

A meeting of the Meridian City Council was called to order at 6:00 p.m., Tuesday, May 3, 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, Perry Palmer, Warren Stewart and Dean Willis.

Item 1: Roll-call Attendance:

Roll call.

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

De Weerd: I'd like to welcome all of you to our City Council meeting. For the record it is Tuesday, May 3rd. It's 6:00 p.m. We will start with roll call attendance, Madam Clerk.

Item 2: Pledge of Allegiance

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

(Pledge of Allegiance recited.)

Item 3: Community Invocation by Troy Drake with Calvary Chapel Meridian

De Weerd: Item No. 3 is our community invocation. Tonight we will be led by Pastor Troy Drake. Thank you for joining us. If you will, please, join us in the community invocation or take this as an opportunity for a moment of reflection.

Drake: Lord God in Heaven, you said in your word, the Bible, that you are the one who appoints all those who are in authority in our -- that govern our nation and so, God, we just want to thank you for them here tonight and so we pray for all those who are in authority. You said to pray for them and to respect them and Lord, we pray for our president and all his advisors, Lord, our governor, our congress, Lord. These people here tonight who give of their time, many have done it for many years and we just appreciate them, God, so we pray that you give them lots of wisdom in making all these decisions that they have to do and that you would pour out your grace on them and, lastly, Lord, I just feel like I'm

supposed to pray for everybody in this building, all those who work here at City Hall, the -- the people that have to do things connected to building and permits and all those things that probably go a little unnoticed and so we just pray for them, Lord, and everyone here in this room tonight, this meeting, Lord, regardless of what's going on in our life we pray, God, that you would help those who need it and we just appreciate you so much that you care about all these details and so we just ask one last time that you bless this time together and it's in Jesus' name we pray, amen.

Item 4: Adoption of the Agenda

De Weerd: Item No. 4 is adoption of the agenda.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: On the agenda, Item H on the Consent Agenda, which is the Resolution 16-1136, has been asked by staff to be moved to Item 7-B-1 under the Mayor's Office and Item J on the Consent is Resolution No. 16-1138 and Item I is Resolution No. 16-1137. Item 9-B -- or -- yeah. Is Resolution No. 16-1139. Item 9-C has been asked by applicant to be continued to May 24th. Item 9-E has been asked by applicant to have a continuance to May 17th. Item 9-F, applicant requests a continuance to May 17 due to incorrect sign posting. Item 11-A, the ordinance number is 16-1686. Item 11-B, ordinance number is 16-1687 and Item 11-C, ordinance number is 16-1688 and with that I move we approve the amended agenda.

Borton: Second.

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

MOTION CARRIED: ALL AYES.

Item 5: Proclamation

A. Proclamation for Building Safety Month

De Weerd: Council, I have a proclamation and I will move to the podium and ask Sam and Brent to join me. Thank you for being here. This -- this was an internal request. Usually we get community requests for proclamations. This one is to celebrate the -- our Building Safety Month and with me I have two of our Building Department employees. Actually, they are the ones that make things work in our city, so thank you for joining us. Whereas Building Safety Month first observed in 1980 is sponsored by the International Code Council, an organization dedicated

to building safety and fire prevention and whereas building safety and fire prevention codes address all aspects of construction, such as structural soundness of buildings, reliability of fire prevention and suppression systems, plumbing and mechanical systems and energy efficiency and sustainability and whereas the City of Meridian uses the international codes, the most widely adopted building, safety, and fire prevention codes in the nation as the best way of keeping our loved ones safe and protecting our homes, offices, schools, manufacturing facilities, stores and entertainment venues and whereas we place our confidence in the diligent devotion of our building safety and fire prevention officials, architects, engineers, builders and others in the construction industry who work year around to insure that the places we live, learn, work, worship and play are safe and whereas building codes driving growth through innovation, resilience and safety, the same for Building Safety Month 2016, encourages all Americans to raise awareness of the importance of building safe and resilient construction, fire prevention, disaster mitigation, water safety, and conservation, energy efficient and new technologies in the construction industry, therefore, I, Mayor Tammy de Weerd, do hereby proclaim Building Safety Month in Meridian and call upon our citizens of our community to join me in this worthy observance. These insure the health and welfare of our community, both short term and long term and are very important to the liability of our community as a whole and I think these two that joined me at the podium here for what you do to insure the health and welfare of our residents and our business and knowing that they are safe in the buildings that they work, live and play in. So, I will present this to you and ask you to make some remarks.

Bjornson: I'd like to thank everybody and thank the Mayor and Council for your support -- continuing support of Building Services and to Bruce Chatterton for his support and I'd like to thank Sam. He joined us about 11 months ago. Sam is a great addition. We kicked this program off, the Building Safety Month, a couple years ago, but haven't had the resource -- the resources to be able to continue with it. Sam came to Meridian and resurrected the program and has done the effort of putting the table out front and making contacts with Home Depot, Lowe's. He's been really great. So, thank you, Sam. I will pass that on to you. Appreciate it.

Item 6: Consent Agenda

- A. Approve Minutes of April 19, 2016 City Council Meeting**
- B. Development Agreement for Clarence McLain, Tribal Fire (MDA-14-013) located on the north side of E. Overland Road, east of S. Topaz Avenue in the southeast 1/4 of section 16, Township 3 North, Range 1 East**

- C. Amended Development Agreement for TM Creek East AZ, MDA (H-2015-0018) with SCS Brighton, LLC located in the Northwest One Quarter of Section 14, Township 3 North, Range 1 West**
- D. Development Agreement for Brinegar Prairie (H-2015-0046) with Heartland Townhomes Property Management located at 2220 N. Ten Mile Road on the east side of N. Ten Mile Road, north of W. Cherry Lane, in the SW 1/4 of Section 02, Range 1W.**
- E. License Agreement for Landscape Maintenance Between the City of Meridian and Bridgetower Owners' Association LLC Regarding Premises Adjacent to the Future Bellano Creek Neighborhood Park**
- F. Professional Services Agreement With Treasure Valley Commonwealth in a Not-to-Exceed Amount of \$200.00**
- G. Pedestrian Pathway Easement Between the City of Meridian and Challenger Development, Inc., Regarding a Multi-Use Pathway as Part of the Baraya Subdivision Located South and East of Franklin and Black Cat Roads**
- I. Resolution No. 16-1137: A Resolution Of The Mayor And The City Council Of The City Of Meridian Authorizing The City Clerk To Destroy Certain Semi-Permanent And Temporary Records Of The City Clerk's Office; And Providing An Effective Date**
- J. Resolution No. 16-1138: A Resolution of the City of Meridian Approving a Joint Powers Agreement by and between the City of Meridian, City of Boise City, Ada County, the Ada County Highway District, City of Eagle, City of Garden City, City of Kuna and City of Star for the Cooperative Provision of Emergency Management Services in Ada County; Authorizing the Mayor and City Clerk to Execute and Attest said Agreement on Behalf of the City of Meridian; and Provide for an Effective Date.**

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

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: On the Consent Agenda, as stated earlier, Item 6-H has been moved to 7-B-1. Item 7-I the resolution number is 16-1137. And item 6-J is resolution number is 16-1138. With that I move we pass the Consent Agenda for the Mayor to sign and the clerk to attest.

Borton: Second.

De Weerd: I have a motion and a second to approve the Consent Agenda 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. Annual Update by Ada County Assessor Bob McQuade

De Weerd: Item 7-A under our Community Presentations, we have our Ada County Assessor Bob McQuade here with us to give you an update. Good evening. Thank you for joining us.

McQuade: Madam Mayor, yes, it's really my pleasure to be here. Members of the Council. It seems like it was just a month or two ago that I was here. The years just seem to be flying by. Now, that would have nothing to do with my age. But that's how busy I have been. Before I get started I just want to comment -- I really appreciated your community invocation. It's not often that -- I do about 15 of these and I think this is the only venue where we have an invocation like that and it's just -- it's so refreshing. I just want to let you know I -- how much I appreciated that. At the end of this month on the 27th we are going to be sending out about 40,000 assessment notices to the property owners in Meridian and I just want to give you an update what's going to be on those notices, so we won't be surprised by that. I just want to make the typical caveat and that is that these numbers are preliminary. These will change until we actually send these assessment notices out. Just a couple of things before I get into the numbers. How do we assess the properties -- why is there -- the question is why do we split the land and the improvement? We get questions all the time to -- especially coming from the Board of Equalization. We might increase the value of the land and reduce the value of the improvement or decrease the value of the land increase the value of the improvement and it just looks like there is some kind of trickery going on. It really has nothing to do with that at all. That is by statute. We have to break out the land and the improvement. I think it goes back to the

days when the homestead -- the homeowners exemption, take the exemption to the improvement and not the land and so that was required to break out. So, that is still there and it still causes us just as many problems today as it did back then. As to how close our assessed values to the selling price, last year our values overall -- we were at 97 percent of all of the sales -- we had about 10,000 single family residential sales in Ada County last year and our assessed value was about 97 percent of those sales prices. So, I feel that we were really close. We were at 96 percent the year before. I don't know if I want to get that much closer to one hundred percent. Got it. I will take that back to the staff. We will leave it at 97 percent, then, councilman. Yes. Let's just jump right in. The total market value of the City of Meridian is 9.8 billion. That's up 14 percent over last year's eight and a half billion and that, by the way, is 21 percent of the total Ada County value of 47 and a half billion. So, you represent almost a quarter of the total property value in -- in Ada County. That's the market value. That's not the taxable value. The taxable value we have to take some exemptions out, we add some other numbers back in, so these are adjustments at 9.8 billion. We take out two billion dollars for the homeowner's exemption and the homeowners exemption this year is 97,745 dollars until July 1st of this year. By the way, that's 89,580 last year. The reason I say it's 95,000 -- or 7,000 up to July 1st -- the legislature passed a law this year changing the way the homeowners exception works. It was at a value of 50,000 in 19 -- or 2006, I believe it was. It was at 50,000. The legislature, then, went and changed it to 75,000 and, then, allowed that to be indexed by -- by using the Idaho Housing Price Index with an FHA number, and using that number in 19 -- 2009 that homeowners exemption was 104,500. Well, today it is 97,745. But this law this year it caps the homeowners exemption. It put it at 100,000 dollars and it's not going to be indexed anymore. It's going to be -- stay the same -- at that amount until the legislature changes that again. And the reason I mention that is it changes in July, because if you have -- let's say if you bought a house in January, you're going to get the -- the 97,745, but if you buy a house July 2nd and it has a value of 100,000 dollars, that can be a real problem that we are going to have to be working out in the office. We have two maximum homeowners exemptions this year. Sorry for that digression, but I think it's really important. So, we subtract that and take out exemptions that have not been processed by the commissioners yet. They have up until May 15th to grant all the exemptions, so that add -- never did that last year. It was less than what had been approved this year. We had outstanding exemptions, so I take that back now, adding property -- adding property, we have a net taxable value just what you would need to budget for is about seven and a half billion dollars, a 14 percent over last year. Just drawing down a little bit, residential, you have 35,000 residential parcels. That's up from 34,000 last year. Market value -- not the taxable value, but the market value on single family residential is six -- total value is 6.9 billion. That's up 11 percent from 6.2 billion the year before. Probably the most important numbers I think is what's going on with single family residential. Here in Meridian we are looking at a median increase of 6.3 percent and last year it was about 5.8. So, it's up a little bit. Countywide you're a little bit less than seven percent annual increase. Median

value on single family residential in Ada County is 204,600. The highest we had had was 2008 at 211,600 and so it's just about back to that. In other words, it has taken close to ten years to get back to those values, what they were before the collapse of the market in 2008. It will be probably next year we will be back there. The reason things went so well, the distressed market -- distressed sale is just three percent, back to normal. Low interest rates. And I keep saying this year after year after year -- it's the land is what is causing all of the increases. It still drives the total value. There is an eight percent increase in fees, some areas where the land has increased fifty percent over the last year. Someone made a comment the other day -- that's always so interesting. To understand housing prices you really need to understand land values and I think that's why we want you to take a look at that. Commercial real property. You have 2,300 parcels, two and a half billion dollars. We found a 23 percent increase in your commercial real property. Personal property filling in 20 million dollars and your total market value, not taxable value, for commercial is 2.7 million dollars and that's up 22 percent. New construction. That's important, because that's where you can increase your budget capacity by -- would be the new construction times last year's levy. You're construction year was 427 million dollars. That's a 30 percent increase over last year's three point -- about 314 million dollars. Residential we would have 926 new units. That's up 23 percent over last year. The taxable values comes to 54 million dollars. Commercial taxable 236,000 million. That's up 27 percent. Due to the change in status at the last month, new construction, new sub change of status, I think there was add one, that is the one to residential, it's subdivided and an increase in value -- and even there is a diminished value. That was shrunk to a diminished value. Your substantive change, that came from me and that's up 50 percent -- 60 percent over last year. Residential is 15 million and I'm just going to end up with the tax burden as who is paying property taxes, commercial or residential. Residential is paying 65 percent and that's exactly what it was last year and that is just slightly less than the county. Countywide is 66 percent for -- for the residential. Commercial here in Meridian is 35 percent. The county is 33 percent. I'm just going to end this by saying that 2015 was a great year. Price appreciation, up six percent. I believe that's going to be a very reasonable price range, four, four and a half percent. And also a little bit above that I would like to see that building. A strong residential and commercial construction, there is some reason out here that my appraiser -- they were driving in early morning by the time they have to meet after doing their work they can't get out there is so much construction planned. So, things are just really booming. And just the last comment, Ada County increased by 20,000 people. In 2015 there was twenty thousand new people in this county and I'm sure you feel it in terms of traffic and other demands for services. Madam Mayor, Members of the Council, that's my report for 2016. I would be happy to answer any questions.

De Weerd: Council, any questions or is your head spinning?

Cavener: Madam Mayor?

De Weerd: Yes, Mr. Cavener.

Cavener: Not a question, just a comment. I just want to pass along how enjoyable it has been to work with your staff. I think that oftentimes you come before us and I had the opportunity to work with your staff on an issue and found them to be incredibly accommodating and easy to work with. So, I think sometimes we only hear when people aren't doing a great job and so I would think it's important to pass along when somebody is doing a great job. That's it.

McQuade: Madam Mayor, Councilman Cavener, I really appreciate that and I will get that back to the staff. I know that they will appreciate it. As we know those of us in public service, it's not often that we are praised for doing a good job, so even though it's few and far between it's extremely important to us. So, thank you for those kinds words.

