong. I'm looking at the -- the staff report and the listed -- either modified conditions -- three modified conditions and two added conditions, starting with 1.1.1J and the one you had just mentioned was a new condition which speaks to construction of the park -- this is 1.1.1L -- within the second phase and I don't know if these five changes that you have listed here -- they don't sound like they correspond exactly to what you're describing.

Brown: You said 1.1 --

Beach: So, you're right, the applicant is requesting that they not have to construct both the pathways in the first phase. The Commission did not take that. They kept staff's recommendation that they be constructed with the first phase. Is that what you're asking?

Borton: Yes. So, what's reflected in the -- in the report --

Beach: Yeah. They did not modify that condition.

Borton: Okay. 1.1.1L --

Brown: Was the one that they added that the park be done in the second phase.

Borton: Right. And that's --

Brown: And we are okay with it being done, but we would like to be tied to the fall of 2017 in that third phase.

Borton: Madam Mayor? That's my -- so, what's written there is not -- not acceptable as written?

Brown: Right.

Borton: Okay.

Brown: We are proposing that -- that where the phased lines -- where it's talking about phases --

Borton: Yeah.

Brown: -- be changed to the timeline and put that in the development agreement, commit us that -- I mean that we can submit those improvements with the phases as we proposing.

Borton: Okay.

Brown: Under those -- under those times. I mean -- so that it's not a long ways out there and we say third phase and we don't do the third phase, we are saying we are going to do the third phase. Even give us a date when we have to submit it to you. We want to build the third phase in the fall of 2017. That you get all of those improvements in that time frame is what we are looking at.

Borton: Okay. Madam Mayor? You probably can describe it better than I. Of those five changes, which ones remain unresolved?

Beach: sure. Madam Mayor and Council Member Borton. So, staff recommended the Commission that we add 1.1.1K. We had missed that condition, that being that any attached product go through the CZC process. K. L is one that's recommended by Commission. As you see this phasing plan is a little bit different than the phasing plan that the Commission reviewed that, essentially, reflects the same issue with the park. they didn't see -- they saw it as kind of a half amenity being provided there. They just asked that he install the entire park with that second phase and that -- we didn't really -- staff's recommendation was that all of the amenities be provided with the first phase and Commission recommended that it be the second phase. And, then, again, in 1.1.2C, numbers three and five, the ones that are crossed out there, are the two that Commission didn't feel that we needed to recommend approval of, which are the reconfiguration of that northwest corner and the realignment of that kind of circle area where there is an alley loaded product. Does that answer your question, Council Member Borton?

Borton: Madam Mayor. I think it did. So, the applicant leading the Commission, those recommendations, the applicant is in agreement with the 1.1.2C3 and C5, those removals. The 1.1.1L --

Beach: That specific issue the applicant is not in favor of.

Borton: Okay. And that's -- Madam Mayor. The applicant's request, as I understand, Kent, is to -- rather than tie it to the second phase, to tie it to a date certain?

Brown: Yes.

Borton: Okay.

Brown: We feel that you're getting the same thing, but it's a more reasonable time frame for us to -- I mean realistically -- let's just take the berm along Meridian Road. As I have driven along the other projects basically they have had to scrape and -- scrape future phases, which disturbs the ground even more, so that they can generate enough dirt to put in the berm that's -- that's needed and so if we were to do that without doing that, we would have to haul the dirt in to put in the berm and, then, turn around and haul off the dirt from when we excavate the roads out. The berms are generally generated from doing the -- the and what we are saying is we are looking at the time frame today and going where we are at in the -- the end of May, we are going to be lucky to get the phase paved before the plants shut down and that -- to do that we are keeping that phase small, even though we might have wanted to do phase one and two all at once, we know that we can't get that -- that amount of work done in the remainder of the year and so us just doing phase one, we know that we can get done, we can get it paved, turn around, have the plans all approved, you guys will already have had phase two final plat for and in the spring, as soon as we can pave, we will do that one. That generates some more dirt for us and, then, we will do phase three and that will generate enough dirt for us to complete the berm along Meridian Road for you, to put that berm and sidewalk in by the fall of 2017. Does that make sense?

Borton: Yes. Thank you.

Brown: It's more of a construction-related issue than just saying do it in the phase. We are not agreeing and doing the improvement, it's just timing.

De Weerd: Well -- and, unfortunately, the safety of the kids that are going to be walking on that street doesn't pertain to any construction schedule. It pertains to the first house that has kids --

Brown: It does.

De Weerd: -- that have to go to school and --

Brown: So, the first house that goes in is going to mostly be occupied the spring of 2017 if we are allowed to pave by the end of the year you have someone maybe move in in November or December, the spring in the year is when they will start going to school, you know, and that's why we are saying that there is a few months difference.

De Weerd: Well, unfortunately -- and I think that -- that staff follows the priority that Council have in terms of --

Brown: Definitely. Definitely.

De Weerd: -- our number one priority is safety.

Brown: We get that.

De Weerd: So, any other questions for the applicant at this time?

Cavener: Madam Mayor?

De Weerd: Mr. Cavener.

Cavener: Kent, I'm trying to kind of follow your line of the dirt becoming available --

Brown: Right.

Cavener: -- for you to take care of the berm and the sidewalk and whatnot. It sounds to me -- you're saying you really need that second phase to get the dirt available, which it sounds like the Planning and Zoning Commission was recommending. It was phase two. So, I'm just trying to wrap my head around what changes between phase two, which is what P&Z recommended and phase three, which is what you're requesting, to be able to get their request completed?

Brown: Planning and Zoning recommended, along with staff, that the sidewalk and berm -- two separate issues -- not just a safe route to school, but that the landscaping berm go in with the first phase. Safe route to school, we offered at Planning and Zoning that we would be willing to extend the shoulder of the road, put markers in and do that, but doing the sidewalk is different than doing the sidewalk and the berm. Your condition is asking for those landscaping improvements to go in. Our phase one doesn't generate enough dirt and the roads that we have in phase two most likely might not do it, but by the time we get to phase three we will have enough dirt generated that we can do it. The Planning and Zoning Commission recommendation to you is that we do the sidewalk and berm in the first phase with these 20 lots that we are proposing. That's their recommendation. L speaks to the improvements that they wanted the entire park built by phase two.

De Weerd: So, on phase one you would have the sidewalk requirement, curb, gutter, and sidewalk.

Brown: Curb, gutter and sidewalk --

De Weerd: Curb, gutter and sidewalk on Meridian Road.

Bird: Madam Mayor, I think -- your sidewalk is going to be detached, isn't it?

Brown: Yes.

Bird: Okay.

De Weerd: So, you don't need to put in curb and gutter?

Brown: We don't have to put in curb and gutter in on Meridian Road and putting the sidewalk doesn't really take that much dirt to do the sidewalk. It's the requirement of the -- putting in that landscaping berm is what causes the generation of -- of that dirt. If it was just us putting in the sidewalk, that would be something more easily done and done immediately with the first phase.

Bird: Madam Mayor?

De Weerd: Yeah, but your suggestion is putting in a temporary path.

Brown: We offered --

De Weerd: Near the road.

Brown: We offered that to Planning and Zoning, they didn't go along with that. They -- we discussed with them just doing the sidewalk, but they felt that it needed to be landscaped, which further makes it kind of a challenge to farm -- now you have your farm equipment coming in on residential roads into the -- into there, too, so --

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Kent, your plans are laid out enough that why -- why can't you get your infrastructure in phase one and two, your roadways and stuff done so you have the dirt to go out there. I wouldn't even suggest that you put a detached sidewalk in that -- because it's part of the berm. You got to have the berm in to put the detached sidewalk. Why -- why can't we do that and -- I mean everything is laid out, you got your utilities going in, you get dirt out of utilities and I understand that up on Meridian Road some of the other developments have done their berms in phases -- with their phase, but if you look their sidewalk is attached with curb and gutter. They are not detached. I think if you will check.

Brown: No. The -- across the street and down to the south of us, they are not attached. They have got detached sidewalks.

Bird: Yeah. But the berms were put in at the same time.

Brown: No. Not these particular ones, but --

Bird: Madam Mayor?

Brown: That section that --

Bird: But, Kent, I would -- I would never ask school kids to walk along Meridian Road with some parkers out there. I mean -- and you wouldn't send your kids there either.

Brown: We -- we are in agreement to do a sidewalk. I mean we have gone away from what we proposed to Planning and Zoning. We are just -- what we are proposing is the timing and if you can give us a few months on the timing you get all the sidewalk and berm, but it allows us to generate the dirt to do it. We are seeing it from a construction end, that -- to get the berm and the -- the landscaping that we need to do with it, we need more time, so --

Palmer: Madam Mayor?

De Weerd: Yes, Mr. Palmer.

Palmer: Question on the first phase. The -- the home there -- the sidewalks will connect through on Meridian Road to the sidewalk that's to the south; right?

Brown: So, we end up with about 920 feet from where our proposed phase one line is, that we are -- we are asking to be done later.

Palmer: So -- I mean to me, you know, in every phrase the sidewalks all connect to the rest of the system of sidewalk, it just may not be a shortcut across the dirt until that phasing is complete, but it -- there is inconvenience, but there is a route. I mean there is existing homes feet away from the very first home that's -- set of home that are going to be built here that are connected to the sidewalk on Meridian Road, the same sidewalk these will be connected to upon completion of the first phase. So, I don't see -- I understand there is a school to the north, but, you know, what -- why would we approve the subdivision immediately to the south if the rest of the sidewalk wasn't going to be completed then? Well, because it was a field on somebody else's and so -- I mean the homes are going to be right there next to the homes that are already existing. It's not all that far away for them from the ones that are already there and I'm sure they figured it out how to get to school.

De Weerd: But this is their property.

Palmer: And if it's that big of a deal to them they are probably not going to move there, but if somebody moves there, they are going to know, hey, there is not a sidewalk connecting to the north for my kid to walk to school conveniently. You're going to have to figure something else out until this is done. I have no problems leaving some responsibility on people who make a decision to move

somewhere until we allow the business end of things to take care of it, so that it all gets filled in.

De Weerd: Any other questions from Council? Okay. Thank you. This is a public hearing. I did have Randy Gile signed up in favor. Good evening. If you will, please, state your name and address for the record.

Gile: Good evening. My name is Randy Gile. I live at 4399 North Meridian Road. That is the two acres on the northwest corner of this property.

De Weerd: Thank you.