De Weerd: We had the opportunity to meet Todd Lavoie and I -- with Mr. McQuade and we were able to pass along how well our staffs work together and how we can improve that relationship, so that we can better service our collective citizens; right?

McQuade: That's right. We are serving the same people. Yes.

De Weerd: Yes, we are. Well, thank you for being here and we appreciate you always taking the time to come and share the numbers with us and, again, please, pass along our appreciation to your staff.

McQuade: I will do that. Thank you so much.

De Weerd: Thank you.

McQuade; Good to see you all.

B. Mayor's Office: Mayor's Youth Advisory Council (MYAC) Update

1. Moved from the Consent Agenda (former Item 6H): Approval of Resolution No. 16-1136: Updated Bylaws of the Mayor's Youth Advisory Council

De Weerd: Nice seeing you. Item 7-B is under the Mayor's Youth Advisory Council. A familiar face that -- this is going to be the last report that we get from Brianna. Very sad. But it's been a great year. So, I'm going to turn this over to you.

Siddoway: Thank you, Madam Mayor, Members of the Council. For the record my name is Brianna Siddoway and I will be giving you the seventh update of the Meridian Mayor's Youth Advisory Council activities for the April -- the month of April. There we go. Okay. So, the -- we held our second annual Do The Right Day here in Meridian. With this we were able to pass out Post-it notes with words of encouragement and words that might -- just positive words is all it is. We were able to make sure that the schools who wanted to be involved were -- were able to do so easily and we were able to bring it to them and have presentations at the schools. We had a booth at The Village and we were able to pass out some of these sticky notes and we put words of encouragement on the mirrors and we had some chalk for the public to write things on the sidewalk and with the help of Officer Gomez we were able to hold a flash mob dance there, which we are -- you know, we are good at dancing and it was a really fun activity for those who were able to join and I -- you know, it has always been making a difference and so I'd like to show you the video -- I'd like to show you the video of --

(Video played.)

Siddoway: So, I would just kind of like to spend time on that a little bit. Well, first of all, it was on April 8th, as you can tell, and I -- I am so pleased that we were able to have this idea and to be able to work for the people in our community to make this a better and more friendly -- you could say atmosphere to be in and I know that every -- every step that we are taking is making a difference today. So, we had a fundraiser at Chick-fil-A for the executive council trip to Washington DC and we were able to raise over 600 dollars to help fund this trip. While we were there we educated the people who were attending about MYAC's influence on the community and it was such a good opportunity for us to be able to do fundraisers. Every time we are able to meet new people and get the word out about MYAC. So, at our last general meeting we held the 2016-2017 elections and I would just like to recognize these people who were elected. So, the chair for next year is Cheyenne Quilters. She goes to Renaissance High School -- and the pictures go from left to right, so you can be able to identify them. The vice-chair, who will be taking my place, is Suzanna Bradford. She goes to Rocky Mountain High School. The secretary will be Morgan Jensen. She also attends Rocky Mountain High School. Communications is Lee Martinez. She goes to Mountain View. And the historian is once again Tammy Crum, who goes to the Meridian Medical Arts Charter High School. And for the representatives of the schools, each of the people that were elected they were required to attend that school. So, for the Rocky Mountain High School representative it's Courtney Butterworth. The Meridian High School representative is Jake Chambers. Mountain View High School representative is McKayla George. Renaissance High School representative is Lance Baumgartner. And the at large rep is, again, Stayle Mome, who goes to Compass Honors. So, for our monthly Teen Activities Committee event we held it at the YMCA and the members of MYAC were able to bring a guest. It was fun and it was just a great place -- fun environment, just

a very safe and welcoming place for people to come and spend a Friday night with -- with some friends. So, we have decided to work with the STAND grant a little bit more and we are wanting to change the bylaws in order to strengthen the stance on who can sponsor and partnership with the Mayor's Youth Advisory Council. This -- this change is almost identical to the Parks and Recreation stance on who can sponsor a partner. So, what this says in Article 7 under sponsors, it says the Mayor's Youth Advisory Council will not accept -- that's okay. Will not accept sponsorships, gifts, or any other benefit offered by any entity whose primary focus or message is or includes the sale or promotion of alcoholic beverages or tobacco or E cigarette products. So, after my presentation I -- you will have the opportunity to approve this and when we did -- when we asked the general MYAC what they thought, a hundred percent of the people said that they were in favor of this and wanted this to be changed in the bylaws. And I will now stand for questions.

De Weerd: Thank you, Brianna. I would just say -- so, the STAND grant -- we received a grant from -- from STAND or the American Lung Association and it was to do a community event, which is what they did at the cinema -- Village Cinemas and, then, the other piece of requirement to receiving that money was a policy one and that is in front of you. That is what we moved from the Consent Agenda that was 6-H to after Brianna's report, so you knew what was behind the recommended change. I will preface this with we have not received any money from any of these, but they felt it was important to capture that and institutionalize it in their bylaws. So, I would ask if you have any questions?

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I don't have any questions, just nice yearly thank you, you guys. We are going to miss that smiling face of yours, Brianna. You guys represent us -- the city so well. You make us elected people look so good and I appreciate it and each year, you know, I don't think the bar can get raised, but every year it gets raised little higher and I'm shocked that we didn't have this resolution in the original bylaws, to be truthful with you, and it's -- it's something that -- that's definitely needed in there.

Siddoway: Thank you.

Bird: And thank you very much for your service.

Siddoway: Thank you.

Bird: We really appreciate it.

Cavener: Madam Mayor?

De Weerd: Mr. Cavener.

Cavener: A question and maybe a comment. Brianna, I think I ask you this just about every month. I'm just curious. What are your numbers looking like right now and what are -- I know that you're transitioning out, but maybe a sneak preview as to some of the things that the youth council is going to want to work on next year?

Siddoway: All right. So, I would say for the people who are constantly coming to the meetings and are attending the events, I would say we have 45 to 30 people. Would you agree with that, Mayor? And when it gets down to the end of the year you really see who is devoted to MYAC and, you know, at the beginning you're working with all people and it's great to have the large numbers, but there is always those -- those people who are more focused on it and, you know, we love seeing them here every time that they come. Can you ask me the second question one more time, just kind of --

Cavener: Sure. I just was curious if you could maybe give us a sneak preview if you have any indication as to what next year's class is going to be working on.

Siddoway: I would -- so, with the -- I can't remember what it's called. But they are going to be working to do the --

De Weerd: Primary seatbelt law.

Siddoway: Primary seatbelt law. And the obstacle course for adults. That's what I was thinking of. So, they are going to be working with that and so right now the executive council is working to kind of push that through and get it done, but if it is not, then, the next year will be working on that and, then, as Mayor Tammy said, the seatbelt law and --

De Weerd: Suicide prevention.

Siddoway: Yeah. Yeah. Suicide prevention. So, yeah, I feel like next year is going to be a great year and we will be able to make many changes for the good.

Cavener: Great. Madam Mayor, comment if I may. And it's really just to echo Councilman Bird's comments. To have 45 engaged high school students at the end of the year is incredible. You shouldn't walk away from the number, you should embrace it, because it's -- I think a gold standard across the state. I just wanted to thank you, the exec council -- Mayor, your amazing advisors. I mean you guys continually set the example that -- Councilman Bird said for the state. Not just for youth councils, but for city councils. It's really been great to see all you have accomplished this year. I really enjoy getting these updates each month. Thank you.

Siddoway: Thank you. Yeah.

De Weerd: Thank you. And I think another thing they have done really well this year is succession planning and you saw that in the -- the slate of officers and representatives for next year is -- we task -- because we had a high number of seniors on our executive council this year, which concerned us about next year, but our executive council really stepped up and made sure that they looked for what leaders would replace them and nurture that and mentor them and you see in that upcoming executive council, we have some very strong leaders that have already pledged they are going to -- to beat out this -- this year next year.

Siddoway: Yeah.

De Weerd: Right?

Siddoway: Yeah. For sure.

De Weerd: So, any other questions or comments? We will have the seniors back later this month to send them off with our appreciation and best wishes. So, thank you, Brianna. We will -- we will see you later this month -- maybe not giving the report, but allowing us the opportunity to send you off with best wishes and a lot of appreciation.

Siddoway: Thank you. Thank you so much.

De Weerd: And that deserves applause. And, Jake, thank you. Jake was one of our advisers from the Parks Department. He was the adviser for the Teen Activities Council. He is being replaced, as if you could, but his -- the new position -- we had someone that has stepped in and look forward to working with our new group of advisers next year, because they definitely are needed.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I would move, after that nice report, that we approve Resolution No. 16-1136.

Cavener: Second.

De Weerd: I have a motion and a second to approve Resolution 16-1136. 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. Thank you.

MOTION CARRIED: ALL AYES.

C. Ten Mile A Urban Renewal Plan - Receive and Refer Plan to Taxing Entities and Planning & Zoning Commission

De Weerd: Item 7-C is under our Community Development Department. I will turn this over to Bruce.

Chatterton: Well, Madam Mayor, Council Members, yet another step in a process that has lots of steps. I'm sure you have noticed. Where are we with the Urban Renewal plan for the Ten Mile interchange? Last week the Meridian Development Corporation approved the plan for the urban renewal district and they forwarded it to you. It's in your packets. But we are not quite ready for you to actually review the plan based upon its merits or otherwise. We need to do a couple things first and that's what this item is about. We are asking for two actions tonight. First, your approval to refer the URD plan to the applicable taxing entities for comment. Some of those entities include Ada County, ACHD, CWI, and the library district. That's the first thing we are asking for. Second, we are looking for your approval to forward the plan to the Planning and Zoning Commission for their determination of the consistency of the plan with the city's Comprehensive Plan. That's all P&Z is looking at is whether or not it's consistent with the comp plan. With those two steps complete, the plan is to come back to you in early June to cue up a public hearing to consider the merits of the actual urban renewal plan. With that Phil Kuslan, our consultant, is in the audience to help us with any Q and A. Phil, did I leave anything out from that request? Happy to stand for any questions.

De Weerd: Okay. Council, any questions?

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: Madam Mayor. Bruce, question for you. Last time we just had this item, I guess, to discuss, the sales pitch was that, you know, we have got this great area out there and nothing's happening with it, so we have to do something to get things moving out there. Well, since that time there has been a lot of dirt moving out there. It looks like roads are ready to pave, if they haven't yet. I'm not sure. It looked like other utilities were being installed. What -- what's going on out there?

Chatterton: Madam Mayor, Council Member Palmer, very good question. Those are predevelopment activities, site clearing activities, which under our ordinance

generally don't require permits and those are in anticipation of the urban renewal district being approved. So, those are pre-development activities for some of the development that's been anticipated within this urban renewal district.

Palmer: Follow up? So, I guess that leaves me even deeper into the position I have been on in that it looks like they are -- whoever is developing it is competent enough that they want to develop there, that they are not waiting for us to say, yeah, we will pay you back for it, so I -- I mean even though I know it's just another step, it's not a final determination. I'd much rather put the brakes on and let them just keep going and hope they develop it and not ask taxpayers to reimburse them with interest for stuff that we ask everybody else to do when they are developing a piece of property.

Chatterton: Madam Mayor, Council -- if I could respond. Council Member Palmer, I don't know exactly what's in the minds of the property owners out there, but I believe it's that they have been watching this process and they believe that it's -- it's going well from their standpoint and are willing to at least do, again, some site clearing activities -- not a huge investment -- in anticipation of being able to build with the added partnership of the urban renewal district.

De Weerd: And I will say that there -- there are entitlements already in that area and it has been waiting this particular activity and they are making sure they are ready to go. They have a qualifying business that is wanting to locate out there and it's pending this -- this activity.

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: Then that makes me all the more curious to see what would happen if we said, you know what, no, and see if they keep going and go ahead and make the investment in our community anyway without, again, asking the taxpayers to reimburse them with interest.

De Weerd: I would just mention that the reimbursement they get is created by the value they add, so it's not from taxpayers, it's from themselves.

Palmer: Madam Mayor, Follow up? And understanding that, you know, we had a discussion last week about whether we should increase everyone else's taxes three percent and, you know, we are looking for 781,000 to make up for not having to increase everybody else's and now we are looking at sectioning a piece of Meridian off to give them their money back, instead of allowing them to contribute the way -- the same way everybody else does.

De Weerd: I would just say that that reimbursement is valued at the jobs created and we know that primary jobs are multipliers of secondary jobs, as well as the

individual benefit you have with the job creation. So, it's -- it's long debated and if you want to continue that's fine, but --

Palmer: Madam Mayor, maybe one more comment.

De Weerd: You bet.

Palmer: And, again, it goes back to where -- you know, I feel I'm -- I'm happy to provide an incentive to somebody wanting to develop a piece of property and maybe even saying, okay, instead of you paying us taxes and we giving it back to you, plus interest, you just hold onto that money, thanks for investing in us, rather than them paying the taxes, we giving it back, plus a little bit of everybody else's money.

De Weerd: Actually, it is infrastructure improvements that they pay in advance and are reimbursed, so -- any other comments or questions? Bruce?

Chatterton: No other comments. Thank you.

De Weerd: So, that's just the next step in bringing something back to Council?

Chatterton: Yes.

De Weerd: Okay. Anything further?

Chatterton: No. I believe that perhaps Mr. Nary can chime in if a motion is --

De Weerd: On the next steps?

Nary: Well, Madam Mayor, Members of the Council, yeah, we would need a motion both for the referral to the taxing entities approval, as well as to the Planning and Zoning and, then, we can get that scheduled on the Planning and Zoning Commission hearing.

De Weerd: So, you're looking for a motion to refer the plan and to the taxing entities that would be consulted and, then, to go ahead and move forward with an application in front of P&Z?

Nary: Yes.

Cavener: Okay. Well, if no one else is going to do it I will. Madam Mayor, quick comment. I think Councilman Palmer brings up some -- some valid points, which is I think -- well, it's all that much more exciting to pass these along to the taxing districts, to the Planning and Zoning Commission, to hear their feedback and their perspective. So, I will make a motion that -- I move that we send this report

to the applicable taxing district -- is there a date that we need to include in that or is that sufficient?

Bird: That's sufficient.

Cavener: Great.

Milam: Second.

De Weerd: I have a motion and a second to move this forward to the next steps. Any discussion? Madam Clerk, will you call roll.

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

De Weerd: Okay. Motion passes.

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

Cavener: Madam Mayor?

De Weerd: Mr. Cavener.

Cavener: I move that we pass along this report to the Planning and Zoning Commission for a discussion item at their next meeting.

Milam: Second.

De Weerd: Okay. I have a motion and a second to move this on to Planning and Zoning. Madam Clerk, will you call roll.