Gile: To give you a little history on the property, my wife's great granddad purchased the property more than half a century ago and the family has been farming that piece of ground ever since. I don't know if any of you knew Faye White. He was instrumental in the fire department here in town. Luana Neeman, which is Faye White's daughter, City Council member -- or city clerk. Jack Neeman, her husband, city clerk also. So, their family has been here a long time and as you can see we are the very last people out there. It's just not the same as it was. My wife and I moved onto the property, built a house over 25 years ago, and none of the subdivisions were there. So, there is a little history in where the White comes from Faye White. A couple issues. The northwest corner, the reason that it's shaped like that -- those are existing property lines. We carved out that two acres and have mature trees, fruit trees, landscaping, all that and the developer is trying to accommodate keeping that for us and still developing the rest of the property. You know, we supported developing the property. It's time. You know farming there is getting a little more difficult every year. Let's farm some houses and, you know, let people walk. On the safety issue, we have lived there a long time. We -- our living room faces Meridian Road. We watch the people go down Meridian Road. From our perspective the safety issue is not the kids or the bikes going down -- or, actually, bicycles going down Meridian Road, it's a problem, but it's not the kids walking down the road, it's the kids walking across the road. So, I think that is the big safety issue. They seem to walk back and forth. They generally cross over the road, get on the sidewalk on the east side, walk to school -- and that's probably where I see more of the problem. We are adding a -- a pathway currently not connecting to much, but it's going to be a pathway. There is no -- there is no way to get across Meridian Road between Ustick and McMillan safely. So, if you want to put some effort, that's where I would put some effort, so -- and I will stand for any questions.

De Weerd: Thank you, Randy.

Milam: Madam Mayor?

De Weerd: Yes, Mrs. Milam.

Milam: Just listening to your -- your scenario with the kids crossing the street, are they crossing the street so that they could walk on the other side because there is sidewalk on the other side?

Gile: They cross the street to go to the different subdivisions over there. You know, I have seen them going to school and riding their bikes and things on the side. But occasionally one will walk down the side with the berm and they walk in the -- you can't really walk on the side of the road, you kind of get down in the bottom where the gravel is and I have never seen a problem, but --

Milam: My point is, I guess, if there is a sidewalk all the way down on this side, they would be crossing the street to get to school, because they would be able to complete their way down that way and cross at the light.

Gile: I think it's to school, to their neighbors over in other subdivisions. There is lot of issues why they want to cross the street and what I have seen living there for lots years is that there is no good way to get across the street for pedestrians. At the park, Settlers Park, you know, I came and complained to the city that they were letting cars park there and people were running out between the cars. They acted and put up some signs. That was great. But there is nothing to stop those cars between Ustick and McMillan just from barreling through there. You know, a crosswalk someplace in there I think would be appropriate and either at the intersection to this subdivision or where the pathway comes would be my suggestion to ACHD or somebody to put a crosswalk in there.

Milam: Thank you.

Gile: Any questions? Oh. And they farmed for a long time. I would like to see it farmed as long as possible. That's a good use of the land. You know, both the neighbors and the wildlife appreciate it.

De Weerd: Thank you.

Gile: Anything else?

De Weerd: Okay. Is there anyone else who would like to provide testimony on this item? Okay. Kent, any final comment? Okay.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: Well, I would like to -- I don't know if it's necessary to either ask Kent or discuss the whole school issue, the letter that Josh was reading to us and how to take on that.

Brown: Take on this school? My background I spent nine years with overall land development for the city of Boise as a staff person and this came up while I was there and the discussion with the school districts in the valley was that there is a method within the state for them to get that 800 dollars per household or whatever that they are asking for and that's through impact fees and it's not through -- I can't think of a nice word to say for it, so -- that -- that makes it a very difficult thing to do. So, I don't know of anybody else that's paying it, so -- yeah. Does that answer your question?

Milam: Yeah. I was curious if you had --

Brown: I was anticipating it on a -- on a project like this. I haven't seen it on the smaller.

De Weerd: Certainly the state of Idaho does allow an impact fee for homes. The school district has always maintained a practice of before they will go to the public bond for a school, the school has to almost be built and completely filled before they will do that and I do realize in this letter they cite Idaho Code 67-6508, which is -- has nothing to do with entitlements, it has everything to do with Comprehensive Plans and when we develop it and the school district did participate in the development of our Comprehensive Plan and were to identify future school sites. They don't have a school master plan and -- but they did give input and participated in the Comprehensive Plan. That's all we can really ask of them. So, this is a form letter and we all are concerned about the education of kids, but, unfortunately, sometimes it's -- you almost have to have the growth before you can get the school and kind of similar to the roads as well.

Brown: And that last time that this came up and that they took an approach like that they did become a more active part and I -- I helped -- can't remember his -- he's not at Boise State, but the guy that used to do all of their planning for Meridian schools -- and we sat down with the school district and had the maps and this whole north Meridian area said, okay, here is the zoning. This is -- this is the density the city is looking for. How many school sites do you need and so those dots that are on the Comprehensive Plan -- kind of insisted that he put down dots and put something to make that happen and I think that it's helped the Rocky Mountain site and the junior high site that's there. Those -- those didn't come about, they were put on a map and the developer goes to develop in that section you know that there is a school that they are looking for in that area and it helps you plan, so --

De Weerd: And I will say that they are getting together and putting together a master plan, so long overdue.

Chatterton: Madam Mayor, if I could add to this discussion, we are in the process of reaching out to school district staff to get a meeting or a series of

meetings about this very issue. It's an important issue, of course, and if we can get into some alignment, what we would like to do, then, further up the road at the right time or the right circumstances is perhaps have a joint discussion between the two elected bodies as well. Just want to let you know that's in the works right now.

De Weerd: Thank you, Bruce. Okay. Any other questions for the applicant?

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: To be clear, Kent, did -- did I hear you describe the commitment to be that the -- that the park space, as well as the berm and detached sidewalk heading north will be constructed by a date certain?

Brown: Yes.

Borton: Okay. When you say fall of 2017 what -- is that October 15? November 1?

Brown: Before the --

Bird: September 1st.

Borton: You can see why I asked. When you use that word what do you mean?

Brown: I'm thinking the construction season. So, by the time or -- when the plants are shutting down before Thanksgiving type deal.

De Weerd: He thinks construction season, we think school season.

Borton: Hence the question.

Brown: Construction really makes a big difference. Your guys' current policy -- I sat on a committee recently and they had to listen to me whine, because we submit final plats everywhere else and I'm allowed to bring my construction plans as soon as I get them done to the different agencies and turn them in. Meridian, I have to wait for the City Council approval before they will crack the binder on those and open those plans up and -- and so those things cause I think log jams in your process and, then, your staff people are working longer to make those things happen.

De Weerd: Well, you know, I would love to say it hampers growth, but it's been proven that it really hasn't, so -- last month I think we had new 145 building permits. I know that's a little different than a final plat, but it does tie together.

Brown: What it does -- what it does bring is -- you probably have more time extensions on final plats than anybody else, because you have to go spend that money and get those plans approved and knowing that that's a part of your process, that's what takes place. Yeah. It's -- development still takes place. When you have a road bump you learn a way around it and you submit as soon as you can to make those things happen and to meet those time frames we know that we are going to have to submit, you guys are going to see final plats way in advance of those -- those dates, so -- thanks.

De Weerd: Thank you.

Cavener: Madam Mayor?

De Weerd: Mr. Cavener.

Cavener: Kent, I hate that we keep going back to this, but, obviously, I think you can -- you can tell that the issue related to the sidewalk and the berm is something that's important to the Council. You testified earlier you felt confident that the bulk of the dirt you would be able to -- I guess gain during phase two, which would commence in the spring.

Brown: Right.

Cavener: And so I guess what we are saying is -- is there an issue -- recognizing that you're getting the bulk of that -- that you're going to need in the spring, is there anything stopping you to a date certain when -- when school begins in the fall? I mean I respect the construction schedule, but I also respect the safety schedule. You said you're committed to safety as well?

Brown: Yes.

Cavener: I think -- that that might be a happy compromise that's right for the kids and right for your construction time as well. All right. Thank you.

Brown: I appreciate you asking. I just had to ask.

Cavener: Fair enough.

Brown: Thank you.

De Weerd: Thank you.

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: Madam Mayor, with regards to the sidewalks, I think it becomes really easy for us as government to spend other people's money and say why don't you just go find the dirt and bring it in. Whereas if we let the private sector do their thing, we know that there is going to be sidewalks there by the end of next year or we can deny them and say figure it out now and maybe he won't do it and we might not have sidewalk there for several years. That's all.

De Weerd: Thank you. Anything further from Council? Questions for staff or the applicant or the landowner?

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: One quick question, whether staff had any comment with regards to the request for pulling two building permits prior to final plat.

Beach: No, that's something that's up to the Council. I know routinely we have allowed building permits based on the number of lots and since they are removing two of those homes, that's something that can be approved by Council. So, staff doesn't really have a -- a say in the matter, but it's been done in the past.

Borton: Okay. Thanks.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: Josh, so the -- the home that's staying is on two acres?

Beach: Correct.

Milam: Correct? And the other two lots that the homes are being removed, are those oversize as well or are they just normal lots?

Beach: So, those -- those lots would just be normal lots. Yeah. If you see up in the northwest corner, we have tentatively laid out future lots on that two acre parcel that the Gile family owns, they are not going to necessarily develop those right now. I think that in the future they may do that, but we wanted to see and set something aside, so if that did develop, how it could. So, that's the only lot that's abnormally sized is the one in the northwest corner.

Milam: Madam Mayor, follow up? I -- just out of curiosity, I always like to know when you have something like that. I know in the scheme of things it isn't all that large, but how does that affect the density if you remove that?

Beach: Well, the density would -- would go down, because that would remove, essentially, I think five lots from that configuration, so --

Milam: Okay. Thank you.

De Weerd: Okay. Anything further? If not, do I have a motion to close the public hearing?

Bird: Madam Mayor? I move we close the public hearing on H-2016-0019.

Borton: Second.

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

MOTION CARRIED: ALL AYES.

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: For discussion and hearing staff and applicant's comment and reviewing the changes and discussion that came from Planning and Zoning, it appears, all things considered, to be appropriate to include the following provisions. One, permitting the applicant to pull two building permits prior to recording the final plat for the applicant to utilize the phasing plan as presented tonight to incorporate that phasing plan into the development agreement to include dates certain as suggested by the applicant. In particular to require that the park open space and its associated amenities and the berm and detached sidewalk that heads to the north as depicted in phase three to occur in phase three or no later than November 1st, 2017, and that an appropriate record has been made for the White Drain to remain open as requested by the applicant and submitted in the application. There may be other items, but that's my list of particular conditions that were discussed that seemed to be appropriate for an approval of this project. Don't know if there is more. Madam Mayor, I will find out if there is more. I will make a motion to approve -- approve Item H-2016-0019 to include staff and applicant comment and to include all of those conditions that I listed just moments ago, to be incorporated into the approval in the development agreement.

Palmer: Second.

De Weerd: I have a motion and a second to approve Item 9-E as stated. Any discussion?

Cavener: Madam Mayor?

De Weerd: Mr. Cavener.

Cavener: Perhaps a substitute motion. Agreeance with everything Councilman Borton said. I just would prefer that we do a date certain to correlate with the first day of school in the fall. That would be my motion is to have the applicant and his representative agree to and that would be my motion.

De Weerd: Okay. So, I have a substitute motion. Do I have a --

Milam: Second.

De Weerd: And a second. Any discussion to the substitute motion?

Borton: Madam Mayor, I --

De Weerd: Mr. Borton.

Borton: -- I didn't know -- or didn't hear -- or at least notate that the applicant was in agreement to the earlier date as well.

Cavener: They were.

Borton: Oh. Okay.

De Weerd: Okay. Any further discussion?

Borton: If that's what the record reflects, then, no other questions.

De Weerd: 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.

**F. Public Hearing for Third Street Square Subdivision (H-2016-0031) by Trenton Seltzer Located East of N. Main Street Between Franklin Road and Pine Avenue**

**1. Request: Preliminary Plat Approval Consisting of Seven (7) Building Lots and One (1) Common Lot on 1.737 Acres of Land in an O-T Zoning District**

De Weerd: Item 9-F is a public hearing on H-2016-0031. I will open the public hearing with staff comments.

Beach: Madam Mayor, Members of the Council. This is an application for a preliminary plat. This particular site consists of 1.737 acres of land, which is zoned OT, Old Town, located on the east side of Northeast 3rd Street, north of Franklin -- north of Franklin Road. A little history on this particular parcel. In 2015 the subject property was granted certificate of zoning compliance and design review approval for the 3rd Street Square Apartments to be -- to construct seven buildings with a total of 28 units. In the Old Town apartment are a permitted use and so they went through the administrative approval process and received that approval. The Comprehensive Plan future land use map designation for this property is Old Town. The applicant has applied for a -- as I said, a preliminary plat that consists of seven -- seven building lots and one common lot on 1.737 acres of land. The property has received approval, as I said, to develop a 28 unit multi-family development and that was approved in 2015. Access to this site is proposed via an existing access from Northeast 3rd Street. Cross-access agreements are required to be in place to the surrounding parcels. Prior to certificate of occupation of the first structure on the site. With the final application, the applicant shall provide the recorded copy of the cross-access agreement or add a note on the face of the plat that designates Lot 1, Block 1, with a blanket cross-access shared parking area for the proposed development and to the adjacent parcels noted above. As part of the certificate of zoning compliance application, the applicant has been approved to install a five foot sidewalk along the north side of the drive aisle. A five foot wide detached sidewalk is required to be installed along Northeast 3rd Street. The amenities for the proposed development will consist of a clubhouse, a community garden, and a children's play structure and these amenities all met the requirements of the UDC and the specific use standards for apartments. Commission did recommend approval. Staff did not receive any additional testimony prior to -- or since the Commission hearing. Penelope Riley was in favor of the application as the applicant's representative. Did receive comments and opposition from Al Fleming and Patricia Yost. As I said, we did not receive written testimony. I was the presenting staff member. Bill Parsons commented. Key issues of public testimony were concerns about limited access to the -- apartment development from vehicular and pedestrian access. Concerns about continued supply of irrigation water to the surrounding properties. Pedestrian safety entering the apartment complex. Splitting of the lots into individual parcels and concern that the maintenance of the buildings will be kind of scattered or mismanaged. The maintenance to -- the requirement to provide cross-access to the surrounding parcels for future connectivity. Concern about adequate parking for the apartments and key issues of discussion by the Commission were the

HOA for the apartments should maintain the irrigation facility, insuring that the color scheme for the apartments are consistent with the surrounding neighborhood and Commission changes to staff recommendation are adding condition 1.1.6, which requires the HOA to maintain the irrigation facility for the surrounding neighborhood. My understanding is that the irrigation facility there on site feeds the surrounding properties and the applicant can cover that a little bit more. With that Commission did recommend approval with conditions and I will stand for any questions you have.

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

Bird: I have none.

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

Riley: Thank you. Penelope Riley, Riley Planning Services. Post Office Box 405, Boise, Idaho. 83701. Thank you for your time this evening and kudos on the way that the City of Meridian fosters its community. It's very impressive. There are a number of items that Josh just went over with regard to the discussion at the Planning and Zoning meeting. I didn't -- it -- unfortunately I didn't get the staff report until late today, so I didn't have an opportunity to discuss the additional condition 1.1.6 with him, so I will just leave that laying out there right now. I would like to acknowledge Josh's gracious professionalism. He's always a pleasure to work with. Other than the condition of 1.1.6 we concur with the conditions of approval and I'd like to address the list that's on the first page of the staff report. The limited access, pedestrian safety, and cross-access. The access to the site is limited, but ACHD determined that it was sufficient. The cross-access agreement will be provided as required by the city and we designed the driveway and pedestrian facilities as directed by ACHD. With regard to the irrigation water delivery, this is a part of the certificate of zoning compliance approval, but under the supervision of Nampa-Meridian Irrigation District the PI system was designed and approved with the CZC. There was a weir issue. It was too high and the water was not able to get passed it. On the day of our Planning and Zoning Commission meeting that issue was resolved by dropping the height of the weir down. So, I talked to the construction manager this afternoon, as well as the developer. My understanding is that the water is moving as appropriate for the neighbors. With regard to parking, the site design exceeds parking spaces -- or exceeds the City of Meridian's standards for parking spaces. So, we are pretty confident that we have got that covered. The HOA -- that's going to be over the entire development. The preliminary plat could conceivably create a situation where you had multiple owners of different structures within the development. But all of them will be members of the property owners association. We are not going to put in more than one meter for irrigation water, so that that's managed by the property owners association and there isn't any opportunity for water to be turned off at one or more of the units,

creating an inconsistent development. Let's see. Exterior maintenance of the buildings and the grounds will also be a part of the property owner's association. The color scheme for the development was approved with the CZC and we selected what we hope were colors that would blend with the neighborhood, but still be somewhat distinctive and not too boring. Again, those colors have been approved by staff. Fencing came up just a couple of days ago. The fence that runs along the north side of our access driveway for the property owner on the north side, it actually encroaches on -- on property and the developer offered to put in a brand new vinyl fence for three-fourths of her property boundary, but she wanted to keep the wood fence. Two sections of the wood fence fell down recently and the developer went in and put it back up. So, at some point in time, based on our certificate of zoning compliance, we will have to put in vinyl fence. But my understanding is that we are going to hold off on doing that until it has to be done, so that the neighbor can keep her wood fence for as long as possible. With regard 1.1.6, I'm not an attorney, but my understanding is Idaho Law requires that you deliver irrigation water to downstream users and that you can't impede that water. So, the irrigation system was designed by an engineer in conjunction with the Nampa-Meridian Irrigation District. So, I'm pretty confident it was done right. Meters were installed for all the adjacent neighbors. The way the condition reads, it might not read as it was intended. It appears that it's requiring the developer to go onto these individual properties and maintain an irrigation system and I think maybe that might be a problem. So, maybe we could strike the condition or modify it just to indicate again that the developer and the HOA of this property is required by law and by Meridian standards to deliver irrigation water to the property boundaries of the adjacent properties, which we are doing. I'm not sure what else to say about that. I just -- I don't know that the developer can force the neighbors to let them onto their property and maintain their irrigation system. So, I think maybe it was just a -- the intention was to make sure that the water is delivered as -- as it should be and that that's the -- what they are supposed to be doing with that condition. It's just confusing. With that I would stand for any questions that you have.

De Weerd: Council, any questions for the applicant at this time?

Bird: I have none.

De Weerd: Okay.

Riley: Thank you.

De Weerd: Thank you. I did have some individuals sign up. When I call your name if you would like to provide testimony at that time I would invite you forward. Hal and Shelly Fleming signed up as neutral.

Fleming: Good evening.

De Weerd: Good evening. Thank you for joining us.

Fleming: My name is Al Fleming and I am also representing my wife Shelly here tonight.

De Weerd: Thank you. And, Al, what is your address?

Fleming: I was just going to give you that.

De Weerd: Thank you.

Fleming: 310 East 3rd Street here in Meridian. Right around the corner. And I am a direct property -- our property borders directly on this property. The only -- like Penelope had just mentioned, many of the issues -- and the Planning Department mentioned earlier, many of the issues that we raised last month at the meeting had been reconciled and had been reviewed and I thank them for doing that. The primary issue, though -- and will be very brief all right, which I had raised and which has been to some degree addressed here tonight -- is specifically what's called a maintenance and ownership responsibility. It's essentially the covenant and that's -- that's our ordinance, 16-1672. All right. And what it does is it -- it states that there will be a legal document which represents all the maintenance and continuity between the buildings in what is identified as a multi-family development and our concern, as adjoining property owners -- and there are several of us -- has primarily been focused on the issue of irrigation and although the developer has been -- has actually implemented -- because we previously all received our water directly from what's called the Hunter Lateral and by them putting in and having approval now on this development, it required that all of the distribution ducts and channels and pipes all be torn out, but -- so that raised the question, well, how will the adjoining property owners, who have irrigation, how are we going to get our water? So, the proposal was presented to the Planning Department that the developer or the applicant would provide a pressurized irrigation system and would deliver that water to the border of our property and they had done that and all of us today have connected now to that water system and we do have irrigation. The concern that I raised and how it relates to this document, which is essentially a covenant, okay, because now they are talking about subdividing it and having multiple owners, you know, which would have different ownership for different buildings now on the property. The question is how do we, the adjoining property owners, insure that the maintenance of this system, this pressurized system, will be properly supported and, therefore, my request at the last meeting was that that be specifically stipulated in this document, which is identified as ordinance 16-1672 and that we would adequately be represented and once that document became available for review by the planning department a copy of that would be made available to us for our review, approval and comments to insure that our legal interests were being represented within that document as an into perpetuity covenant to protect us adjoining property owners.

De Weerd: Thank you, Al.

Fleming: Much of that has been addressed.

De Weerd: Your time is -- thank you.

Fleming: But -- so, I'm here only to request one thing and that is when this document is available that we the adjoining property owners will have access to it. So, thank you very much for your time.

De Weerd: Thank you. I think it's Valerie Steinbach. Valerie Steinbach signed up as neutral. Please come forward and state your name and address.