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

De Weerd: Okay. Motion carries.

MOTION CARRIED: FIVE AYES. ONE ABSTAIN.

Item 8: Items Moved From the Consent Agenda

Item 9: Action Items.

A. Public Hearing: Proposed Summer 2016 Fee Schedule of the Meridian Parks and Recreation Department

De Weerd: Item 9-A is a public hearing under our Parks and Recreation Department. I assume Jake is here to update us on this item.

Garro: Thank you, Madam Mayor, Members of the Council. Summer is upon us and just a little update on our summer activity guide that will be released next Friday, May 13th for our summer classes. We will begin registration the following Monday, May 16th, with classes kicking off June 6th. So, as you can see before you there were a number of additions of new classes that will be in our guide this summer and with that being said I would stand for any questions and seek approval for our fee schedule.

De Weerd: Council, any questions?

Cavener: Madam Mayor?

De Weerd: Mr. Cavener.

Cavener: Jake, a couple snapshots. What are a couple of the new things that are added that you're excited about?

Garro: Of course we got Camp Mer-Ida-Moo coming back this summer that takes place at Sienna and Prospect Elementary and we have had some new youth art classes at the MAC Meridian Center and there is a couple of young, exciting teachers that want to engage and offer public speaking for the youth of our community, which I think will be a great asset, at least for those young kids with MYAC to kind of polish their skills and communicate in front of people, so looking forward to a great summer and, of course, we have our outdoor adventure camp that's coming back and excited about a couple new trips. We will be taking our Thursdays up at Bogus Basin and ending our week on the Payette River with 12 kids, ages nine to 14, so --

Cavener: Cool.

Garro: -- it will be a good time.

De Weerd: Yeah. Bogus Basin has summer activities as well, so that's exciting.

Garro: Yes. I have been in touch with Susan, so trying to set something up with them for the fall and --

De Weerd: Good deal.

Garro: -- get them included in our guide, so --

De Weerd: Well, thank you. Council, anything further? Okay. Thank you, Jake.

Garro: Thank you.

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

Little Roberts: Madam Mayor?

De Weerd: Yes, Mrs. Little Roberts.

Cavener: I'd like to propose we close the public hearing.

Bird: Second.

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

MOTION CARRIED: ALL AYES.

B. Resolution No. 16-1139: A Resolution Adopting the Summer 2016 Fee Schedule of the Meridian Parks and Recreation Department; Authorizing the Meridian Parks and Recreation Department to Collect Such Fees; and Providing an Effective Date

De Weerd: 9-B is the resolution that supports the fee structure and schedule for resolution number 16-1139.

Little Roberts: Madam Mayor?

De Weerd: Mrs. Little Roberts.

Little Roberts: I would like to propose that we accept the resolution 16-1139. accepting the new pricing in the summer fee schedule for the Meridian Parks and Recreation Department, authorizing the new fees to be collected. Hopefully that's the right wording.

Cavener: Second.

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

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

De Weerd: All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

C. Public Hearing Continued from March 1, 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-C is a public hearing that was continued from March 1st. The applicant has requested to continue to May 24th. Council?

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I would move that we continue H-2016-0008 to May 24th, 2016.

Milam: Second.

De Weerd: I have a motion and a second to continue Item 9-C to May 24th. All those in favor say aye. All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

D. Final Plat for Bainbridge Subdivision No. 3 (H-2016-0039) by Brighton Development Located Southeast Corner of N. Black Cat Road and W. Vanderbilt Drive

1. Request: Final Plat Approval Consisting of Thirty-Nine (39) Building Lots and Five (5) Common Lots on 16.38 Acres of Land in an R-8 Zoning District

De Weerd: Item 9-D is a final plat for 26 -- or 2016-0029. This applicant has requested a continuance to May 17th.

Milam: Madam Mayor?

De Weerd: Mr. Milam.

Milam: I move that we continue the final plat approval H-2016-0039 to May 17th.

Bird: Second.

De Weerd: Okay. I have a motion and a second to continue this item to May 17th. All those in favor say aye. All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

E. Public Hearing for Saint Ignatius School by Roman Catholic Diocese of Boise Located 6180 N. Meridian Road (H-2016-0028)

1. Request: Annexation and Zoning of 10.71 Acres of Land with a C-C Zoning District

De Weerd: 9-E is a public hearing for an annexation and zoning of 10.71 acres of land in a C-C zone. 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 annexation and zoning. This site consists of 10.71 acres of land. It's currently zoned RUT in Ada County and is located at 6180 North Meridian Road. A property boundary adjustment was recently tentatively approved in Ada County between this property and the property to the north where the church is located. This is a copy of the approved record of survey. Staff recommends the record of survey is recorded and final approval is granted from Ada County prior to annexation ordinance approval. This is an aerial view of the property. Southeast corner of Chinden and Meridian Road. If I recall the Catholic church is right at the corner and this property is down along the south boundary. The Comprehensive Plan future land use map designation is mixed use community. The applicant is requesting annexation and zoning of the subject property with a C-C district, consistent with the MUC future land use map designation for the development of a private school. The proposed annexation area consists of a combination of two parcels owned by the Roman Catholic Church, the boundaries of which will be adjusted to accommodate the proposed development on the southern parcel. The larger parcel to the north where the church is located is not included in the annexation boundary. There is an existing wireless communication facility, a cell tower, at the eastern portion of this site. No other structures exist on this property. A conceptual site plan was submitted showing how this site is proposed to develop as shown with a 54,465 square foot private school for kindergarten through 8th grade and that is associated with the church. The school is proposed to be setback approximately 56 feet from the south property line that abuts residential properties. Exterior lighting is proposed to be directed away from the residences and vehicular traffic and parking is oriented away from the residences also on the north and west portions of the site. The proposed use is subject to the specific use standards listed in the UDC for education institutions. Idaho State Code requires the traffic authority, which is ACHD in this case, to review the application to insure that local roads can accommodate the proposed project and that safe access to school is provided for children. ACHD has completed their initial review of the

traffic impact study and has requested the applicant address your comments prior to proceeding with their review. Comments have not been received back yet from the applicant. Therefore, the city has not yet received a report from ACHD on this. Access is proposed from one new access and one existing access to the north on the church property via North Meridian Road. The applicant is requesting Council approval of a waiver to UDC 11-3A-3 for the proposed new access. If you can see my pointer here, this is the new access proposed to Meridian Road. This is the existing one to the north here that serves the church currently. A 35 foot wide street buffer and a detached sidewalk is required along the frontage of this on North Meridian Road. Staff recommends the sidewalk is extended off site to the north to the existing driveway where there is no sidewalk to provide safe pedestrian access for children to the school. Sidewalk currently exists north of the existing driveway along Meridian Road. A 25 foot wide landscape buffer is required to the residential uses along the south and east boundaries of the site. There is a canal that runs along the northern boundary of the site, but is required to be piped with development. A conceptual prospective drawing of the future school was submitted as shown. The building design is a single story constructed primarily of brick with modulation in the facades and roof lines, which will compliment the design of the existing church and incorporate similar construction materials and colors. The final design of the structure is required to comply with the design standards listed in the UDC and in the architectural standards manual. Summary of the Commission public hearing. Tamara Thompson testified in favor. She's the applicant's representative. No one testified in opposition or commented. Written testimony was received from Tamara Thompson in agreement with the staff report. The only issue discussed by the Commission was the proposed new access via Meridian Road. The Commission was in favor of the applicant's proposal for an access and wavier from Council for that. The only outstanding issue for Council -- as I stated, the request for a waiver to the access standards listed in the UDC to allow two accesses via Meridian Road, the existing and the proposed. There has been no written testimony since the Commission hearing. Staff will stand for any questions the Mayor and Council may have.

De Weerd: Thank you. Council, any questions? Okay. Would the applicant like to make comment? Good evening. Thank you for joining us.

Thompson: Good evening, Madam Mayor, Members of Council. My name is Tamara Thompson, I'm with The Land Group at 462 East Shore Drive in Eagle. With me tonight is our design team, so I have -- we kind of have a little section over here. Matt Adams and Michael Thomas are also with The Land Group. John Dorny is our traffic engineer from Horrocks. I will turn the mike over to him in a little bit, so you can hear from him. Greg Ugrin is CTA is architect. And Zach Higgins from Wright Brothers is the contractor. So, we are here to answer any questions that you may have. We are pleased to present this private school, St. Ignatius. This school will contribute to the educational options in the City of Meridian and the surrounding area. The school has a maximum occupancy of

450 students and it will serve preschool age through 8th grade. The timing is to open in the fall of 2017, so very fast track. By the time we get construction drawings and permit and construct -- which is why we broke this piece of property off from the church itself. You will be seeing the church come in for annexation shortly. They would like to get connected to city utilities. So, that -- that will come in, just separately, so that we can fast track this process. As far as the design goes -- switch this if I can, Sonya. Sorry. The -- the site was designed with the neighbors in mind. The requirement is 25 foot setback away from the neighbors. We are more than double that at 56 feet and, then, all parking and traffic circulation is away from the neighbors to the south and to the east and we will take into account the lighting that will be directional lighting away from the neighborhood. So, we have reviewed the staff report. We agree with the conditions. We are requesting a waiver from Council for the southern access point that aligns with -- with the road that's -- that's across the way and with that I will turn it over to John Dorny, our traffic engineer, and you can hear from him.

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

Dorny: Yes. John Dorny. Horrocks Engineers at 5700 East Franklin Road in Nampa, Idaho.

De Weerd: Thank you.

Dorny: Go a little -- can you hear me okay?

De Weerd: Thank you, Madam Clerk.

Dorny: Thank you. Again, John Dorny, professional engineer here in Idaho. I'm a principal in Horrocks. I do traffic engineering. That's all I do. Been doing it for 18 years, so just kind of -- so you know who you're talking to here. It's a traffic person doing that. Safety. This is what this is about that to me and to us. This is Building Safety Month I just found out, so it's good timing. I just want to reiterate that, that most -- and especially around schools, our number one concern is safety, so that's what we kind of went in -- whether it's on site or off site. You have seen different elevations of a project. This is an oblique view from looking south kind of if you were hovering above Chinden. This is the existing -- I don't know -- if I can draw on this can you see it? This is the existing church and the site we are talking about is kind of back here. I don't know if you get your bearings. This is Meridian. Looking down with the church to the north, the existing building. We overlaid the site plan on top of an aerial photo to kind of show you how that lays out. You have seen some site plans before by themselves, but this combines both. So, what we are talking about is this access lining up across the street from the Paramount access. This access exists already. Those are the two access points. Regarding access, we will talk about it. Chinden is considered an expressway with a large right of way and down the

road the access will be highly restricted. It will be a lot of right-in, right-outs, lefts only at signals and so really putting any legitimate access on Chinden was -- was really not a long-term option, even though there is an existing one now by the nursery, eventually that's going to be restricted. So, we really have to focus on -- on Meridian. Part of the on-site circulation -- they have a very good plan to accommodate traffic off the highway, off of Meridian. The green represents one of the dropoff zones, curb side to the right, and there is a lane to the left that they can pull out and get around, kind of like the airport with only two lanes. The yellow represents a second lane where -- and another dropoff lane with also a pull out that they will do a reverse lane during the morning time. It shows an arrow heading west, but they will turn that and let you have a double dropoff lane, which is very important to get the vehicles off the road. When we talk about safety, the school needs to accommodate the vehicles and get them off the road. That's the number one thing that affects usually typically the school. This is quite a large area of parking and drop off and they have a sea of parking also up here to utilize, which isn't typical of a school. We talked earlier and my school has -- you know, my kids' school has a handful of extra parking. This has quite a lot of extra parking to pick up kids. I just happen to go to this ASCE training last week and it was regarding strategies for creating safe routes to schools before I knew I was even coming here. So, it was good timing and I learned real briefly that supports this is that from this training was by assigning short-term visit or parking in that area that I just showed you to the north of the school, parents can take time to unload a little longer if they are parked in the diagonal lots that I showed you. If they are on the curb site it can kind of come and go, but if they need a little more time, if they have got more kids, they got a little baby, there is an area that lets them kind of take more time and that does have that on this site. Also by having good circulation you reduce the driver options and decision making and so they are not having to drive while making decisions and worry about the driving, they could pay attention to where their kids are for safety again. It reduces delays, shortens vehicle queues and the driver's eyes can be on the road. Also what's important is that the school controls the circulation. They -- you can use colored system, paddles, radios, all different kinds of methods that have really good ways to control it and so that you don't -- aren't reacting to people coming in. They actually modified the site plan from a previous version that wasn't conducive to that and they switched it and made it better. I don't know if you saw that version. But one way operation was very important that came out of this training, which they do have coming on site and they have teachers, parents, and volunteers and you can use traffic control signs kind of directing people. Those little safety signs I showed you at the beginning where it has kids crossing, those are always good, too. Level of service. You probably heard that before regarding traffic studies. A few nods. If you don't I can tell you about it. I assume you do. A through F is a typical level of service grade. In this case D's are good. C's are better. A's and B's are a little bit overbuilt. That means you're not getting the utilization of your roadway. So, you want to be in the -- the C, D plus range. If we were to open up both driveways, as you can see here, this one to the north is the exiting one, this one to the south is the planned

-- proposed one. The value to the left, the C, is the a.m. level of service at that intersection during school time and D is the p.m. level of service. Same thing with these down here, the C there is a.m. and the C here is p.m. That's if you spread the traffic out and use both accesses. If you only use one access point and you don't build this one, the northern one becomes E and F during a.m. and the p.m. That creates a safety issue. People will take chances, they will pull out into the roadway, so that's bad. If you do the opposite and you don't -- and you close this one and you just build the school and you're at D and E level of service from the a.m. and p.m. and as traffic increases and things are built -- this isn't quite the boundary of the west, but as you look west of here there is quite a lot more land from this point on where there will be more cars and more houses. So, as traffic increases on Meridian those level of service grades will decrease and get worse. So, part of the reason why we feel we need two accesses is for safety and to maintain a level of service D or better, which is the standard for level of service. Recommendations. There is a northbound right turn lane required based on Lawrence right there. Northbound on Meridian. They have enough right-hand turn lanes into the site that they need to build a right turn pocket into that site. Their own site circulation plans -- they need to be proactive, not reactive and with a school -- this isn't going to be like a Costco where one day there is not cars, the next day there is thousands. It will increase in enrollment. I know they hope that, you know, the more enrollment the better, but they will probably start off with a number and slowly increase. So, it will kind of be able to be monitors and modified, not just a sudden big box store turned on. You can monitor the roadway as access normally increases, again, using a one way system to maximize on-site storage and reserve right of way on Meridian and Chinden when they widen. I know that Chinden is probably widening farther in the future. Meridian is scheduled between now and 2026 to be widened not more than three lanes, but -- not to five, but stated three, but they are going to do some improvements. So, we want to make sure that the developer accounts for that in their design. Other than that any questions?