Yost: I'm Patti Yost. 330 3rd Street. I sit to the north side of this property that borders two-thirds of my property. Yeah. So, my concern is the comment about the fence, mainly because the assumption was that I -- because it's an all wooden fence that I would just remove it. So, in the process of them grading they -- my sprinkler system was ripped out and my fence has been compromised and has fallen down. It wasn't before. I have pictures to show that. Also the back part of my fence, all of the equipment is laying on the back part of that fence. I'm not sure why that is the situation. I spoke to Robert, who is a representative of this and from my understanding is what we have come to the conclusion of is that I'd still keep my fence, mainly the reason I wanted to do that is because my -- it is on the property line. From the very beginning they have been wanting me to give portions of my property, because it would look nicer for that narrow road going through for about a year and a half I have been this -- I would almost think of it as bullying intimidation to try and give my property and I have just really put my -- I didn't -- I have four kids, this is my land, I don't plan on giving it to anybody. So, I met with the Planning and Zoning just this week and three of the gentlemen -- or was it two men and a woman -- said that as long as I'm on that property line I already exist on that property line, I get to stay there, that they don't really want a gap, because, then, you have to be concerned on who takes care of what the -- the land as part of that gap. At some point, whether I keep that or not, if I can afford it at some point to put a third fence down, because that was something that we had discussed that I don't really want two-thirds of your vinyl fence. If you're going to do that, then, why don't we just put three-thirds, so I'm -- and they didn't think that was a great idea, so I would like to just keep my old wood fence. So, as far as that goes -- and the only other major concern -- really major to me is children. This road is a ten foot road, very narrow as far as I'm concerned. It's a very small path. We have a five foot walking path and the three foot of flowers and I'm concerned for the family units, where the children -- I asked the last meeting where would they ride their bikes and it would be in the road. I would -- I mean I would like it to look pretty, too, but if three foot of flowers as compared to maybe a bike path for kids and people to be able to get in and out of -- I don't know whether that's a suggestion or

something that could be even brought up at this point in time, but I am very concerned for the children. In this situation, so --

De Weerd: Thank you.

Yost: Okay. Thank you.

De Weerd: Council, any questions?

Milam: Madam Mayor? Yes, I have a question.

Yost: Oh, sure.

Milam: So, just to clarify what you just said about the fence, they offered to replace your fence with vinyl and --

Yost: Two-thirds of it.

Milam: Two-thirds of it. If they were going to do that --

Yost: I'm sorry. I'm interrupting you. I'm sorry.

Milam: If they were going to do it exactly where your fence is, you still don't want or you don't want it because you don't want them to move the fence?

Yost: Well, there is portions of my fence that aren't on that property. When I had my -- when I bought my home I said, sure, but I want a fence around it, so when they built that -- whoever put the fence up put some inside the property line and some on the outside of that property line. So, I'm more than -- if I'm on the outside of that property line I have no problem with moving the portions. I only ask that I be present when they do it. I run a business out of my home and I'm like maybe my clients don't have to be able to see -- it's bad enough the traffic that's going to be going on that road, so -- I don't know if that answers your question. My thing is that -- like what I was told if you already occupy that property line that I want to keep that. I don't have to be forced to move out of it. Right?

Milam: That I don't know. I just couldn't understand why you would pass up a free fence. If somebody wanted to give me a free fence I probably take it.

Yost: Yeah. Well, I think a lot of it is also a trust issue and this has been going on for a year and a half and, like I said, the majority of it -- the last time they went to explain that to me, how that would work, they sent one of the guys -- one of the workers and he was telling me that they wanted a foot of my fence -- on my, fence -- a foot of my property, because they have to put a concrete post in there and I'm like -- I keep saying I'm not giving you my property. So, I guess probably

it's a security feeling for me. If at some point I can finish off, I get 1,500 dollars to put the other side of that fence, you know, then, sure, it would look nice to have a full fence. Two-thirds of one just doesn't -- I would have an old wooden fence or have that option.

De Weerd: Patti, why is it two-thirds of a fence?

Yost: Because that's what borders is two-thirds of --

De Weerd: Oh. Okay.

Yost: They have to put the fence up anyway, so it makes -- it sounds like they are doing everything for me, but they have to put that at -- same with the irrigation, when they brought that to the property, they brought the pressurized, which is awesome, but I didn't have access to be able to pull that water out before I could put a pump in the front of my house and flood irrigate. I didn't have access to it, but if it wasn't for my neighbor Al, who came over and just really blessed me with that, I wouldn't -- and told him, I said could I -- you know, I had water before, could I, please, have water again -- no. You know. Put my fence up. Right now we have two-by-fours holding my fence up right now. It was standing before, it's not standing now. It's two-by-fours pretty far out. I can't even get to that border that -- I have been on hold for quite a long time with this whole process and all their equipment is just pushed towards the back of my property. There is two acres. I don't know why it's pushed there either. I have pictures of where it's pushed against my fence. It's like -- I think it's just like -- I don't mean it maliciously, I think they just went on the assumption I would just remove it, so what does it matter anyway. I don't understand, to tell you the truth. I feel -- I just felt very intimidated and very bullied through this situation.

Cavener: Madam Mayor?

De Weerd: Mr. Cavener.

Cavener: You said you have -- you have photos? Do you have those with you you could share with the clerk?

Yost: Yes. And there is another thing is -- so, when the city put my sewage line they put in a cleanout, which is right there on the fence line. I'm under the understanding that I may be an inch away, that cleanout, from where they are going to put the fence and I spoke to Robert and he said if they have to veer around it they will. They are not going to ruin my cleanout because of that. Who do I show these to?

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: Could I -- are we just going to wait for those pictures or -- are we still doing her testimony? I had a question for the fire department --

De Weerd: Okay.

Milam: -- regarding the narrow road that she mentioned. Well, a ten foot road and is it accessible with your big rigs.

Niemeyer: Councilman Milam, I'm not completely familiar with this property, but I do know that Chief Palmer -- Deputy Chief Palmer has been involved and in the hearing on this and he didn't raise any concern to me prior to tonight's meeting. So, I do assume it's met all the codes.

Milam: Thanks.

De Weerd: Well, while we wait on that, I do have a couple of other people signed up and we will bring Patti back up after we get the pictures, but Billie Bole signed up as neutral. Billie, did you want to provide testimony? You bet. Valerie, come on up. Once it's after 9:00 o'clock we get very flexible. Thank you, Valerie.

Steinbach: Hi.

De Weerd: If you will, please, state your name and address for the record.

Steinbach: Valerie Steinbach. 319 East Third Street, Meridian, Idaho.

De Weerd: Thank you.

Steinbach: I am literally right across their road coming out of the apartment complex. I mean I'm literally their road going out, my house is right there. I get to see everything. I have got a couple here. Everybody is talking about this water thing. Do I get -- I have irrigation. Irrigation water. I pay it every year. So, I get irrigation water if I want it still. Great. Fantastic.

De Weerd: If you get it, you will continue to get it.

Steinbach: Okay. Because we are making our -- we are moving. It will be a rental, so I don't know what my renters are going to want to do. They may not want to pay for the sprinklers. It's up to them. Also, I have got a dust question here and this is why -- I know a couple of you people anyway from the alleys getting paved. I have watched since they started working out there, dust -- and I have been told that they are going to have water trucks -- I think I saw one water truck maybe there twice. Certainly wasn't doing a lot. I'd like to be real clear on -- are they going to have water trucks there from -- when they actually start working -- they have just been putting piping in the sewer system. When they

start trenching and all this stuff, digging, are they going to have water trucks there? From the time those people get there in the morning to when before they would leave, as long as they are kicking this dust up -- what's their plan for this? I mean we are in Old Town, I realize, but you got all these existing homes here, a lot of people have kids, there is elderly people here and I'm hearing a lot from people about the dust, especially this last year. So, I'd like to know what plans are in the works for that.

De Weerd: Okay. We will have the applicant address it, but also on your way back to your seat --

Steinbach: Uh-huh.

De Weerd: -- you will walk by this gentleman in the front row, he is -- oversees our code enforcement.

Steinbach: Oh.

De Weerd: So, I'm sure he would share his number with you or a number you can call.

Steinbach: That would be great. That would be -- I have got his number, so --

De Weerd: Oh, you have got his number.

Steinbach: It's very hard to get a hold of him, though.

De Weerd: Okay.

Steinbach: Okay. That's pretty much it for me. I can't think of anything else. A lot of things were addressed, so --

De Weerd: Okay. Well, thank you, Valerie.

Steinbach: Thank you.

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: While we are waiting, if I can ask Mr. Nary to comment briefly on the 1.1.6 and how we can reconcile that.

Nary: Madam Mayor, Members of the Council, Council Member Borton, I understand where maybe the applicant has a little bit of confusion and we could probably tweak the language. It appears to me what the intent from the -- from

Planning or Planning and Zoning Commission was to assure, since there may be multiple owners, that there is an overall managing -- overall management company for the HOA and that the HOA rules or CC&Rs require that the maintenance of the irrigation system be maintained on their property to be able to deliver it to the other properties and I can see the language might be a little fuzzy and it does sound like it's implying or supposed to work on other people's property and clearly that's not what we would require. So, we can probably do some tweaking to that language in discussion with the applicant to make sure it's just the management responsibility for this parcel will -- will maintain that and the applicant is correct, the law requires it, but I think they just wanted some clarity, since she may have multiple building owners and we can certainly tweak that a little bit to make that clearer. To not impede or to benefit or something like that. Did that answer your question?

Borton: It does. Thank you.

De Weerd: See, technology is not all what it's cut up to be; right? Paper copies would be much faster.

Beach: Madam Mayor, possibly some narrative from Patti would be good as to what these pictures are.

De Weerd: If we can have you come up. We need to get you on the record. You can see it from this way, too.

Yost: Oh. Okay.

De Weerd: There you go.

Yost: Okay. So, that's the clean out. I'm concerned about that. I did speak with Robert and he said that if they had to they would veer around that. This -- I'm not sure what that one was about. Oh, I think that's where the property marker would have -- seeing where the -- how much is in or out of. This is just their equipment that's laying on the back of the fence. That's the irrigation -- I mean the sprinkler system that was -- and it wasn't like a -- it wasn't operating, you know, I was using a hose -- I think I had just been like pretty much whatever -- whoever, just want to get this done and over with as quickly as I can, but it's -- I don't know. They don't want to replace that.

De Weerd: Now, Patti, on the sprinkler system, what -- they dug that up when they --

Yost: Yeah, they dug that up and I guess, basically, what I want to show with that is that they did that and, well, my fence is there also. So, my fence is completely fallen down. I do have pictures of that, too. Because I have two-by-fours holding it up until they decide what they are going to do when they put that

fence up. I haven't got a validation on whether they will, then, fix my fence. Basically they told me that they won't charge me for removing the sections that are overlapping on theirs. It's not -- it's not been -- I don't know.

De Weerd: But you would accept a vinyl fence on two-thirds of your property?

Yost: On three-thirds. Because two-thirds -- it's going to be there anyway. So, two-thirds fence is not whether I accept it or not, because they are going to put -- they have to put it up for their property line. I mean they have fence that they are going to put around the whole property. Mine just happens to border two-thirds of it and they just -- I really feel like it's a lot, because that road is so narrow and they know that they have to keep every inch of what they have got in order for this to pass. Another concern that on both sides on the north and south of where this is going to happen that those properties, if they were to sell, there would be a -- what did you call it, Josh? It's a -- it wasn't that they will be allowed -- those properties, then, will also have access to that one narrow road going in and out of there. Like if those properties sold and there was industrial whatever put through there, that that will become like a road for not just his complex -- so, it's on the north and south of that. If those two people decide to sell theirs, they would also be using that road. It wasn't a contingency, but it was a what?

De Weerd: Okay. We will -- an easement. We will ask about that, too.

Yost: And just my feeling is in the future that could end up being -- that little narrow road would end up being a pretty road. Right now as it sits the fire department, when there is an emergency that comes through, they have to take 3rd Street. They can't -- I don't know why they don't -- fit onto Main and Meridian or -- because of the one way. 3rd Street is a -- is the number one that all emergency vehicles use. It's the number one trucking -- or trucking street. The traffic is -- and every since we did that sewage line, the road had like a headlight -- and so cars go like this. I have been hit. My neighbor's car has been hit. There is just -- that road is just in back shape. It would be nice if there was at least a line, so you know what side of the street to go on. The railroad kind of helps a little bit, because it slows them down, but it gets pretty crazy on that road and we are adding more traffic to it and potentially even more.

De Weerd: Okay. Council, any other questions?

Bird: I have none.

Little Roberts: Madam Mayor?

De Weerd: Yes, Mrs. Little Roberts.

Little Roberts: Patti, you mentioned that you were watering with a hose, but that you didn't have -- do you have water to your property or did that go away when the pipe --

Yost: It went away. Yeah. We can't -- well, they -- they wanted to put the pressurized in, then, the access to the front of our roads where we used to be able to put in it and the water went away. But I do have it now thanks to my neighbor. He came over with faucets and hoses and everything and he set me up. I asked if these fit the developers to do that. No. The back fence fixed? No. At that time my sprinkler put back? No. The best I can get is they are not going to charge me for moving my fence that overlap there.

Little Roberts: And Madam Mayor -- Bill, didn't I just -- didn't we just discuss that it was a requirement to -- if the water was no longer available that it was required to be returned?

Nary: Madam Mayor, Members of the Council, Council Member Little Roberts, yes, it is a requirement that the water delivery be maintained. It doesn't necessarily mean -- I mean that's a civil issue between this property owner and the other property owner, the developer, over the broken fence or the broken irrigation system. This is just a plat that's in front of you, so those issues are really for them to work out, but, yeah, the law requires delivery of the water, but the method and how it's maintained or used on the property, that's between the property owners.

Yost: They deliver, but they don't have to give you access to it, even though you had access before? Because my other neighbors spent about 500 bucks on their system.

Nary: The traditional access that was preexisting needs to remain. If it isn't, that's an issue between the property owner and the developer, because, again, it's -- we are only talking about a plat here and that's it.

De Weerd: Okay.

Yost: Thank you.

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: Madam Mayor, I was just wondering if we figured out what the width of that road was. Anybody know?

De Weerd: We will ask the applicant.

Palmer: Okay.

De Weerd: Okay.

Yost: I believe it's 28, making ten for each and, then, five and, then, three, so --

De Weerd: Okay. Thank you.

Yost: Thank you.

De Weerd: Okay. If there is no further testimony I would ask the applicant to come and respond and give us wrap up remarks.

Riley: Do you need me to reintroduce myself?

De Weerd: Yes, please.

Riley: Penelope Riley. Riley Planning Services. Post Office Box 405, Boise, Idaho. 83701.

De Weerd: Thank you.

Riley: I have in my files an early version of the site plan and the -- the strip of land that connects to 3rd Street is 30 feet. The roadway -- that's excluding the sidewalk and the landscape strip -- is 24 feet and 27 inches. So -- oh, no. That's the -- it's a 24 foot wide roadway. It has to be. I mean we worked with ACHD on the design of it. In the corners we are putting in ramps and ACHD specifies the radiuses that were required where you -- where you turn out onto the public street. So, all this was designed for direction from the highway district and the access drive is not ten feet wide, it's -- that would only allow one vehicle to travel. So, I will cover the rest of these. I appreciate that the attorney mentioned that we are just before you this evening for a preliminary plat and I have not been involved in the construction part of the development, although I did do the certificate of zoning compliance application and item number two and number three of our site conditions of approval specify that we will submit a recorded copy of our CC&Rs, but say who is responsible for the ownership and maintenance of the development, including, but not limited to structures, parking, common areas, and other development features per your Unified Development Code prior to issuance of a first certificate of occupancy. The second one or item number three, it says prior to receiving a certificate of occupancy for any building, the applicant shall record a cross-access easement to the northern parcel and the southern parcel adjacent to our site. So, I'm aware that the parking lot dead ends to the north and south is where that cross-access would be. So, they mention ownership of the PI system will be housed within the HOA and, again, we only put one meter in intentionally, so that each -- if each of those buildings was owned by a separate owner they still can't -- they can't decline to pay their

irrigation bill, because it's part of the HOA. So, there will always be irrigation water delivered to all green areas and landscaped areas in the development and that was the point of just doing one meter. So, the CC&Rs will be delivered to the city of Boise -- or, excuse me, the City of Meridian just before we pull our first occupancy permit. I'm not sure about -- it will be a recorded document, so it will be a public record and I would be happy to deliver an extra copy if that's what City Council would like, to the Planning Department, so that Josh can, then, give them a copy of the CC&Rs. I will take your direction, however you want me to do that sign. So, the fact that you -- I assume that the equipment is -- and it doesn't look like equipment, it looks like maybe some tools are being stored in the northwest corner of the site, because that's slated to become an open area. So, it's the only place where we are not going to have some kind of construction going in. So, it's a natural location for storing materials. I can't answer about the fence. I'm not involved in the construction. It does sound like a code enforcement question. I know that Robert Cententilo, who is the developer's representative, has been very vigilant about contracting the neighbors. I don't anticipate that he will change that. So, I would be happy -- I wish I could just tell you that the fence, poof, is going to go back up and whatnot. I can't do that. I don't even have any authority to make those promises. So, the roadway is not too narrow. It will have two adequate travel lanes and a five foot wide sidewalk. I don't know about the fence location. That's a surveyor question. The site was surveyed as a part of the record of survey for a property boundary adjustment that we did in the City of Meridian prior to the certificate of zoning compliance. So, at some point in time it was staked. The driveway access should be adequate for the fire department and I'm not sure whether or not we are putting in a new fire hydrant, but if the fire department indicated the fire hydrants are too far away, there will be a new one put in. Let's see. The dust question. I have talked to the applicant about water trucks, so the neighbors now have code enforcement's number and I encourage them to use it if it's necessary. With regard to the photographs of the fence and the irrigation for the parcel that's adjacent to the site at the northwest side, again, I can't really address those. I haven't been on the site to see that area and I don't know what to tell you about that. I'm sure that Robert is interested in working with the neighbors and flood irrigating has been the common strategy for a long time. It does out live it's usefulness at some point in time when the water delivery changes, so it's unfortunate that they are having some trouble with their irrigation. I'm not in a position to help. I'm sorry. I'm just here for the plat, but I will do whatever I can. I would be happy to answer any questions. Did I leave anything out?

De Weerd: Mr. Nary -- so, in terms -- of what can happen during a preliminary plat discussion, there are some questions that remain that the applicant can't really respond to in terms of where the fence goes and some of the irrigation questions, but I mean isn't there something that this Council -- the only way they can help neighbors that are impacted by development is to delay, so we can get information that can help assist the neighbors answer their concerns. Is that -- is that reasonable as part of a plat application?

Nary: Well, Madam Mayor, Members of the Council, I mean certainly if you're uncomfortable with the plat and the way this is in relation to the adjoining properties and how it's going to develop --

De Weerd: And who it impacts.

Nary: And how it impacts them, you know, normally -- and I think Josh stated that the -- the property zoning and all that was decided a long time ago. So, this is an allowed use on the property, but how it's now being developed and -- because there is no requirement for a CUP or anything else, this may be your only opportunity to at least answer those questions to get some clarity about the -- I mean the code is pretty straight forward and they are required to put the fence along the property line. Again, it may be a civil issue between this property owner and the adjacent property owners as to what that line is. They may have a difference of opinion and that may be an issue they need to resolve. But you certainly can set it over if you want some of those questions answered on the delivery and the adjoining property and those kind of impacts in relation to the plat, not in relation to the use. That's really the -- maybe the key difference here. Normally the Council is making a decision in relation to the use and impact to neighbors. Here it really is only the plat. But they have various questions that are at least legitimately unsure or maybe unsure to some of you that you may want a few more answers in relation to those couple of issues before you agree to this particular plat design. Again, planning may have a difference as well, because they deal with it a little more directly, but you certainly have the ability to set it over to get those questions answered if you would like, but it really still has to tie itself back to the plat.

De Weerd: Thank you for kind of answering a question that I had a hard time framing.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Before discussion, I took it from the neighbors that the applicant had got the irrigation water to their property lines and I take it that the one property line wasn't -- the sprinkler system wasn't working as then and I think by state law that you -- you can't interfere with irrigation water, you have got to make sure that it gets delivered to them. The property line I think Mr. Nary pretty well stated that, if the -- if his surveyors made -- of either property made a mistake, they could -- we could have a problem, but that isn't for us to solve, we are not a civil court. We are doing a preliminary plat and while I would hope that whoever the builders are would -- developer would be down there and make sure that the neighbors were happy and -- and they would do it in a proper, first class way, like making sure dust abatement is taken care of and being -- being a good neighbor,

keeping your site clean and stuff, because I can guarantee there has been -- there is construction jobs on a smaller site that have been -- that have went very well with the neighbors around by keeping it clean and stuff, but that's something that I don't know how we can legislate that, what they have come in for tonight is a preliminary plat and while I feel that -- that developer and the applicant hasn't been a real good neighbor, hopefully they will be, but as far as I can see everything that we require with a preliminary plat has been -- has been brought to us, so I don't -- I don't see any reason to extend it.