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: On your northbound, what is that, about an eighth of a mile south of Chinden?

Dorny: This one?

Bird: On your north entry.

Dorny: This is --

Bird: The existing entry.

Dorny: Yeah. This is about 420 feet -- a little over 420.

Bird: So, that's about an eighth of a mile. I'm -- I'm in favor of having the two entries, but I wonder if you're -- if you're going south -- turn on Chinden and going south in the busy time are you going to be able to turn in that north one? Because you're coming down to the south entry good of a quarter mile away from that intersection.

Dorny: You're asking if you're -- you can do that?

Bird: Yeah. Is that going to be -- are we so -- are we too close that it's going to jam up in the mornings when you have got cars piled back there? Because I have come at busy times and actually seen cars stack back to the existing roadway into the church.

Dorny: So, we worked with ACHD and COMPASS. COMPASS runs the travel demand model for the future and we asked them -- looking into the future based on your land use and zoning and what you have planned, what's traffic going to look like? Where is this traffic going to come from? We did interview the church. Actually, John Stone in our office who sits on the board for the Bishop Kelly High School and we talked to him and said how does the school work, how does the church work, and so he kind of explained how the operations were. In our analysis we showed -- erase this again. We showed about 200 feet of queuing when we try to do a recreation of a simulation and I promise you that every day is different, that --

Bird: Okay.

Dorny: -- you -- a day that you see them and they just -- and I see them, someone else sees it, it's going to change. Traffic changes all the time. So, I would -- I don't disbelieve that it could back up far some day. We do traffic counts and when we put those counts in a simulation model and try to recreate the current conditions and, then, we start growing background traffic based off a percentage of current rates that you heard the assessor talk about growth and, then, we add the project traffic on top of that. With all of that we got about 200 feet of left turn storage --

Bird: Okay.

Dorny: -- and about 170 of through and right and those are drawn a little bit long, but we only had about 20 feet of cars stacked up, which is about one and a half, two cars turning left into that driveway. The southern one is more attractive, because it's closer to the school and that's going to change from day to day, like I said. It's going to fluctuate. Our big concern was that if we only have one -- especially just this one, that this will back up; right?

Bird: Yeah.

Dorny: So, the second one is the main access for the school and it's closer and it's -- it's actually easier to get in and out of the school down here than it is to come in and try to fight -- this is a free movement. These people have to stop there. If they come in here they have to stop and wait to get in. So, that might be a little bit harder for them to get in. The southern access is going to actually work easier for the parents to drop the students off. So, the secondary access -- have to allow the true one way system -- they kind of funnel in, they stack up, they have hundreds of feet of storage and, then, they can just go north, they can go out to the -- the roadway by the nursery, they can go up to -- the Holy Apostles entrance and they can enter and exit that way. They still can kind of turn around and come back out the southern access, but we are about 30 feet, plus or minus short on the access spacing requirement. So, it's not really bad, but it's almost required to operate, to function correctly.

Bird: Well, you're lining up with the existing --

Dorny: Yeah.

Bird: The proposed one out of Paramount.

Dorny: Yeah. Right. You can kind of see it -- it's a -- I think there is a canal right here and they can't go any further south.

Bird: That's right.

Dorny: And so that's as far as they can go.

Bird: Thank you very much.

Dorny: Sure.

De Weerd: Any other questions from Council? Thank you. This is a public hearing. Is there anyone who would like to provide testimony? I did have a John Dorny signed up in favor, but did not wish to -- oh. That was -- that was you. I thought you didn't want to provide testimony. That was a pretty good testimony for not wanting to. Good job. This is a public hearing. There is anyone who would like to make comment?

Bird: Madam Mayor?

De Weerd: Tamara, any closing remarks?

Bird: Oh, I'm sorry.

De Weerd: Okay. Council, any questions?

Cavener: Madam Mayor?

De Weerd: Yes, Mr. Cavener.

Cavener: I got a question for the applicant, but maybe for -- for ACHD or potentially staff. I think I will start with Sonya. Sonya, is it common for us to not -- to have something before us without having a comment from ACHD?

Watters: Madam Mayor, Councilman Cavener, this is an annexation application, so we don't always get a report from ACHD on that, but -- because this is something the state code speaks to, then, we would like to have their comments, we just haven't received them yet. Regardless, the applicant does need to comply with state code.

Cavener: Sure. Okay. Madam Mayor, maybe a question for Sonya or for Justin. Is that intersection where they connect to Paramount, is that set to be signalized? Is that a signalized intersection?

De Weerd: No.

Watters: Councilman Cavener, not that I'm aware of. I don't believe so. That's Director Street across the street in Paramount.

De Weerd: It's quite similar to the situation you have on Locust Grove with Ambrose and, then, the subdivision access north of Ambrose. Okay. Any follow up?

Cavener: I guess, Madam Mayor, one more. Do we have any indication as to when we will hear from ACHD?

Watters: Councilman Cavener, I assume we will have the report soon, but I have been asking, but it hasn't been -- well, actually, let me back up for a minute. The applicant was supposed to provide some feedback to comments from ACHD and that hasn't been done yet by the applicant, so that's why the report's been delayed.

Cavener: Okay.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Dorny: Can I --

De Weerd: Yes, please.

Dorny: John Dorny from Horrocks. Actually did get comments back and here is my response. I failed to bring that up. I didn't realize it was going to be a big issue. We did do a complete traffic study. ACHD actually said do a -- I forget the terminology. They said do a small one or do a minor one, which is hard to just do a small one. You do one or you don't. So, we did one and we also did the requirements of a 22 item checklist or the special checklist from the state that has 22 items. So, we did a traffic study and the checklist. We submitted that and got six comments back and we have changed the traffic study. None of them involved the access. It involved -- they wanted the level of service presented in a different way. They wanted some crash information. I had a graphical error on a number and they also wanted to remove a left turn lane that we errantly put in a drawing and they asked about a left turn lane warrant going into the site, which does not -- it doesn't warrant one. And they asked about some on-site circulation of sidewalks. So, I actually have a memo prepared to Mindy Wallace from ACHD to respond to her comments, but none of them -- none of them involve the accesses. Not that that won't happen, but that's what we got so far.

De Weerd: Okay.

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: John, is that in response to that April 26th letter?

Dorny: Let's see.

Borton: ACHD's letter?

Dorny: Yeah.

Borton: Do you have a copy of your response --

Dorny: Well --

Borton: -- you can share or --

Dorny: Not -- I mean not yet. I just literally today kind of finished the last few, because we were waiting on crash data from the state and we wanted to see -- we have to request it from them. So, we have to analyze it. We have been analyzing it. There were no fatalities at any of the crash situations. Most of them were rear-end crashes at the intersection for distracted driving. Not a lot of left turn people getting -- pulling out. It was mostly rear-end crashes. But no -- no

fatalities. But we could turn that into Mindy in the next few days, because we are done with it, so --

Borton: Okay. Thanks.

De Weerd: So, you mentioned that you -- there was no warrant for left -- left turn in lane?

Dorny: South on left, they asked us to do a warrant analysis for a southbound left there. There already is one here and to just warrant one -- there is a chart and a graph and a thing that they use and they count it and if it meets a certain number and it's -- it's a function of how much traffic is on Meridian and how much traffic it's cutting in front of and we put those numbers together in a formula and if it doesn't meet their criteria, then, it doesn't warrant a left turn lane. As numbers change that changes all the time, too, but that's what they asked for, a left turn in and a right turn in and the right turn one does warrant. A left turn one does not.

De Weerd: Okay.

Dorny: Partly because -- now you're looking suspicious. You're not -- you're skeptical, aren't you. We interviewed the school and we got where every parish member lives and they are assuming 80 or 90 percent of the children will come from their parishioners and about 90 -- 80 to 90 percent of them all live south of this area and so most of the traffic is coming from the south, which that's why there is not a lot of southbound lefts coming from the north. Yes, they will come in from, you know, across the river and come in and go left, but a lot are coming up Meridian or heading over other roadways. So, due to the river and the dynamics of that area, we were able to distribute traffic based on where they told us their people lived. So, there is not as many left southbound people coming in, according to what we could best guess, so --

De Weerd: Today.

Dorny: Today. I promise you it will be different when it's built, because it always changes. But we do our best with all the data. We -- we try to take all the engineering judgment out of it. Instead of me saying, ah, I think 30 percent is going to come from the south, we asked ACHD, we asked COMPASS, and we talked to the -- the church, where do you people live, so I don't have to guess these things and, then, try to convince you that my guesses are correct. So, we really try to grab the information that we can justify and back up, so -- I could look and see how -- possibly how close that left turn warrant is if you want. Is that --

De Weerd: Yes.

Dorny: Would you like to see it? Actually, you know what, this is their request to do the left turn warrant analysis. This is the original report we submitted, so it

doesn't have it in it, because we haven't changed it yet. So, this is the old report that they reviewed. This is their review comments. The third piece will be for left turn warrants. So, it's not in this one.

De Weerd: So, Sonya, if -- if it's warranted that will be in the -- the findings; is that what you're saying? That would be part of the state guidelines?

Watters: Madam Mayor, I'm not sure if I'm understanding you or not. The ACHD report that's issued will provide an analysis of their compliance with those standards.

De Weerd: Okay.

Dorny: Yeah. They will look at this and agree or disagree with our analysis and the left turn will be added to the new traffic study. This is the one that they reviewed first. The second one doesn't exist yet.

De Weerd: So, if ACHD believes it's warranted you are -- are ready to put it in?

Dorny: That's -- so, the developers are nodding their heads. You could not make them, you could make them. It's up to them, so --

De Weerd: Okay.

Dorny: Usually if it's warranted it's hard to get away from it and we recommend not putting it in.

De Weerd: Good answer. Thank you.

Dorny: Thank you.

De Weerd: Okay. Council, anything further? Okay. Well, then, I would entertain a motion to close the public hearing.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move we close the public hearing on the Catholic school -- I don't see a number on it. Oh. I'm sorry. AZ H-2016-0028.

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.

MOTION CARRIED: ALL AYES.

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: Just a quick comment. There has been discussion in various applications about standards and minimum standards and one thing that -- two things that jump out that I think are worth mentioning. With regards to the buffer to the south, is we don't have any residents here or anybody, quite frankly, to the application, but Ms. Thompson did make note of one of the components of the -- of the development having that south buffer more than double our minimum requirement, which might clearly not have been required, but was deemed to be appropriate in their eyes and it was just the right application from the developer to recognize that's the right way to do it and it very well might be one of the reasons why we don't have a lot of opposition or any in that regard to the south. So, just wanted to acknowledge it and appreciate it. I think it's the right way to do it.

De Weerd: Someone not just giving the minimum is always nice to see.

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: Madam Mayor, I think this looks awesome. As I typically do with development. Assuming where the chuckles are coming from, but -- and so with that I move we approve H2016-0028 with the waiver to the access standards.

Milam: Second.

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

Cavener: Madam Mayor?

De Weerd: Mr. Cavener.

Cavener: Just a discussion topic. I appreciate the willingness to move this forward. I'm challenged, because we haven't heard from -- from ACHD and I recognize it's just an annexation and zoning, but where the specific piece they are asking for really impacts our roadways -- I'm not opposed to the development. I think it's development that -- I guess to quote Councilman Palmer, is, indeed, awesome. I just -- I struggle with not hearing from our highway district prior to making a decision. I don't know if there is any appetite of

this Council to continue this for a week or two to hear from ACHD in light of that particular piece of information. And, if not, I'm fine as well.

De Weerd: Well, we do have a motion to approve, so --

Bird: Call the question.

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: With the discussion, within the -- we heard the applicant testify to and the motion might encompass that is an acknowledgement that the development will comply with the requirements from ACHD's once complete and that would be incorporated into our approval. The comfort that I get is the preliminary review that they have done, the letter they provided us with what appears to be the six highlighted points of potential concern and the applicant's acknowledgment of those and willingness to address them and ultimately comply with what ACHD might require, at least give me comfort that the condition warrants the application going forward.

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

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

De Weerd: All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

- F. Public Hearing Continued from April 26, 2016 for Volterra Subdivision (H-2016-0033) by Bridgetower Investments, LLC Located North Side of W. McMillan Road Between N. Black Cat Road and N. Ten Mile Road**
 - 1. Request: Amend the Recorded Development Agreement (Instrument #106034786, Amended as Instrument #11101393) to Allow Right Out Only Access to N. Ten Mile Road for the Office Lots Approved with the Volterra South Subdivision**

De Weerd: Item 9-F is a public hearing on 2016-0033. This public hearing was continued from April 26th. The applicant has requested continuance to May 17th due to incorrect sign posting. So, we could not accept public hearing on this item regardless. So, Council, I will open this public hearing and -- or I already had, but I would ask for your motion to continue this to May 17th.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move we continue H-2016-0033 until May 17th, 2016.

Milam: Second.

De Weerd: I have a motion and a second to continue Item 9-F to May 17th. All those in favor say aye. All ayes.

MOTION CARRIED: ALL AYES.

- G. Public Hearing Continued from April 19, 2016 for Meridian Property Group (H-2016-0004) by Darel T. Hardenbrook Located 1139 E. Fairview Avenue**
- 1. Request: Annexation and Zoning of 0.63 Acres of Land with a C-G Zoning District**
 - 2. Request: Modify the Existing Development Agreement (Inst. #109134178) to Incorporate Parcel #S1107120620 As Well As to Modify Certain Other Provisions**

De Weerd: 9-G is a public hearing, also continued from April 19th on H-2016-0004. I will open this public hearing -- or this continued public hearing with staff comments.

Palmer: Madam Mayor?

De Weerd: Yes, Mr. Palmer.

Palmer: Real quick, Madam Mayor. I just wanted to point out that my employer does do some business with the applicant's client, but it will have no bearing on my life, so I plan to participate in discussion and vote.