De Weerd: You will need to come up here. You can't talk all the way up. You have to come up, state your name --

Yost: Patti Yost. I'm not understanding. So my understanding is there that there is the 30 feet on the road, that five of that will engage the sidewalk and the three will be the flowers and, then, 20 would be the 28 feet and I was thinking she said and maybe I didn't hear something right. So, if she has 24 of the road, because, then, there would be five that would be 29, 31, so does it go over the 30 feet? Is that -- my math may be wrong in that? That's the first time we have heard the 24 feet as far as the road will be. We heard ten and ten.

De Weerd: Okay. We will ask staff to verify that.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: So, my only thought on doing -- on continuing it was that if the applicant was here he might have an opportunity to do his neighbor right who sounds like has been -- according to her owing nothing other than -- and, yeah, leaving the tools on there, breaking her sprinklers, that's -- I realize that's -- those may be civil things to some extent, but we shouldn't allow developers to behave that way and given them the things that they need if -- you know, I think if he was here he would -- he would at least address those and maybe fix them, so --

De Weerd: We can't do this --

Yost: Okay.

De Weerd: So, Council, I guess in the past our Councils have used a week to get information for neighbors that -- yeah. And it doesn't necessarily -- it shouldn't work that way. But I -- I know sometimes that it's the only way to bring two parties together and if you have lived next to new construction you can say that as a neighbor you feel helpless in having any of this in force and as good as code enforcement is, sometimes they don't have the tools to help answer these. So it does give a pause to have the owner, developer, look into it, because oftentimes they don't know what's going on. I had storage behind my property

line and it was a 200 acre development and they just happened to dump all their reused asphalt right against my back property line and, yeah, there is a sense of a bully behavior for that and I just think that we do need to encourage good neighbors and oftentimes our citizens, who exist today, need help having a voice. It's one week.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: Well, we didn't let her come up. I think she was saying we are in agreement. So, if we could hear from her one more time before we make a decision like that to put this off. I think that would be helpful. Maybe come back up one more time.

De Weerd: Don't talk until you get there. So, Patti Yost.

Yost: Patti Yost. 330 3rd. I have spoke to Robert since I -- he was in L.A., so it's -- it's been a difficult situation for him as well. It's the -- Rod, I think he might be the contractor -- is the -- the situation. It's a bully situation. So, what he relays to me and what he relays to him and what he relays around, I'm not sure how that whole thing works. But I have spoke to Robert. We have been under -- we came to a common mind through a phased process that we both share, but my questions still were not -- like I still would like that address -- like take the equipment off my fence. Put my fence back. But it's not been agreed upon. So, we could also about the dust and the next thing I know that he would and she gave me his word and the next think I know there was a truck out there. I do trust this man, I just think it's difficult for, because where he is at and where this is. But I wouldn't say that my -- I feel in limbo. Until that sense is up I won't know what's going on. I haven't known for a year and a half, so -- questions?

De Weerd: No, I don't think there is any questions, but thank you.

Yost: But I want to thank you. I appreciate just the idea that confirmation that it is -- these things do come up and that you can be intimidated. I am also the only single woman -- I don't know if that has something to do with it, where the intimidation comes from, because I don't feel that others in the neighborhood they will -- these people have lived in our -- I have lived here 15 years. Some of them have lived there 20, 30, 40 years. It's been a real -- it's brought us together as a neighborhood as neighbors, which is the good that comes from it, but it's been difficult.

De Weerd: Well, it looks like you have good neighbors.

Yost: We do. We do. We really do.

De Weerd: Okay. Thank you, Patti.

Riley: Mayor, Council Members. Penelope Riley. Post Office Box 405, Boise, Idaho. 83701. With Josh's help the road -- the actual paved surface is between 18 and 18 and a half feet wide. The travel area. So, there is going to be about like nine foot length I think.

Bird: What happened to 24?

Riley: Oh. I apologize. I was looking at the call out. I'm afraid it's a surveyor notation, not the -- I'm glad she brought it up. Then it's 30 feet. We lose five for sidewalk and we have three feet for landscaping. The remainder is going to be the travel lanes.

Person: Madam Mayor?

De Weerd: Mr. Bird.

Bird: ACHD approved that for apartments?

Riley: Yes, sir.

Bird: You got to be kidding.

De Weerd: Well, it --

Riley: With regard to the rest of your questions, Mayor, I had intended on sending an e-mail to the development team tomorrow morning and let them know what happened this evening and I have limited impact, but I will remind them again that they need to be good neighbors and there probably isn't any reason for that equipment to be right next to her fence, so get it pulled away and -- anything else I can do to help with I'm happy to do so.

De Weerd: Thank you. I guess we -- we outlasted Justin.

Bird: I seen that before. I was going to call him up.

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: I move we close the public hearing on H-2016-0031.

Bird: I will second that.

De Weerd: Okay. I have a motion and a second to close the public hearing on this item. All those in favor say aye. Any opposed. Okay.

MOTION CARRIED: ALL AYES.

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: Reaction. Madam Mayor, I move we approve H-2016-0031. Period.

Bird: I will second it.

De Weerd: Okay. I have a motion and a second to approve 9-F. Any discussion?

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: I think it should be continued until we have Robert's confirmation that some of this -- these issues are going to be fixed and maybe some answer from ACHD on that narrow, so --

Palmer: Madam Mayor.

De Weerd: Mr. Palmer.

Palmer: So, the few months I have been doing this it's coming back before us again; right?

De Weerd: Huh-uh.

Palmer: They can build the building if we approve this right now like this?

Nary: Madam Mayor?

De Weerd: Mr. Nary.

Nary: So, what will only come back to you is the final plat and all you would be looking at is if the final plat is in general conformance with this. So, there is nothing else to approve or anything differently at point, it's just whether it's in general conformance with what they provided you today.

Palmer: And was that -- is that -- that goes on Consent Agenda; right? Or is that something --

Nary: It can. It is not a public hearing. It can go on the Consent Agenda if they are in agreement with the staff's -- if the staff agrees that it is in general conformance with what was already submitted.

Palmer: Okay.

Nary: So, there is no public hearing on a final plat.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Mr. Nary, legally we can't do anything about the roadway I don't believe. The width of the road. Legally we can't -- we can't define the property lines between the applicant and the existing deal. I don't -- I don't know why we want to get involved in civil matters that -- they have got the water to each property, as I understand -- the irrigation water as required. ACHD approved the road, which that's their job. While I might not agree with it, at least -- but I don't know what more we can do, other than just not approve the whole preliminary plat and send it back. I mean I don't know --

Cavener: Madam Mayor?

De Weerd: Mr. Cavener.

Cavener: I will second Councilman Milam's motion. You didn't --

De Weerd: I'm like where was that.

Milam: We were just having a conversation, but thank you. Madam Mayor?

De Weerd: Mrs. Milam.

Milam: I don't know if it would be even possible to get Robert on the phone, if we could reopen the public hearing and give him a call.

De Weerd: No.

Milam: No, we can't do that? That was just a thought. Because I know time is money, as opposed to extending this out two weeks for something like that -- a third option.

Cavener: This question needs to be answered.

Nary: Madam Mayor?

De Weerd: Mr. Nary.

Nary: Madam Mayor, Members of the Council, to answer Council Member Milam's question, telephonic testimony isn't in the code. You either have to provide written testimony or physically present testimony. So, we can't do a telephone conference with an applicant or a witness. So, that's not available. So -- and although Mr. Bird didn't ask a question, you may not have enough information in the record today to deny the preliminary plat, but you -- certainly if you choose to delay the decision on the preliminary plat, because you still have questions, you certainly have ability to do that,.

Niemeyer: Madam Mayor, if I could add something on the lane coming in, when I originally heard 24 feet I knew that was within the code. However, when I heard 18 I became concerned and got a hold of our fire marshal Perry Palmer. The fire code is 20 feet is the minimum for a fire lane and this is a fire lane. ACHD, per Chief Palmer, can sign off on less than that, but it still also has to be approved by him and his comment was I have been saying 20 feet all along. So, for consideration in your discussion it does not meet the fire code at 18 feet.

De Weerd: Okay. We do have an active motion to approve this --

Milam: Madam Mayor? Can I make a substitute motion?

De Weerd: You can.

Milam: I move that we continue this public hearing -- it's already closed; right?  
So --

De Weerd: Right now that would --

Milam: Maybe hear testimony from -- or written -- should we reopen it now?

De Weerd: You could -- you could make a substitute motion to -- well, I don't know. I need a Parliamentarian.

Nary: Madam Mayor, if I could help. You can make a substitute motion to continue this matter for two weeks. If that's seconded and the vote is affirmative to do that, you can then move to open the public hearing for specific testimony on the issues that have been raised in two weeks, but you don't have to -- you don't have to open it and, then, continue it, you can continue it and open it. Either way.

Milam: Could we open it next week or we open it today?

Nary: You would open -- you would move to open it after you move to continue it if you're wanting to accept testimony.

Bird: Madam Mayor? Before we have another motion, while this --

De Weerd: Mr. Bird.

Bird: -- while the one is on the floor I can still talk. We -- evidently from what Chief Niemeyer just said, this -- this plat is not legal, because the roadway don't meet it. So, personally, I would just as soon vote to deny it and, then, they can come back with a refiguration on their deal. But if it's against our code not being 20 feet and she stated that it was not 20 feet, it was 18 feet, well, then, how can we approve it or even want to continue it?

De Weerd: Well, I guess you should reopen the public hearing so you can ask the applicant or continue it to ask ACHD on what they based their approval on and, then, have the conversation, because you haven't had that conversation yet.

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: Madam Mayor, I think I heard the chief say that they can --

De Weerd: ACHD can.

Palmer: Oh, ACHD can, not you guys. Okay. Well, then, didn't they by approving it?

De Weerd: We don't know. They are not here.

Palmer: So, then, they are asking for us to approve the preliminary -- approve the plat. Can we do that and if ACHD did it, then, it's good, if not, then, it won't move forward anyway, what they are asking for tonight.

Beach: Madam Mayor, if I may, in the plans that were submitted to staff indicated that its a 20 foot drive aisle. So, I'm not sure where the disconnect is between the approved plans that we approved with the certificate of zoning compliance and the plans that the applicant had and is reading to us from. The plans clearly show that it's a 20 foot drive aisle and that's what we approved.

Palmer: Madam Mayor? In that case, I'm going to support the substitute motion.

De Weerd: I don't know if I've had a substitute motion yet.

Milam: Madam Mayor?

De Weerd: Yes, Mrs. Milam.

Milam: I move that we continue this matter to June 7th to accept testimony from the owner of the property and get clarification on the drive aisle, that we have the right plat that we are looking at.

De Weerd: Okay.

Cavener: Second.