Beach: Very good, Madam Mayor, Members of the Council. This is an application for annexation and zoning. The site consists of .63 acres of land, is zoned currently zoned R-1M and it is located at 1139 East Fairview Avenue. To the north is commercial property, zoned C-G. To the east is Touchstone Place Apartments, a shared driveway, and an animal care facility zoned R-15 and C-G. To the south are the Touchstone Place Apartment that are zoned R-15 and to the west are commercial businesses, zoned C-2 in Ada County. A little history on the property. In 2001 a portion of the subject property, 1065 East Fairview

Avenue, was annexed and zoned C-G with plans to develop the property with a medical office. A development agreement was required as a provision of annexation. However, the applicant at the time never signed the development agreement. In 2008 a certificate of zoning compliance was denied by the director. The applicant filed a Council review application in which Council required the execution of a recorded development agreement prior to any certificate of zoning compliance approval. In 2010 a certificate of zoning compliance was approved to develop that parcel as a vehicle sales facility. The Comprehensive Plan and future land use map for this specific parcel is commercial. The applicant requests annexation of the subject property with C-G zoning district consistent with the abutting properties owned by the applicant. So, the same owner owns both of these parcels that you see here. With the intent to develop them as a vehicle sales facility. C-G zoning district would allow the applicant to construct a vehicle sales facility as depicted on the proposed concept plan, which you will see here. The use of the property is a principally permitted use within the C-G zoning district, except for the residence along the south and east boundary of the subject property is primarily surrounded by commercial development, which is zoned C-G. A 25 foot wide street buffer is required along East Fairview Avenue. A 25 foot landscape buffer is also required adjacent to the residential uses to the south and against the drive aisle to the east. The applicant is requesting that Council waive to reduce the landscape buffer along the southern border of the proposed development due to the recent completion of Touchstone Place Apartments, which the subject property on the south and the west boundaries. The UDC does require a 25 foot landscape buffer when commercial development abuts residential uses. However, with the development of the Touchstone Place Apartments the applicant for the project construct open -- also constructed a six foot tall solid wood fence providing increased building setback along the shared boundary in anticipation of the proposed commercial development. So, there currently exists approximately 15 feet of landscape buffer from the property line south and the applicant is requesting that they be allowed to just provide a ten foot landscape buffer from their property line to the north, instead of the 25, which would, then, equal the 25 foot landscape buffer that's required by code. Staff is of the opinion that the applicant should construct a minimum of a ten foot landscape buffer adjacent to the building and potential of reducing that further along this section here. Touchstone Place's open space is located in this area here, so there is a significant open space component already existing there. With the development of the property the applicant proposes to utilize the existing cross-access driveway to the east, which was constructed with the Touchstone Place Apartments, as well as an access from 1065 East Fairview, which is the property directly to the west here. So, the applicant is requesting to share a cross-access to this property directly to the west, as well as to allow just one access onto Fairview Avenue and would, then, remove the access here on the parcel to be annexed and would provide a direct access to Fairview as well, as well as the shared access to the existing drive aisle for the Touchstone Apartments. Conceptual building elevations for the future building were submitted by the

applicant. Building material depicted on the plan for the building include brick, stucco and the glass door front. Staff supports the applicant's proposal to orient the garage doors away from the major arterial of East Fairview Avenue. The future building on this site will generally comply with the submitted elevations, including, but not limited to the design standards set forth in the City of Meridian's architectural standards manual. A certificate of zoning compliance is required prior to occupancy of the building. Staff has not received any written testimony since the Commission hearing. Summary of the Commission hearing. The applicant stood in favor. There was none in opposition. No comments. Did not receive written testimony. I was the presenting staff person. Bill Parsons also commented. There were no key issues of public testimony. Key issues of discussion by the Commission were the width of the landscape buffer adjacent to the Touchstone Place Apartments and the location of the driveway along East Fairview. The Commission did not make changes to that. The only outstanding issue that is before you this evening is the applicant requesting to waive that or waive to reduce the landscape buffer along the south. We did receive some comments from ACHD that we had received prior to the Commission hearing, I have included in the slide here. One of the main things that I want to point out is ACHD was supportive of the cross-access agreements, but you see three here. The condition is to construct one shared driveway between 1035 and 1065 East Fairview Avenue or construct a driveway on Fairview Avenue located one hundred feet east of the west property line. A driveway shall be constructed as a 30 to 36 foot curb return with pavement tapers and paved back a minimum of 30 feet from the edge of pavement on Fairview Avenue. So, the applicant has some options there. I wanted to point that out, because we typically don't like to allow many accesses to arterial roadways and if we can go back a couple of slides to an aerial shot. The applicant is -- in their slide proposing an access point where my cursor is here. There is an existing access about 20 feet to the west and the highway district is okay with the -- the proximity of those two access points, so that's why they are recommending that it be pushed further to the east. With that staff will stand for any questions you have.

De Weerd: Josh, I guess I have a question. Other types of uses along Fairview has prohibited the display in the easement or in the landscape buffer. Is that also a condition?

Beach: Correct. We don't allow display vehicles to be located within that 25 foot landscape buffer along Fairview and that's -- just to clarify, that's not what the applicant is requesting to reduce. They are requesting to reduce the 25 foot landscape along the -- the southern portion. So, the 25 feet would remain and they would not be allowed to display any vehicle in that space. Correct.

De Weerd: Okay. Council, any questions?

Bird: Not at this time.

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

Amar: Well, good evening, Madam Mayor, Council Members. For the record my name is Kevin Amar. My address is 1548 West Cayuse Creek Drive in Meridian. I'm here tonight representing Meridian Property Group on the development of this site on Fairview Avenue. We were also the developers of Touchstone Place Apartments behind this site and so we have been working -- really, we have been working on this project with the Meridian Property Group since about 2008 when the first -- when the first application came in to develop the western parcel. At that time the infrastructure wasn't quite there, sewer wasn't to the site, water was still a ways away from the sight, so there was some issues that already were difficult with this site and, then, given those issues in conjunction with the economic climate at the time, it was decided by the owners just to wait until times improved. Times have improved. Touchstone Place has been completed and developed. Jericho Road has been completed on the eastern end of this site, which provides them better access limits, some additional access onto Fairview and, then, also with the development of Touchstone Place sewer and water was brought to this site. So, all the infrastructure is now currently to the site. With the development of this site we will be limiting -- so, currently there are two access points onto Fairview, one for each parcel. With the development of this site one of those access points will be deleted. There will be access off of a shared driveway on Jericho, as well as an additional access point, as staff mentioned, along the western boundary and that are complying with ACHD's conditions, whether it be on the property line or adjusted per their conditions. We have no problems with that and we will comply with those conditions. Further, all the staff comments and conditions we are in agreement with and we will comply with those regarding building design and type and -- as well as we understand that cars cannot be displayed -- displayed in that landscape buffer. Part of the question -- in the original development that came through on the western site, as that project was developed there was already allowed a reduction in landscape buffer along the southern boundary to five feet. We are proposing to maintain that, because there is already a large buffer on the other side of that Touchstone Place Subdivision, which we developed that greatly increases any -- it exceeds the 25 feet required that is between residential and commercial. On the new property, the property -- the gray hatched property there is currently -- we will -- we propose a ten foot landscape buffer on our side, which will provide at 25 foot landscape buffer for any properties behind. We appreciate staff's willingness to work with us on it and I'd stand for any questions at this time.

De Weerd: Thank you. Council, any questions?

Bird: I have none.

De Weerd: It's been a little while.

Amar: Yeah. A little while. Thanks.

Beach: Madam Mayor, if I may, I neglected to mention, this is -- this is an application for annexation and zoning, as well as to modify the development agreement to add this property into the existing development agreement for the property to the west, just to make that clear.

De Weerd: Thank you, Josh. Okay. This is a public hearing. Is there anyone who would like to provide testimony?

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: Seeing none, I move that we close the public hearing on H-2016-0004.

Bird: Second.

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

MOTION CARRIED: ALL AYES.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: I move that we approve file number H-2016-0004 as presented in the staff report with the condition that -- as the applicant stated, they would comply with ACHD conditions.

Bird: Second.

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

**H. Public Hearing for Kenners Subdivision (H-2016-0018)
by Kouba Homes, LLC Located East of N. Locust Grove
Road, North Side of E. Fairview Avenue**

- 1. Request: Annexation and Zoning of 0.932 Acres of
Land with an R-8 Zoning District**
- 2. Request: Preliminary Plat Consisting of Eight (8)
Building Lots and One (1) Common Lot on 1.28
Acres of Land in the R-8 Zoning District**

De Weerd: Item No. 9-H is a public hearing on H-2016-0018. I will open this public hearing with staff comments.

Beach: Madam Mayor, Members of the Council, this application before you, Kenner Subdivision, is an application for annexation and zoning and a preliminary plat. The site consists of 1.28 acres of land with a preliminary plat, 0.231 acres of which is currently zoned R-8 and approximately .932 acres of land as part of the requested annexation, which is currently zoned RUT. The property is located east of North Locust Grove Road on the north side of East Fairview Avenue. To the north is Wingate Place Subdivision No. 2, which is zoned R-8. To the east is Wingate Place Subdivision No. 2 zoned R-8. To the south is Dove Meadows Subdivision No. 2, zoned R-8. And to the west is Mirage Meadows Subdivision, zoned R-4. The 0.231 acres of -- acre parcel was annexed and zoned in 1993 as Lot 23, Block 1, of the Wingate Park Subdivision, and 18.8 acre lot, single family residential subdivision and the 1996 parcel number R9467180240 was approved as Wingate Subdivision No. 2. The Comprehensive Plan future land use map designated for this property is medium density residential. The applicant has applied to annex and zone a total of .932 acres of land with a proposed R-8 zoning district. The proposed zoning is generally consistent with the corresponding future land use map designation of medium density residential. The property is contiguous to land that has been annexed into the city and is within the city's area of impact. The applicant has submitted a concurrent preliminary plat that consists of eight building lots and one common lot on 1.28 acres of land in the R-8 zoning district. The proposed gross density of the subject -- of the subdivision is 6.25 dwelling units per acre, with a net density of 8.1 dwelling units per acre. It is generally consistent with the R-8 zoning district. And as noted this parcel here to the north is the parcel that has already been annexed and will be -- is proposed to be replatted with this subdivision. The lots range in size from 5,001 square feet to 6,215 square feet, with an average size of 5,374 square feet. The proposed plat exceeds the minimum lot size requirement of 4,000 square feet for the R-8 zoning district. The subdivision will take access via two existing stub streets, East Oakcrest Avenue, which is here on the west side and to North Dixie Avenue, which is here on the north. The existing property may have the right to use North Dixie Lane to access the property. So, prior signature on the final plat the applicant shall provide proof

that any rights to access North Dixie Lane has been relinquished and just for reference sake that would be located directly here. There is an existing pathway that was developed as part of the shopping center down on the corner that utilizes this. We would just like to be certain that there is no right for the -- for that property to use that for -- for further access -- vehicular access. With that staff encourages the applicant to coordinate with the Wingate Place No. 2 HOA on the construction and maintenance of a multi-use pathway on Lot 1, Block 6. The pathway currently does not go all the way to their proposed street, so this entire section here is -- is unimproved and staff would like to see that be constructed to continue that pathway all the way down to Fairview Avenue. There is an existing home and associated outbuildings on the site that will be removed as part of this development. Kouba Homes plans to construct single family homes using a variety of styles and materials. Staff is supportive of the elevations proposed with the development of the subdivision, which are included here. Staff has not received any written testimony since the Commission hearing. The Commission did recommend approval and a summary of the Commission hearing -- in favor was the applicant's representative Pat Tealey. There was none in opposition. Susan Chamblis was a neighbor who did comment on the application. Again, we did not receive any written testimony. I was the presenter on that. Key issues of public testimony: Hours of construction and the increase of potential traffic. Key issues of discussion by the Commission were this being an in-fill piece in an established neighborhood. The Commission did not change any staff recommendations and there are no issues outstanding for Council. With that staff will stand for any questions you have.

De Weerd: Thank you, Josh. Council, any questions? Okay. The applicant? Thank you for coming. If you will, please, state your name and address for the record.

Tealey: Madam Mayor, Members of the Council, my name is Pat Tealey. Office address 12594 Explorer in Boise. And I'm representing the applicant Kouba Homes. Basically I will just provide a brief history of why this parcel is a remnant piece that is still in -- in the county. We started developing that area with Dove Meadows in about 1994 and '95 and he was there, he provided a lot of resistance. I think maybe some of you may remember some of those discussions. In 1990 prior to that Mirage Meadows stubbed Oakcrest Road into his property and that's as far as it will go. Meridian did allow, in 1996, Wingate Place to be platted and Dixie Lane to be dead ended at his parcel again. Everybody new that that road would eventually go through there, so they -- they put the sewer and water onto that last lot there in the -- in Wingate. We are proposing now connecting those two roads, getting the utilities out into that public right of way and finally subdividing this last little remnant of ground. If there is any questions I would be glad to answer them.

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

Bird: I have none.

De Weerd: Okay. Thank you.

Tealey: Thank you.

De Weerd: I did have several people sign up. When I call your name if you would like to provide testimony I would ask you to come forward at that time. Jody Cain signed up against. Okay. Dave Cain, signed up again. Ruth Ann Price signed up against. Jordan Price signed up against. Chelsea Becker signed up against. If you would like to come forward. Good evening. Thank you for being here. If you will, please, state your name and address for the record.

Higgins: My name is Robert Higgins. I'm treasurer for Mirage Meadows Homeowners Association. We are a subdivision of 39 homes on Oakcrest Drive and a couple of cul-de-sacs. We are looking forward to this annexation, so we can get out of our subdivision. We have a really bad connection. To give you a head -- information, the traffic on Locust Grove is so bad getting out during rush hour traffic I -- last month me and my wife just about had a head-on collision in the center lane, because people are taking the center lane on Locust Grove to get into Chateau, so -- and we got to slam on the horn to people and we got two signs that say don't block the intersection. So, we are going to be looking to get through this annexation. My problem with this annexation is I would like the subdivision to give consideration about the parking needs that these homes are going to need. Most of the -- like our homes -- we got ten percent rentals and a lot of those homes have three, four cars, so when you're talking parking, they are sitting on their lawns, they are sitting in the driveways, they are using their garages for something else instead of parking them in and from what I'm seeing here the parking issue they are going to have is they are going to be moving them into our subdivision or into the Chateau Subdivision. So, that's the only thing I'd like you to be considering is that these lots -- it's a tough scenario with vehicles that are coming through, Locust Grove and Dixie Lane, because we are looking forward to getting out as another alternative. It's a bear and we have -- the cops -- I have asked the police officers -- went up to Mirage Meadows, I have talked to the patrol office last year to have them sit there and start citing people, but we are not getting any response from Meridian police department on that either. And, then, last month when me and my wife just about had a head-on, says I'm asking for motorcycle cops to even be there. So, I'm really -- we are for it, but it's just that the parking issue, even in our subdivision where we are fighting with residents about who is parking where in front of their houses, because there is not enough room in front of their own houses to park these extra vehicles, so -- I mean we have had to have code enforcement officers, because in the cul-de-sacs we have had them parking perpendicular to the curb, you know, their vehicles and we have also had them parking in the middle of the cul-de-sac, which during parties and stuff I don't have a problem with. It would be a problem -- I mean if we have a fire or something like that and the fire truck

has to get in there and they can't turn around that could be. But that's the one thing I have reservations about is the parking situation for the extra vehicles. So, please, take that in consideration when approving the subdivision. I mean I wanted to go through it big time, because we need the access to get the heck out of our subdivision. So, thank you.