De Weerd: I have a motion and a second. Any discussion? Madam Clerk.

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

De Weerd: Okay. All ayes. Motion carries.

MOTION CARRIED: ALL AYES.

De Weerd: And now I would need a motion to reopen the public hearing.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: I move that we reopen the public hearing for 3rd Street Square Subdivision, H-2016-0031.

De Weerd: Okay. Do I have a second?

Little Roberts: Second.

Cavener: Second.

De Weerd: Okay. I have a second to reopen the public hearing. All those in favor say aye. Any opposed? Okay.

MOTION CARRIED: ALL AYES.

De Weerd: So, this has been set, then, for -- to be heard again on June 7th, specifically to discuss the drive aisle and to get an update on the -- the issues that we heard at the hearing tonight. So, thank you for joining us.

**Item 10: Department Reports**

**A. Continued from the May 10, 2016 City Council Meeting:  
Parks and Recreation Department: State/Local  
Agreement Project No. A013 (918) Rail With Trail  
Pathway Between the City of Meridian and the Idaho  
Transportation Department Regarding the Referenced  
Federal Aid Project for a Rail with Trail Pathway in Fiscal  
Years 2018 and 2019 for the Not-to- Exceed Amount of  
\$501,000.00**

De Weerd: Item 10-A is a Department Report continued from May 10th under our Parks and Recreation. Jay.

Gibbons: Madam Mayor, Council Persons, we -- I appreciate the opportunity to come back and talk to you about this item. So, I promise -- and we were -- two weeks ago when we talked there were some questions as to whether the location of this project is -- is the appropriate location for a pathway and also requested -- Council requested additional documentation supporting the application of -- or the award of the -- the grant in the first place and also a more detailed mapping and some cost. I provided that -- a packet of information on the 13th of May, Friday before I left town. Spent a week thinking about it and now I'm back. I have some answers and ultimately -- so, what we are really talking about on this project is, of course, whether we are going to sign the -- enter into a state local agreement with ITD to accept the grant for construction money in two years. So, with regard to the pathway being in the correct location, ultimately no. There is an however. Ultimately -- okay, we are part of a new work group at COMPASS that is a regional Rail With Trail group. We are working on a bunch of information, research, answers and documentation that are able to go back to this -- to the railroad with. We envision the entire pathway from Caldwell to Nampa being inside the rail corridor. However, my however to this ultimate location that is outside and directly adjacent to the north right of way line for Meridian to 7 1/2 Street or 9th or where Nine Mile Creek, then, turns north off the rail right of way, is that because we are -- our future plans for a Rail With Trail pathway coming out and hitting Meridian Road may or may not be the most appropriate place to put a pedestrian crossing in the first place, not to mention that would -- in order for it to be within a right of way that's going to impact the south end of our parking lot on the south side of City Hall, because we have a lease with the railroad in order to encroach on the rail corridor at that point. Of course, as part of our plan we have an alternative route, which is to bring pedestrians from the rail corridor up to Broadway, be able to cross at the existing HAWK signal or future traffic signal and then -- because this is also the busiest corridor for the railroad, considering that the spurs that -- series of spurs that Progo uses to load their cars, it may be appropriate -- and according to our alternative plan is to bring that traffic -- that pedestrian-bicycle pathway onto Broadway to 3rd Street and get back on the -- on the rail corridor at that point. So, this -- this particular location, this particular piece of pathway would be an appropriate location as it -- it would be the place to cross Nine Mile Creek,

because there is already a natural -- when it turns north it's -- there is a natural land bridge. I mean it's underground for that little -- that turn, because you have got the Rutledge and the Nine Mile which kind of cross. So, their pipes cross each other in that area. That's an appropriate location to come off the rail corridor, enter onto this roadway -- this pathway that we are proposing to build off right of way and, then, bring it up 3rd Street to Broadway, we are going to provide ten foot wide sidewalks in ACHD's current right of way on those two street, because they don't have sidewalks, let alone ten foot sidewalks. So, ultimately, it may not be the perfect long-term place for the pathway that we envision the pathway to be, but it also -- it does meet an ends to a -- or means to an end in that it does fit our alternative routing around Meridian Road itself. So, in that regard I can answer that question. And, then, other than that I'm going to stand for questions, because I did -- I did provide some cost estimates that shows that even -- even though the grant application originally applied for a million dollars, which exceeded the grant fund at that time, so we got half a million. We assume we could do a half a mile in that -- with that amount of money. Today's dollars, based on recent projects and when we did the original cost estimate we didn't anticipate tiling the Rutledge Lateral, however, after discussion with the irrigation district that's going to be required. But doing that still fits within the project budget. We still have sufficient project budget within that half million -- for five hundred one thousand dollars to do it. So, it should be okay to go there and it also -- by turning -- by turning this -- the end of this pathway up along Nine Mile Creek and hitting Broadway again, it looks kind of like a little loop, but that also is a tie into the future Rail With Trail

Inside the corridor as it comes out of the neighborhood down into the rail corridor. So, the people are going to go when we build the pathway farther west and go to Linder and what have you, that we are going to need routes off right of way, up the creeks and the irrigation laterals into the neighborhood and make those natural connections. So, you know, we -- we can do this project. I'm a whole lot more -- well, I was advised to take a -- to make a recommendation. I didn't. Last time I was here I was on the fence. I could go either way. I could build it or we can turn the money back. I'm okay to go either way. It was recommended that I come back with a recommendation and illustrate that it -- it does comply in many regards with our plans. So, if we choose to sign a state local agreement and move this forward, I have a -- I have a consultant on track to start on a -- on a few proposals to do the design documents and enter into contracts with the city and ITD to get that design process started that we have a year to complete. So, with that I will stand for questions. Not to drag this out any longer.

De Weerd: Council, any questions?

Little Roberts: Madam Mayor?

De Weerd: Mrs. Little Roberts.

Little Roberts: Jay, if we hold off, how long would it take us to have an alternative route?

Gibbons: As the alternative route as far as --

Little Roberts: The optimum be the corridor --

Gibbons: The optimum would be the corridor. Correct, Councilman --

Little Roberts: But we --

Gibbons: That remains to be seen. We do have our work group scheduled with all of our work with COMPASS to be complete by October of 2017. That means we will be ready to go and start working again with the railroad, but I have been here five years and nine months and I'm not a whole lot closer to getting anything out of the railroad at present, so -- you know, we have high hopes and we will see where that goes. But the problem with -- we can't -- we can't delay the state local agreement, because -- because that's a -- we need to encumber those funds with COMPASS and ITD from an administrative standpoint and I need a year to get the survey work, the environmental clearance, the design documents and be ready to bid the end of next year -- a year from October, so -- October of '17 when the funds become available. So, I have to tile that during the winter, so -- so, we don't have a lot of time. I was putting it off as long as I could. Between COMPASS and ITD they have -- we have worked with legal in the past three months to finally edit their boilerplate standard state local agreement to suit this project specifically, so it's taken some time, but -- a lot of things up in the air.

De Weerd: So, the half million dollars would connect a half a mile?

Gibbons: Roughly a half a mile, yes.

De Weerd: And that would -- it would connect to Meridian Road?

Gibbons: Meridian Road.

De Weerd: And it would go west?

Gibbons: It would go west to about 7 1/2 Street is where Nine Mile Creek turns north. That's where the irrigation district land runs into private residences and the rail corridor on the south. I run out of access without permissions or land to build additional pathway on.

De Weerd: And interim is so you do have something on the rail corridor. Where would the -- the walker or bicycle go from there?

Gibbons: Currently they would -- they would end up on Meridian Road at -- at Broadway and --

De Weerd: Okay. I know where it starts, but when it goes to 7th --

Gibbons: Then it ends up back on Broadway again, because Nine Mile Creek hits Broadway and, then, there is -- there is a maintenance road -- I'm not going to encourage people to go up the irrigation, but --

De Weerd: And, then, Broadway connects to where?

Bird: Meridian Road.

De Weerd: No. No. No.

Bird: It don't go any farther --

De Weerd: No.

Gibbons: 7 1/2 Street is about as far as this pathway goes.

De Weerd: So, it would dead end.

Gibbons: Yes. You can see the map -- ultimately it's not the best solution, but it's -- it's what we had to work with three years ago when we put the application.

Borton: Madam Mayor?

De Weerd: Yes, Mr. Borton.

Borton: Does the location cast a dye that it's located on the north side for a good portion if the south side is preferred?

Gibbons: We have -- well, the north side is what -- so, we have had an internal group of Public Works' transportation planner, the Planning Department, myself, a couple of directors -- who else was there? There was about six of us on a Rail With Trail committee internally that I walked into five years ago. So, we have looked at both sides and the amount of conflicts between buildings that are right up to the railway line -- or the rail corridor -- the different conflicts. The north is the best side to work on and from a connection to Nampa and Boise, if it's on the north side the whole way you end up at -- right on the -- the right side of -- the correct side of the Boise Depot. You also end up on the correct side of the rail yard in Nampa where it would be a -- there is a parking lot, grass -- it would be a great area for a -- you know, a commuterized type of facility there. It could turn into a transit center. You never know. But the north side is the most appropriate place that we have deemed from a conflict perspective.

De Weerd: So, the map you gave us kind of dead ends, so I --

Gibbons: Yeah.

De Weerd: -- I don't know what is west. I believe it's apartments and I thought that --

Gibbons: There is a -- there is a group of -- it's actually a subdivision, single family homes directly to the west of Nine Mile Creek.

De Weerd: And was there no easement for a pathway?

Gibbons: No. It was developed before we had -- before we had a pathway plan. It dates back quite a few years. And, then, you get down farther than that and there are some apartments and there is -- there are some opportunities farther to the west, but --

Bird: You got a nursing home.

Gibbons: It gets more complicated after this outside the right of way. Not impossible.

De Weerd: So, in one sense it would save when we -- we would save money when we were able to do a Rail With Trail, if that ever happens in our lifetime. Otherwise, it would just connect nicely for the people that want to get to downtown.

Gibbons: Correct. And whatever happens across the street on the rail property. If anything ever happens there. I would hope that it does.

McCarvel: Madam Mayor?

De Weerd: Mrs. Little Roberts.

Little Roberts: I'm thinking that this is much closer to being a bird in our hand instead of birds in the bush on the railway trail and like to make a motion that we approve 10-A for the Parks and Recreation to proceed with project A013(918) Rail With Trail pathway.

Gibbons: It could be a simple as -- as a motion to authorize the Mayor to sign the state local agreement by that key number.

Little Roberts: Okay. Can I amend my motion to that?

De Weerd: Yes. So, I have a motion to approve Item 10-A as stated. Do I have a motion -- a second?

Borton: Second.