De Weerd: Thank you. We appreciate --

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: Sir, I'm sorry, I have a question for you.

Higgins: Yes.

Milam: Maybe I missed something, but I'm just curious why you think that the parking situation is going to be worse with these homes than existing homes?

Higgins: We already have a parking problem down at that end of the subdivision that's going to -- I mean we have got one vehicle on -- I think it's 2005 Oakcrest -- I mean they got four vehicles there. They got two in the driveway, two on the streets. They got to rotate them.

Milam: Madam Mayor, follow up. So, just a thought. Also -- and I appreciate your testimony and the fact that you want this to go through. One of the things I heard during your testimony was that you -- you want to drive through this subdivision -- through this little subdivision to have access out?

Higgins: Yeah. We are going to be going through Packard.

Milam: And if they were the existing subdivision and your subdivision was coming through, they would be here complaining that you're going to be driving through their subdivision. So, if it was kind of --

Higgins: They are not going to want to go out our subdivision, I can guarantee it.

Milam: Right. No. They would be here testifying against your subdivision if it was new, because you would be -- they don't want you driving through their subdivision. So, luckily, there aren't any homeowners for that property yet. And I'm glad that you will have a better access. I -- I hope that there is not a worse parking situation than there already is, but we -- I do hear you.

Higgins: Yeah. It -- we have got some temperamental people when it comes to the parking situation down at that end and we have had -- one, they actually have a two car garage for recreation and they had three people, four people and they

actually added -- we finally made a -- we were going to -- ready to take some action on them, but they added six foot to their driveway so they could get that extra car off the road. So, we had a neighbor -- one of those neighbors have a fifth wheel and he brings it in and turns it around in the cul-de-sac with his vehicle -- their vehicles there and the other vehicle -- they had three cars parked in it, he couldn't do it, you know, and that's taken rights away from him to have his fifth wheel to be able to prep it and clean it up after he's used it. So, that's what I'm saying, parking needs to be addressed in the subdivisions -- in these -- and, man, I -- the faster they can get that road in the faster I will be happier than -- but, thank you, I appreciate your time.

De Weerd: Thank you, Robert. David Pinter. Painter? Sorry if I said it wrong. Signed up against. Diane Pascowich. Signed up against. Jennifer Evans signed up against. Terry McCarthy signed up as neutral. And Robert Dickson. Signed up as neutral. Thank you for being here. If you will state your name and address for the record.

Dickson: Robert Dickson. D-i-c-k-s-o-n. 2048 North Whittiers Place, Meridian.

De Weerd: Thank you.

Dickson: We are right close to the property they want to annex and it's an eye sore. It needs to be gone. We are going to have a fire or somebody moving into the old house at some point. We only have one ingress and egress and that is about a block away from Chateau, to it gets blocked up like Bob was saying. So, I'm -- after seeing all the people sign up anti, I changed my mind, I'm for the subdivision, would really love to see it go in. Thank you.

De Weerd: Thank you.

Cavener: Madam Mayor?

De Weerd: Mr. Cavener.

Cavener: Sir, just a quick question --

De Weerd: Mr. Dickson.

Cavener: -- for you if you don't mind. You indicated that you were against it, but, then, changed your --

Dickson: No. I was neutral.

Cavener: You were neutral. So, now you're in favor?

Dickson: Yes.

Cavener: Okay.

Dickson: Because I saw all the people that were signed up against it and I want to get rid of it. I don't like that eye sore that's there.

Cavener: Fair enough. Thank you.

Dickson: Uh-huh.

De Weerd: Okay. This is a public hearing. Is there anyone else who would like to provide testimony? Yes. Good evening. If you will, please, state your name and address for the record.

Cain: My name is Jody Cain. I originally wasn't going to give testimony, but I decided that I should. My address is 2048 North Dixie. I'm actually right on the corner next to the lot in question and I agree that it's an eye sore and that it's a danger. There is kids that party there all the time. I have no problems with it being developed. I worry about the increase of traffic through there, because I -- I get that it's a pain to get through off of Locust Grove from that dead-end street, but how much the traffic is going to increase on that corner with the children that play and the cul-de-sac that has been there, I just worry about that increase and the hazards that that could cause and because there is such a parking issue, is it now going to overflow onto my street and create the parking issue there, so I can't park my own cars or can't have visitors or have those issues there. Also I worry about the quantity of the number of lots that they are proposing. Putting eight houses on that small of a segment, how many people are actually going to move in there, what's it going to do as far as decreasing my property values, because they have crammed so many places onto this one little location, as well as the community lot that they are proposing, is it going to be gated, is it going to be only for those residents? Is it going to become a neighborhood park or community lot? What are they proposing to put on this lot I guess are some of my other questions and concerns on that.

De Weerd: Thank you.

Cain: So --

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: Jody, I have a question for you.

Cain: Uh-huh.

Milam: What is the zoning of your home currently, do you know?

Cain: I don't know. I believe it's R-8, but that I don't know for sure.

Milam: Okay. That's the same as -- okay. Thank you.

Bird: I'm sure it's R-8.

De Weerd: Josh, is that R-8?

Beach: Correct.

De Weerd: Thank you. Anyone else want to provide testimony on this? Okay.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Josh, remind me. Under the old -- when this lady's sub was built, 5,000 square feet was an R-8; right?

Beach: Correct.

Bird: And now even though we have changed it to 4,000, as I -- if I understood you right when you give your presentation that the average lot size in this is going to be fifty --

Beach: 5,300 I believe.

Bird: Over 5,000 square feet, which would be --

Beach: Correct.

Beach: You said that -- I don't necessarily know that these are the minimum sizes we are allowed. These R-8 looks -- this is a little bit bigger on the R-8 side.

Bird: Yes.

Beach: I don't believe they are the minimum lot standards, but neither are the ones going in.

Bird: That's what I understood. Yes. Thank you.

De Weerd: Okay.

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: Josh, is the recommendation for that connectivity of the pathway one of the conditions of approval?

Beach: Correct.

Borton: Okay. Would the applicant like to make closing remarks?

Tealey: Madam Mayor, Council Members, Pat Tealey. I would -- it sounds like the parking issues are an enforcement issues and probably how that subdivision got built out. A lot of times what happens -- you know, homes were originally -- geez, 25 years ago now and some of those garages have probably been converted to occupied space or they are so full of other things that you can't park a car inside the thing. Basically -- we provide a two car garage and two cars parking in -- in the driveway. That's four cars. I can't imagine anybody else -- anybody having four cars living in those houses -- anymore than four cars. So, I suggest that they -- you know, that the -- and they have tried it, getting enforcement out there to try to cure some of their park problems. This is -- this has been sort of like a dead-end connection for the last 20 years. I mean we -- the City of Meridian and everybody around it in that area has known that since it was -- since it was built. So, this should come as no surprise. And it will provide another outlet for that neighborhood and certainly there are some traffic problems on Locust Grove, but I don't think these additional lots are going to cause that much more of an impact. Are there any questions?

De Weerd: Council, any questions for the applicant?

Bird: I have none.

De Weerd: Thank you. Council, would you like to hear again from Mr. Higgins? Yes, please. Robert, if you could state your name again for the record.

Higgins: Robert Higgins. I live at 2064 North Applewood Place, Meridian. And I'm treasurer of the Mirage Meadows Homeowner Association. The one thing that we are running into -- and that's due to state law. They have changed the HOA ability to enforce our covenants, which we have to allow cars to be parked on their driveway, not in the -- the vehicles -- I mean we have to actually -- if both are on their driveway we actually have to go to court for it and we are in the process of probably having to do that to one of our residents right now, because they are not taking -- we have asked them to move both and they are not -- and it's parked for the last week -- hopefully they were going to move it to a storage, which is right next door to us, but they are not doing it. But the senate -- or the state of Idaho has changed the law for HOAs to do any enforcement of their covenants. It's pretty hard and from what I heard from Kirk Hessing, who is the

president of our subdivision, he says they are trying to work it -- trying to get the law to be changed, but that parking issue -- if we had the ability to enforce we wouldn't have this issue. That's why I brought it up to you so that you would be aware of it. It's a touchy issue. The Idaho senate or -- lawmakers made an issue of it and it was -- and I can see their point where they had HOA managers that were penalizing without reason -- taking reasonable actions to get residents to maintain their property. But since we had some HOA managers ran amuck, the whole state paid for it. So, that's why we are having problems enforcing the parking, because our vehicles are supposed to be parked in our garages. We can't do anything about it. As long as there is some vehicles parking -- and I don't have a problem with it. But when you have -- they are parking their vehicles on the street, like the one place we have got a boat that's sitting on there, plus a car that's tarped sitting on their driveway. Their garage has got a whole bunch of other materials in it they are not using. They have got three vehicles parked on the street. So, I know they have two vehicles -- two car garages, two car driveways, but if you got more than three vehicles they are going to be sitting on the road and you will be driving one way or the other trying to get out of the subdivision. Okay. Thank you for your time.

De Weerd: Thank you.

Bird: Madam Mayor?

De Weerd: And thank you for your serving on an HOA. It's not always the most pleasant positions to be in. Mr. Bird.

Bird: Mr. Nary, could you explain what -- by our ordinance what -- what we can control in parking on public streets? And we have no control over HOAs at all nor do we want --

Nary: Madam Mayor, Members of the Council, Council Member Bird, so the only enforcement authority we have on the streets in regards to parking is the time -- length of time cars can be parked on the street at any one location and the size -- -- so, certain types of commercial vehicles we can limited their parking and we have. So, in the City of Meridian, you know, 72 hours to park a vehicle on the street, then, it has to be moved within 72 hours. Commercial vehicles of the size -- let's say a semi, cannot be parked on the streets in residential neighborhoods for any length of time and certain ones with trailers that are attached to like a motor home or a fifth wheel and things like that, can be parked up to two hours at any one point as long as they are attached -- if they are not attached to the vehicle. If they are attached to the vehicle they can be parked there for up to 72 hours. So, that's the only -- only authority we have as a city is to limit the length of time people can park there.

Bird: Thank you, Bill.

De Weerd: And it sounds like Mr. Higgins knows our code enforcement, so -- I think that Lieutenant Stokes will make sure we -- we have someone visit out there. Does the applicant have any -- any other words? You can't provide further words from there. I guess I have to define further words. Okay. Anything further from Council? Any questions for the applicant, staff, or any of those that shared testimony? I would entertain a motion to close the public hearing then.

Cavener: Madam Mayor?

De Weerd: Mr. Cavener.

Cavener: I move that we close the public hearing on H-2016-0018 for Kenner Subdivision.

Milam: Second.

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

MOTION CARRIED: ALL AYES.

Cavener: Madam Mayor?

De Weerd: Mr. Cavener.

Cavener: I move that we approve the annexation and zoning for Kenner Subdivision, H-2016-0018 and include all staff, applicant, and public testimony.

Bird: Second.

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

- I. **Public Hearing for UDC Text Amendment - Common Open Space (H-2016-0024) by EGC Development, LLC**
 1. **Request: Text Amendment to the Unified Development Code (UDC) as Follows: 1) UDC**

Section: Common Open Space (UDC-11-3G-3A Open Space and Site Amenity Requirement)

De Weerd: Item 9-I is the public hearing for UDC text amendment. I will turn this over to staff at this time.

Beach: Good evening, Madam Mayor, Members of Council. So, before you, as the Mayor said, this is a UDC -- an application for a UDC text amendment. The applicant is requesting approval of a UDC text amendment to update Section 11-3G-3A of the Unified Development Code. Specifically the requested change is to reduce the percentage of required open space to five percent for a residential development that is composed entirely of lots in excess of 16,000 square feet. You see here on the slide the -- if you recall last year staff brought before you an application to -- to reduce the required common open space and provide a couple of options. One of those was residential lots had to be on average ten percent -- 10,000 square feet or more or the development had to be within a quarter mile of a city regional park or an eighth of a mile of a city community park. The applicant was aware of this proposed change and proposed a 6.6 percent open space for their development. This is the applicant that brought forth the -- the Birkdale Subdivision, which is just directly east of the proposed school that was heard earlier this evening. Just as a frame of reference. So, as I said, their development in the Birkdale Estates proposed 6.6 open -- percent open space, with the anticipation that this proposed change last fall would be approved by Council. It was not, so the applicant has brought fourth an application to propose a five percent and with the understanding that Council did not necessarily think that the -- the average language was good enough, because you could have a lot that was significantly larger and a couple that were significantly smaller to kind of weigh that out. So, they brought forward their -- their language here in a slide and I will read that to you. The total land area of all common open space that meets the standards as set forth in Section B of this section, which is 11-3G, shall exceed ten percent of the gross land area of the development and their added text is: Or provide five percent common open space if the entire development is comprised of buildable lots a minimum of 16,000 square feet and this next portion is what was recommended by the Planning Commission at the hearing just over a month ago and not including the landscape buffers along arterial or collector roadways. So, there was some discussion at the Planning Commission that if we included those areas that they would not, then, have to provide any actual open space within the development, depending on the length of that frontage. So, this is how the applicant has elected to pursue this. The primary difference between the two proposals is the applicant's proposal specifies a minimum lot size, which staff's proposal did not. Further, staff recommended to include a minimum proximity of the development in relationship to a rezone and/or community park and the applicant's does not. Staff supports the applicant's proposal and analyzed the request with other provisions in the Unified Development Code to insure the proposed change does not conflict with other sections of the code and based on this analysis staff has

concluded that this change will not be -- will not affect any other sections. Staff did not receive any written testimony since the Planning Commission hearing. Commission did recommend approval with those conditions that I -- there are two. A summary of the public hearing. The applicant's representative Jeremy Garner was in favor. There were a couple in opposition. Robert Nielson and Joann St. Charles. With Susan Champlin commenting. There was no written testimony. I was the presenter there, with Bill Parsons as well commenting. Key issues of public testimony were concerns about reducing the amount of usable open space required for these large lots on a citywide basis and concerns that currently the street landscape buffer can be included in the open space calculations. Key issue of discussion by the Commission were the concerns that currently the street landscape buffer can be included in those calculations. The Commission change -- made that one change to the staff's recommended conditions that I read there to you and there are no outstanding issues for City Council and with that staff will stand for any questions you have on the application.

De Weerd: Council, any questions?

Bird: I have none.

De Weerd: Okay. Would the applicant like to make comment? Thank you for joining us. If you will, please, state your name and address for the record.

Garner: Madam Mayor, Members of the Council, my name is Jeremy Garner. I'm representing EGC Development. Address 13601 McMillan, Boise, Idaho.

De Weerd: Thank you.

Garner: Appreciate the opportunity to be here. I think Josh summarized this pretty well. A couple of the things that came up that I want to mention this time that I didn't mention last time was the fact that in Birkdale we actually have a pool and barbecue area that sits on -- close to 15,000 square feet of common space, but, obviously, would be considered as that open space requirement as well. In addition, this -- this subdivision has 15 buildable lots that are in excess or on average 21,000 square feet or half an acre. So, with the requirement that we have or will have in our -- architectural requirements of 25,000 square foot footprint, the average lot size or space around the lot would be somewhere in the neighborhood of 18,000 square feet or 19,000 square feet of yard, if you will, on each of those buildable lots. The other thing that was made mention -- and I don't want to testify for him, but Bill Parsons made mention that in the last ten years he has only seen maybe two of these R-2 developments where this application would be applicable to. So, I think, obviously, we are in -- in favor of keeping the ten percent for developments that are R-4, R-8. That's definitely something that we don't want to see go away. I think that makes for a really good community in the way the things -- you have neighbors that meet in those

common spaces. But for developments where you have a larger -- large lots, it makes sense to maybe reduce that common -- common space. So, we are, obviously, proposing that this change to the text amendment, so -- I will stand for questions at this time.

De Weerd: Thank you. Council, any questions? Okay. Thank you. This is a public hearing. Is there anyone who would like to provide testimony on this item? Okay. Council?

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move we close the public hearing on H-2016-0024.

Milam: Second.

De Weerd: I have a motion and a second to close the public hearing on this item. 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-2016-0024 and to include all staff and applicant comments.

Milam: Second.

De Weerd: I have a motion and a second to approve Item 9-I any discussion from Council? Madam Clerk.

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

De Weerd: Motion carries.

MOTION CARRIED: FIVE AYES. ONE NAY.

J. Public Hearing for Maverik (H-2016-0027) by Maverik, Inc. Located 1515 E. Fairview Avenue Continued to May 17th, 2016

**1. Request: Annexation and Zoning of
Approximately 3.907 Acres of Land with a C-G
Zoning District**

De Weerd: Item 9-J is a public hearing on H-2016-0027. I will open this public hearing with staff comments.

Beach: This is an application for annexation and zoning. The site consists of 3.907 acres of land. It's currently zoned C-2 in Ada County and is located at 1616 East Fairview Avenue. To the north is East Fairview Avenue and commercial property, which is zoned C-G. To the east is North Locust Grove Road, commercial property and vacant property, zoned C-G and RUT in Ada County. To the south is single family residential homes in the KoZIAH Subdivision, which is zoned R-40. And to the west is developed commercial property zoned C-G. The Comprehensive Plan future land use map designation for this property is commercial. The applicant is requesting to annex and zone this property with a C-G zoning district. The proposed zoning is generally consistent with the corresponding future land use map designation of commercial. The applicant proposes to develop a convenience store and fuel sales facility and a future commercial building on this site. A concept plan is included that show how the site is proposed to develop with two commercial buildings, approximately 5,046 square feet and approximately 4,339 square feet for a convenience store and a fuel sales facility and associated parking. The south half of the development is slated for future development. Any proposed concept plans only a graphic representation for how the site could develop in conjunction with the proposed Maverick store on the -- on the northern portion, which is the -- the store is located here. In accord with UDC 11-2B3, the business hours of operation within the C-G zoning district are limited from 6:00 a.m. to 11:00 p.m. when the property abuts a residential use or district and as was mentioned this is one lot, so if this were subdivided this property would, then, not be subject those reduced hours and could operate. Currently the applicant is able to obtain -- or I should say apply for a conditional use permit to operate for a 24 hour period and have not -- have not applied for that as of -- as of today. Just so you're aware. There are several nonconforming uses associated with this property. One is billboards. Currently the site is developed with four billboards and I will kind of bring over a slide here and indicate to you where those are located. They were approved in the county. Under the city's ordinance the signs were prohibited and deemed illegal and must be removed within 60 days of annexation into the city. The applicant has requested that Council allow three of these billboards to remain on the site to carry out the remainder of their existing leases, which the applicant had indicated is approximately 11 years. Vehicle wrecking or the junk yard is also a prohibited use in a C-G zoning district. Staff recommends that this use will cease within 60 days of annexation to the city as well. The site is currently surrounded by steel fencing. The material is not allowed to be used as fencing material per our code or per the UDC and must be removed within 60 days of annexation. Lastly --

currently the site does not meet the landscape standards set forth in the UDC. Because this property is slated for redevelopment, any new development must -- proposed for the site must comply with all those standards and because this property is a single parcel the applicant will be responsible for installing the entire perimeter of landscaping, which is 25 feet wide along Fairview and Locust Grove and as well as the -- as well as on the southern border. The UDC requires there to be a 25 foot landscape buffer along any residential property as well with the first phase of development. A landscape plan was not submitted as part of the application. However all landscaping should comply with the standards listed in the UDC. As I mentioned, the applicant is responsible for installing 25 feet on Locust Grove and 25 feet along East Fairview Avenue as far as landscaping and meeting the code. If desired, the applicant can request Council waiver to reduce the 25 foot landscape buffer along the southern boundary and due to the existing waterway along the southern boundary, there is a good chance that there is an existing irrigation easement along that boundary and the UDC does allow a five foot wide landscape buffer width outside of the easement where the buffer is encumbered by easements or other restrictions. The property currently takes access from two existing access points onto Locust Grove Road and one on East Fairview Avenue. Staff supports the applicant's request to have one right-in, right-out access to Locust Grove in alignment with East Wilson Lane, which is the access proposed here and I will get back to the site plan in a second, so you can see that. With development of the property the applicant proposes to utilize the existing cross-access driveway to the west, constructed with the Intermountain Subdivision -- Intermountain Outdoor Subdivision and will utilize the shared driveway with 1375 East Fairview Avenue. So, they will utilize this cross-access here as you see where my cursor is. There will be no direct access allowed to East Fairview Avenue. UDC 11-3A3 requires the applicant to seek Council approval of other accesses to Locust Grove, so they are -- they are asking for two access points to Locust Grove, so they need Council waiver to -- to allow for that and they have asked for that as part of this application. A median five foot wide detached sidewalk is required adjacent to East Fairview Avenue and around all buildings, as well as those serving public streets. Locust Grove Road has an existing attached sidewalk. If additional right of way is needed by the highway district adjacent to North Locust Grove Road, the applicant shall construct a five foot wide detached sidewalk on North Locust Grove Road. Conceptual building elevations for the future building were submitted by the application -- submitted by the applicant. Building materials depicted in the plan for the building include stone veneer, rough sawn timber and board and batten. The future building on the site will generally comply with the submitted elevations, including, but not limited to the design standards set forth in the City of Meridian architectural standards manual. And if I may go back here, I have indicated here where the existing billboards are. The applicant has indicated that they would remove the one closest to the corner, because that lease has been expired -- or it's no longer applicable, but that these three, which include several billboards apiece, would remain for the 11 years of that lease. With that staff did not receive any written testimony prior -- or since the Commission hearing. The Commission did

recommend approval with conditions. A summary of the public hearing. In favor was the applicant's representative Todd Meyers. There was none in opposition. David Gronbeck did comment. As I said, no written testimony was received prior to the Commission hearing. Staff -- presenting was myself, with, again, Bill Parsons commenting. There were not applicants -- or there was no testimony, so there was no key issues of public testimony. Several issues discussed by the Commission were the number of access points onto Locust Grove. Timing of removal of the billboards. A mechanism for the city to track the removal of those billboards if the property is annexed with them. The possibility of requesting the applicant to bond for the removal of the signs, so that there are -- is more of an incentive to remove those signs once the leases are up and when would the landscaping for the southern portion of the property be installed if only the northern portion of Locust Grove and Fairview's landscape buffer is installed now. So, the Commission changes to the staff's recommendation were they modified condition 1.1.1F. They added condition 1.1.L. Modified condition 1.1.1C. Removed condition 1.1.1J and added condition 1.1.1M. There are no outstanding issues other than the current nonconformities on the site. I will state that Commission was in support of the one access with the understanding that's -- onto Locust Grove with the understanding that they need the Council approval to -- to actually allow that. With that staff will stand for any questions you have.

Milam: Madam Mayor?

De Weerd: Thanks, Josh.

Milam: Sorry.

De Weerd: Can you go through what the specific modifications, additions, removals are?

Beach: Absolutely. Pull that staff report quickly, Mayor.

De Weerd: While you do that, Ms. Milam?

Milam: Madam Mayor, my question is regarding the irrigation easement. It says there is a good chance that there is an existing irrigation easement along said boundary and I'm just curious why that's just a chance, if you don't --

Beach: We will have to do some additional research on that to make sure that is the case. Yeah. We were unable to -- we weren't able to determine that, but that -- typically there is -- there is an irrigation canal that runs through there. That's part of the staff report and I can read that portion for you as well. So, any -- let me get to the Mayor's question here as part of the changes to the condition.

De Weerd: I think we should ask Warren.

Stewart: Are you just kidding me?

De Weerd: I'm kidding. I was just seeing if you were paying attention.

Beach: Commission changes -- the 1.1.1B -- modified that so that -- and I will move this over here so we can see what I'm talking about. That would be helpful. So, reference D-1, right-in, right-out access onto North Locust Grove. That part was stricken from that condition based on the Commission's recommendation, so -- and, then, C, the junkyard use, fencing, and billboards nearest the corner, as opposed to all nonconforming signs shall be removed or cease within 60 days of annexation. So, staff did recommend that they all come down. The Commission recommended that currently just the one on the corner be removed. Move down to F. The applicant shall provide cross-access to 1375 East Fairview Avenue and to the southern portion of the subject property. As I had mentioned to you, this is currently one property, with the understanding that the applicant has indicated some interest in coming forward with a preliminary plat to subdivide this property and staff wants to make sure that there is a recorded cross-access between the two properties if there is a separate owner in the future. So, J is the condition that requires that they only be allowed one right-in, right-out access to North Locust Grove. As I said, Commission did recommend that they be allowed to have both of their desired access points and coordinate with city staff on bonding for the removal of the billboards once the lease term has expired as another condition and that included the terms of the billboard leases as an exhibit in the development agreement.

De Weerd: Okay. Thank you for going through those.

Beach: You're very welcome. And I can go through that irrigation easement for you, Council Woman Milam, if you would like.

Milam: Madam Mayor. Josh, I really was just wondering why we don't know. So, the question was that there is this -- in the staff report it says there is a chance of an easement and I guess my question is don't we know if there is an easement or not, so -- we guess there probably is, but we couldn't confirm that?

Beach: That is a great question that I don't have the answer to at the moment, but we will -- I will definitely look into that.

Milam: Okay. Thank you.

Beach: There are -- as I said, there are irrigation facilities there. There is a -- an irrigation lateral the runs along the southern boundary. As to the width of that I think it's the -- the question is how wide that easement is and I indicated that there is an allowance for a five foot landscape buffer outside of that easement to accommodate the UDC requirements of a 25 foot landscape buffer. This is, as I

said, a very wide buffer currently that it would need to ask for Council's waiver on that is why that's brought up.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: So, if there is only a five foot easement --

Beach: No.

Milam: No.

Beach: No. There is -- it is approximately -- I want to say 45 to 50 foot irrigation easement through there. The five foot I'm referring to is a landscape buffer. So, they -- the applicant has the opportunity to come before Council and ask that that be reduced because of the width of that easement that currently exists for the irrigation lateral. Does that make sense?

Milam: Yeah. But aren't irrigation easements -- they are different based on the type of irrigation, whether it's pressurized or -- some are less and some are more.

Beach: This is an irrigation lateral, so it's not --

Milam: It's a lateral.

Beach: Correct.

Milam: Okay. Thank you for clarifying that.

De Weerd: Okay. Warren.

Stewart: Madam Mayor, I might be able to help with it just a little bit, but --

De Weerd: That's awesome.

Stewart: I do not know the width of that easement. That's actually a drain ditch I believe that goes through and the reason that we don't know is the irrigation districts over the years have -- as development has occurred they actually record the easements with new development, but in many cases where they are going across county property and they have been there for years and years, the irrigation district claims a prescriptive easement, which means that it's not recorded anywhere, they just claim a prescriptive easement and it's when it develops that they come in and tell you this is the easement width we want. So, we will not necessarily know that.

Milam: Thank you.

De Weerd: Thank you. I feel so enlightened. Okay. Anything further for staff at this time?

Bird: I have none.

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

Meyers: Todd Meyers. An employee of Maverick, Incorporated, at 185 South State Street, Salt Lake City, Utah. Thank you, Mayor and Council, for the opportunity to present this application. Maverick's interest in this property is to lease the northern portion and, of course, we are only interested in leasing the northern portion if it can be annexed into the city, because we want the city services, which, of course, includes water and sewer. That's very important for the operation of our building. And, of course, police and fire is always nice, too, so -- if they all work together and they all make for a better product and -- and so that is why we are here. We have reviewed the staff report and as far as the items that are related to Maverick, we are in agreement with the conditions of that staff report. As you look at this property it's a county island and like any county island most of your residents probably feel that it's part of the city. As you look at this property how much of it conforms with the city's development codes. Not a whole lot. And as stated in the staff report, this application doesn't get you all the way there. It does get you some of the big things. Especially some of the big things that are next to the residents, which made for a very good neighborhood meeting when we were able to show up and say that metal fence, gone. Salvage cars. Gone. It's the things that are farthest away from them, those billboards. Billboard companies are very good at getting leases and protecting themselves. Property owners are not always wise to what the long-term impact is going to be and I think that's probably the case here. As -- as you look at, you know, the development code and how the beautification of this property could go, it still is a major improvement. Now, Maverick does not have any financial gain from those billboards there. They are a nuisance. We are going to build a very expensive building. We would love everybody to be able to see it. But the only way that we have been able to determine that we will be able to go on this property is with the inconvenience if those billboards for a period of time. But when that lease expires we will be one of the first to say they need to get out of here. I'd like to kind of take you through our site plan just real quick if you don't mind. The first thing you can see is we are facing the noisy part of our operation towards the north. Towards Fairview. So, the building itself is going to buffer the residents to the south. Most of our activity -- the noise, the lights, and so forth happens out at the gas canopy and so that's pushed out there. You can see there is some weird looking things north of the gas canopy. Those were the underground tanks for the fuel and so when we drop fuel, even our semis are going to be all the way to the north part of the property away from the residents.