De Weerd: Okay. Discussion?

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: Just so it's on the record, I had mentioned it last time, but we didn't end up voting on it. I just think there is too many ifs to justify borrowing from China for it.

De Weerd: Okay. Any other discussion? Madam Clerk, will you call roll.

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

De Weerd: The ayes have it.

MOTION CARRIED: FIVE AYES. ONE NAY.

De Weerd: Thank you, Jay.

Gibbons: Thank you.

**B. Community Development Department, Building Services  
Division Report: Repeal of Height Restriction for  
Detached Accessory Structures (Sheds)**

De Weerd: Item 10-B is under our Community Development.

Chatterton: Madam Mayor, Council Members, on this item I just want to point out that Meridian's finest Matt Parsons out lasted our ACHD representative. He's here to help me with an assist on this if necessary and really appreciate him spending four plus hours out of his life to -- to be here, along with the rest of us. This has to do -- I hope you're in a mood after this long meeting to repeal something. I don't know about you, I feel like repealing something. We always think of our development regulations as living documents, but sometimes because they are living documents they get out of sync with what's going on in our community. Staff is recommending that we repeal the height restrictions on detached residential structures and that's currently part of our locally adopted building code. That's an amendment we made locally to the building code, which has been adopted by the state. As you know, we can be more restrictive, not

less. So, detached residential structures -- sometimes we call them accessory structures or sheds; right? They are basically under 200 feet in size. They are allowed in side yards and as long as they are under 200 square feet in size and in the side yard, you don't need a permit and whether it's something you buy and stick in the ground or something you build yourself. And you're allowed one of these. So, currently our local amendment to the building code limits these structures to a maximum of eight and a half feet. Eight feet, six inches. We want to repeal this. I guess why you're asking? Because the height of most of the product sold nationally and locally -- and I have got a Home Depot brochure here to prove it -- we have done a lot of research. The height averages closer to 11 feet tall for most of say the Tuff sheds, to name a brand name, and this is typical again of what's being sold here locally and nationally. This creates for me questionable value, a big headache for code enforcement and Matt I think can talk a bit about that. We are using resources to enforce this and we are not really sure exactly why. So, this puts us at odds really unnecessarily with homeowners who, in all innocence, are going out and buying what Home Depot, Lowe's, other places sell and puts them at odds with -- excuse me, I'm losing my voice tonight. Also many HOAs restrict these buildings as well, so -- in areas that it really will not be an issue to have them at a certain height. So, remove the restriction on height. Really, I think what we are doing in repealing this would be to get rid of a regulation that's in search of a problem. Now, what happens if we don't like the results of this? If we start getting some odd structures that have this small footprint in side yards that are going up higher than we would like them, what we are asking is you to -- to kind of take a little risk with us here -- probably minimal risk. If that's a problem, then, we can amend -- we can amend the UDC, which is really where this restriction should be. If it's anywhere it should be in the UDC. So, we want to see if we have a problem and it really doesn't make sense to have this as part of our locally adopted building code and, again, if problems do crop us we can amend the UDC. So, the proposed ordinance next on your agenda repeals the code section limiting accessory structures in height. We are not going to regulate the height of these structures. Happy to answer any questions. Matt's here as well to talk about code enforcement's wonderful experience with regulating this.

Milam: Mr. President?

Bird: Council Woman Milam.

Milam: Bruce, so why -- why is your recommendation to just repeal the height, as opposed to amending it to a higher -- you know, before we get any like two story, big treehouse kind of structures and maybe we will get some really neat things out of, but --

Chatterton: Yeah. Mr. President, Council Woman Milam --

Milam: The neighbors probably won't like it.

Chatterton: -- it could well be that we will end up with a height limit, we just don't know what that is. Again we know the product information. These things are tending to be around 11 feet in height, but we are not really seeing a problem with what folks are building out there currently. And, I don't know, Matt, if you want to chime in on code's experience there.

Milam: I'm just saying like 12 feet or something, pretty covers probably anything that's out there, and still kind of gives that layer of protection a little bit.

Chatterton: We certainly could amend that to 12 feet. That's -- but what we would do is -- prefer to do is to do that through our zoning code, as opposed to the -- the building code. It's -- you know, again, we have a very limited number of local amendments to that. We basically take it as it's given to us by the state, but we think the UDC is a better place for that.

Parsons: Yeah. Matt Parsons, Meridian Police Department. I'm sergeant with the police department at 1401 East Watertower. He is exactly right, the UDC is where this does belong and so this is actually one part of a two part series and so later on in the fall you will see us going towards amending the UDC code, which will involve a little more than just height, it will possibly allow us to move sheds in side yards with a little more ease than what we have been in the past. Within the building industry envelope -- the house has a building envelope fairly close to the house you can build up to 35 feet anyway and so -- and, of course, that's not the goal here, but it is possible someone could try and take advantage of this and we just want to -- and we will monitor that. I think we understand the risks of that. But the average height, as he said, is really just -- you don't see a lot of custom sheds. A lot of them are store bought and -- and that's kind of what we are depending on is that seems to be what the majority is. So, where code enforcement gets called out is when it is a custom shed where they want to add awnings hanging over fences and things like that. We have other ways to address that. So, we think if everybody are good neighbors and they do as they are supposed to and just purchase a shed or build a shed within the normal -- I guess what the average shed looks like, not a problem. But when it starts getting crazy and over 200 square feet, then, we have other ways to address that. So, I think that this is a good move for code enforcement. It will reduce the amount of cases they have to take for something that, you know, it's hard to go out there and enforce something when you -- you kind of believe it yourself, you know, you think, well, that's reasonable. That's a reasonable amount of height for that shed and it's -- you know, it's the one that's not, you know, 35 feet tall, it just seems reasonable. So, that's why we want to do it.

Milam: Okay. Thank you.

Parsons: Any other questions? Thanks, Mayor. Thanks, Council.

De Weerd: Thank you. Any other questions from Council for staff? So, next steps on this, Bruce?

Chatterton: Madam Mayor, you have on the agenda the ordinance repealing those and, then, we will be cuing up if necessary a UDC amendment if we feel that working with code we need to actually limit the height of these structures. Again, we don't anticipate a problem. If there is one our -- you know, we will still have -- we will still have the UDC to rely on and we will have a series of amendments for the UDC coming along, as Matt said, in about three months.

**Item 11: Ordinances**

**A. Ordinance No. 16-1691: Repealing Meridian City Code Section 10-1-3(G), Height Limits on Detached Accessory Structures**

De Weerd: Okay. Nothing further? Okay. Item 11-A is Ordinance 16-1691. Madam Clerk, will you, please, read this by title only.

Jones: Thank you, Madam Mayor. An ordinance repealing Meridian City Code Section 10-1-3G regarding detached accessory structures, adopting a savings clause and providing an effective date.

De Weerd: Do I have a motion?

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: I move that we approve Ordinance No. 16-1691 with suspension of rules.

Bird: Second.

De Weerd: I have a motion and a second to approve Item 11-A. 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: ALL AYES.

**B. Ordinance No. 16-1692: An Ordinance (Swindell Subdivision RZ-15-011; AZ-15-010) For Annexation And**

**Rezone Of Parcels Of Land Located In The Southeast ¼  
Of Section 18, Township 3 North, Range 1 East, Boise  
Meridian, Ada County, Idaho, As Described In  
Establishing And Determining The Land Use Zoning  
Classification Of Said Lands From Rut And C-G (General  
Commercial) To C-C (General Retail And Service  
Commercial) District In The Meridian City Code**

De Weerd: Item 11-B is Ordinance 16-1692. Madam Clerk, will you, please, read this by title.

Jones: Thank you, Madam Mayor. An Ordinance an Ordinance Swindell Subdivision, RZ-15-011; AZ-15-010, for annexation and rezone of parcels of land located in the Southeast ¼ of Section 18, 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 and C-G, General Commercial to C-C, General Retail and Service Commercial 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 reading ordinance and providing for a waiver of reading rule and providing an effective date.

De Weerd: Do I have a motion?

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: I move that we approve Ordinance No. 16-1692 with suspension of rules.

Little Roberts: Second.

De Weerd: I have a motion and a second to approve Item 11-B. 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.

**C. Ordinance No. 16-1693: An Ordinance of the Mayor and City Council of the City of Meridian Amending Meridian City Code as Codified at Title 8, Section 6, Entitled the Public Works Construction Standards, Adding the City of Meridian Public Works Design Standards; Providing for a Waiver of the Reading Rules; and Providing an Effective Date**

De Weerd: 11-C is Ordinance 16-1693. Madam Clerk, will you, please, read this by title.

Jones: Thank you, Madam Mayor. An ordinance amending Meridian City Code as codified at Title 8, Section 6, entitled the Public Works Construction Standards of the Meridian City Code, adding City of Meridian Public Works Design Standards and providing for a waiver of the reading rules and providing an effective date.

De Weerd: Do I have a motion?

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move we approve Ordinance No. 16-1693 with suspension of rules.

Borton: Second.

De Weerd: I have a motion and a second to approve Item 11-C. 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: ALL AYES.

**D. Resolution No. 16-1144: A Resolution of the Mayor and City Council of the City of Meridian Adopting Public Works Design Standards for the City of Meridian; and Providing an Effective Date**

De Weerd: 11-D is 16-1144. Madam Clerk, will you, please, read this by title.

Jones: A resolution of the Mayor and City Council of the City of Meridian adopting Public Works Design Standards for the City of Meridian and providing an effective date.

De Weerd: Thank you. Council, do I have a motion?

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move we approve ordinance -- resolution number 16-1144.

Milam: Second.

De Weerd: I have a motion and a second to approve Item 11-D. Madam Clerk, will you, please, 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 12: Future Meeting Topics**

De Weerd: Council, anything further under Item 12?

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: Madam Mayor, I would like to see repealing ordinances every week.

Chatterton: We will do our best on that.

De Weerd: We have a policy on policy. Do I have a motion to adjourn?

Bird: So moved.

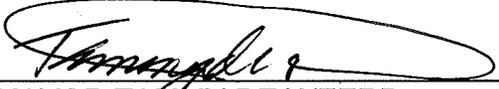
Milam: Second.

De Weerd: All those in favor say aye. All ayes.

MOTION CARRIED: ALL AYES.

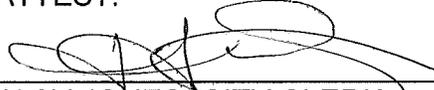
MEETING ADJOURNED AT 10:26 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

  
\_\_\_\_\_  
MAYOR TAMMY DE WEERD

6, 7, 16  
DATE APPROVED

ATTEST:

  
\_\_\_\_\_  
JACY JONES, CITY CLERK