And that's important, because fuel gets dropped off at different hours of the day. Obviously, we want to try to keep away from peak hour on the street, but it's difficult for us to get to our site. But that does make it so it's nice if it can buffer for when the residents are out having barbecues and so forth in their backyards. And so this layout is taking that into consideration. Now, with Maverick -- well, if I ever call ourselves a C store my boss would really get upset with me. We think that we are so much more and part of that is -- a lot of C stores try to make 80 percent of their revenue out at the gas pump. As we look at the future and cars getting better gas miles and public transit and everything else, we need to prepare for the future and so we look for having a balanced two businesses, the gas pump and what's taking place inside the stores and with that we have done a lot of our own branding and we are always refining what we are putting inside of our stores. If it's not selling it's gone, because we don't want you to go in -- if you're going into a Walmart during Christmastime you got to kind of pull your shoulders in as you go down the aisle because there is so much product. We are trying not to have that feel, that you -- it's spread out and so if you go into our stores today -- and we only have one of the new ones that is built in the valley. It's out in Nampa at Karcher and Middleton. That is what we are talking about here. It is a bigger store. It actually has less product in it -- you walk in there and you do not feel like everything is falling in on you and so it's a great environment. As you go towards the back of the store we have what we feel is our future and that is prepared food items. Maverick participates in what we call shared group. There is four different convenience stores that are across the nation. We don't play in each other's backyard. So, twice a year we get together and we share ideas and we are seeing this prepared food as being a very important part of our future if you have your prepared, made-to-order sandwich or made-to-order pizza and so forth. Because of that you will notice on the site plan there is a lot more parking than what we typically have and it's because of that. Inside the store, because of that, we also have some indoor seating and, then, as you go to the east side of the store there is some weird looking rectangles there. That's our outdoor seating area. We have always had a picnic table just kind of thrown out there where ever the grass may be next to the dumpster, and it -- no. Now it's an important part of our plan and so that -- what was always an attached -- just a metal fire exit door is now a customer door, so that cars can come in -- if you have the kids or whatever, you don't want to deal with the congestion that's happening in front of the store, you can come in that access, you can go right by those -- the side door has those parking stalls, so that you don't have the congestion of the gas pump and that gets you into the store and as you come out you have the three picnic tables with picnic trellises, with landscaping, with decorative lighting. We are hoping to create an environment where people are going to want to be and in the stores that we have opened up with this new plan, which started back in July, we are finding it being very successful. The first one was a little bit disappointing, because we got out there and we realized we forgot the landscaping and so we have been refining this and so this does include the landscaping, the little decorative railing that kind of identifies that area. As I said -- and you can probably hear it in my voice -- I'm excited to come and build in the

city. We can only do it if we can get it annexed and I'm afraid that it's going to have to have the inconvenience of those billboards for a period of time. The owner's applicant -- representative is here to answer any questions. I'm happy to stand for questions now or wait until after his presentation.

De Weerd: Okay. I will see if Council has any questions at this point.

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: Quick question -- and whether you know this off the top of your head -- is this the same style as the one that's being built in Fillmore, Utah?

Meyers: Yes.

Palmer: Okay. I was just there two weeks ago -- well, I will talk about it later.

De Weerd: Okay. Anything further? Mr. Cavener.

Cavener: Madam Mayor. How many locations do you have in the -- in the Treasure Valley?

Meyers: I don't know offhand. And I should know that, because that's the area I permit. Idaho is an important part of our growth early on and, then, we kind of neglected it and our stores became very old, they do not represent who we feel Maverick is today, and so you will notice that we have closed down two of our old stores, because we just can't make those stores into what we feel we are. We are currently rebuilding four of our stores and, then, we have another two stores that are remodels and by remodels I mean two walls will remain, everything else is gutted and gone and so -- that's a remodel. And, then, in addition to that we have about six more that we are building.

Cavener: Madam Mayor, follow up? The two locations you closed down, how long were they at their place before you decided to close them down?

Meyers: Maverick -- Maverick currently has about 270 some odd stores and if I remember right the store numbers were four and six. They were there a long time.

Cavener: Twenty years? Forty years?

Meyers: Yeah. Probably 1980. I know of several of the ones we are rebuilding are 1990.

De Weerd: Okay. Anything further? Okay.

Meyers: If I -- just one thing I forgot to mention. Because the property owner is -- is not a developer, we will be using the Maverick's real estate attorney to work with the city on preparation of the development -- annexation agreement.

De Weerd: Okay. Thank you.

Beach: Madam Mayor, if I may, something I did forget to mention that maybe the applicant would care to comment on. In reviewing this, staff neglected to look at the sign code with this. So, as part of this, a parcel is only allotted a certain amount of signage and the billboards that currently exist, if they are to remain, effectively take up all the signage that would have been allotted for the Maverick store. So, if this is something that the Council feels that they would like to move forward with tonight, a recommendation to allow them half of the signage that would be allowed for the parcel or the full amount would be something that would be grateful -- we would be grateful for as staff in knowing how to allow signage on the Maverick store if it is -- if the property is annexed and allowed to move forward. So, just some direction on that would be helpful as well.

De Weerd: That's weird. I guess they would have to rent space on the billboards. I was kidding. I saw how quickly you jumped up. That was kind of fun, though.

Meyers: Signage is very important. I wish I could say Maverick customers are so loyal signage is not important, but when you're out looking for gas, what do you look for? The price. And so pricing is very important. Also there is the reader portion of the sign. That's very important for advertising what's going on inside the store and so, yes, some consideration on signage would be greatly appreciated and needed for us to exercise the lease.

De Weerd: Okay. Thank you. This is a public hearing. Is there -- oh, I had a couple people sign up. Joanna Dunton signed up in favor and Malcomb Dunton signed up also in favor. Thank you for being here and waiting all evening. David Gronbeck. Oh. Okay. Signed up in favor. Anyone else want to provide testimony on this item? Okay. Council, any questions for the owner, the applicant, staff?

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: I do have questions. Is it David? Okay. Okay. For David. I have got billboard questions, if you can imagine. I'm sure you're ready for that.

Gronbeck: Madam Mayor, David Gronbeck with Lee and Associates. 802 West Bannock, Boise, Idaho.

De Weerd: Thank you.

Milam: I have a few questions and my first one is why are the leases so long?

Gronbeck: I think Todd probably pointed that out and is correct and landowners -- I think they -- when it comes to billboards they see it as a pretty nonintrusive use and they see it as some type of income stream, but they don't see the long term effects of them. You know, I was -- I was fortunate enough to catch the billboard on the corner before it renewed and was able to negotiate a month to month with the sign company, but on that property there is two different sign companies. The corner one is owned by Lamarr and the other three are owned by Canyon and I was fortunate there. We are happy to share the leases, but he's locked in for another 11 years.

Milam: Madam Mayor, follow up. So, can you tell me when those leases were last signed?

Gronbeck: Those -- those leases were signed nine years ago with the three and they have an automatic renewal. Again that goes to the landowner not really -- and I hate to say paying attention, but understanding the lease when it comes to the sign company and there is an automatic renewal, so --

Milam: So, they renewed a year ago?

Gronbeck: They will renew in a year for ten years. That's why there is 11 years.

Milam: Oh. Yeah. Okay. Some of these questions are for our legal counsel. It seems like there would be a way out of that if it's an automatic renewal. I have done a lot of leases with automatic renewals and if you cancel -- there is usually a time period within -- ahead of time that you are going to give them to let them --

Gronbeck: I'm going to send the leases to you, so you can -- there just isn't. It's -- frankly, it's a very simple, short lease, but it's very defined as to what the terms are and it's unfortunate.

Milam: Madam Mayor? So, what would happen if they took them down, if they terminated the lease, what would be the consequence?

Gronbeck: I would -- I'm sure that will happen, because I wouldn't want to be the -- in that legal battle with the sign company if I was the owner of the property. That's -- but, again, I'm happy to share them with you. You can see kind of where -- we have shared them, haven't we? Don't you -- okay. Maybe we haven't. Be happy to share the leases with you, so you can understand the language of the lease and the predicament we are in.

Milam: Okay.

De Weerd: Any other questions?

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: Your e-mail Monday kind of touched on it. Walk through the options that the city would have to get comfortable knowing that when the lease expires that not only would the signs be removed, but there is funds available to facilitate that without a bond.

Gronbeck: Okay. So, the -- the sign company -- those signs are valuable. I mean we wouldn't have an option to keep those signs if we wanted to. So, the signs -- the sign companies, as soon as the lease is terminated, even under the lease they will come get the sign. So, they go away when the lease is terminated. You know, I -- trying to brainstorm some ideas to make this work for the landowner and for Maverick, you know, some type of agreement, an addendum to the lease where Maverick is in a position of, you know, a hundred percent rent abatement and the termination, you know, of the sign leases. We are obviously -- you know, make the signs go away at that point. But it doesn't take that. I mean the owner is more than happy to execute a document to terminate the leases at the end of the lease now. I'm confident -- at least somewhat confident we can get some agreement from the sign company that says, yeah, we will move them at the end -- end of the lease, but I think there is certainly some -- some, you know, elements we can use. I mean we -- I think the landowner would be happy to assign the leases to the City of Meridian on the 11th hour of the, you know, last day of the lease, if that -- you know, if -- I don't know, you know, what the legal ramifications if -- if that would make any sense, but I mean we are -- we all understand what has to happen. I mean the signs have to go away, it's just a matter of how we get there. I -- you know, we -- we, obviously, see this as a -- you know, an opportunity for the City of Meridian to clean up that corner. It's an opportunity for the owner of the land to retire and that's -- that's his end game and I think -- I didn't know you were going to get that e-mail. It was like a midnight e-mail last night and if that was the one you were referring to, so I may have spent a little bit more time on that, you know, had I known that, but -- you know, at the end of the day that's his -- that's his out plan. I mean he's ready to retire. So, if it's, you know, find another lessee for the salvage yard, because we can't get annexation, I mean that's -- that's, you know, what we will have to do. But right now I think, you know, you have seen the new Maverick, it's a pretty impressive store. I have clients, actually, that live right behind that property that, unfortunately, aren't here, but are very excited about this project -- but, anyway, I stand for questions.

Nary: Madam Mayor, just a comment --

De Weerd: Mr. Nary.

Nary: -- on the e-mail that we are talking about to make sure that becomes part of the record, because I don't know that -- it's not in the record today, so I just wanted to make sure that gets added to the record.

Gronbeck: It should be. It was forwarded to the clerk.

Beach: We will make sure it is, Mr. Nary.

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: Called applicant's response to staff report number two?

Nary: Okay. Thank you.

De Weerd: Okay. Anything further? Thank you.

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: Madam Mayor, I think this would be a good one where we have whatever discussion we are going to have before closing, because I'm sure we may come up with more questions and -- otherwise, we are reopening and all that mess, so -- okay. I have some comments. Thank you for wanting to invest in Meridian on such a scale and for wanting to remove the junk yard for us. I -- as I was mentioning about Fillmore, we were driving up from southern Utah and we stopped in Fillmore to gas up at the Maverick right off the exit and they were building one of these behind the existing one, which was the older style, and I believe the -- the landscaping and picnic tables and everything were already complete as they were building the actual building and my wife and I were looking at it like, holy cow, this is a Maverick? Because it was so well manicured and there were families sitting out at the -- at the picnic table and there was some other stuff for kids there and I was like, man, I hope this is the one that I have been hearing about coming for Locust Grove. So, it's great to hear that the building is going to look the same. I just see so many wins with this that we get rid of the junkyard, we get rid of the billboards. They, obviously, don't want them. And it gets annexed into the city, so, then, we have extra tax base and it completely cleans up that corner. I don't see any reason to deny this at all. It would be a complicated motion, so I'm going to wait and see what everyone else wants to say in case they want to make that --

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: I love this project. I love the Maverick. I think I -- it's amazing what it will do for that corner. I drive by there almost daily, so -- the problem is the billboards and I'm comfortable approving this without -- maybe taking a look at the lease and making sure that there is not -- not myself, maybe, but -- our legal counsel. You know, just really make sure that there is not some out clause. I'm just like usually there is something in there for rezone property or before -- especially when you're coming onto an automatic renewal, I want to make sure that it's legal -- that it's a legal that they do that and that there is not a way for us to get out of it. So, as much as I really love this project, I would like for that to happen first.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I, too, think that this is a great project and I have to compliment Maverick. I can go with their traffic plan, because we questioned their traffic at McMillan and Locust Grove, didn't know how that was going to work. It works great. I don't believe we have had any wrecks up there and this is a much nicer building that's going in and as far as the signs go, I believe our legal department -- Bill can get something and I'm sure the sign companies have got those leases so air tight that, yeah, you can get out of them, put who wants to put up the money to get out of it. And you're going to get them -- if this don't go in, the auto repair and junkyard is going to stay there and those signs are going to stay there. So, I think we need to take a hard look at what do we want sitting on that corner -- and as Councilman Palmer has already pointed out, us receiving tax dollars against letting it sit like it is with those signs -- and I don't like those signs any better than anybody else, but you -- I can guarantee you that those sign people have air tight leases. Unless you have dealt with them you don't know what they have got.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: In response to that, Councilman Bird, I agree -- I'm not saying we should deny the project. I -- like I said, I just think that maybe we should take a little bit of time to review the lease. If it's a week -- I don't know how long it would take. You know, you're right in a lot of ways, but 11 years is a long time and that lease hasn't even renewed, so --

Cavener: Madam Mayor?

De Weerd: Mr. Cavener.

Cavener: I'd also encourage the Council to really take head of the precedent that we are going to set on this and, essentially, allowing a sign that was in the county to exist for 11 more years and what that tells the rest of the valley is that buy land in the county, put up billboards, and, then, redevelop. Because you will be able to do that for 11 years. I don't think there is any one of us up here that don't like the idea of this project. In fact, I will -- if things go one way I'm going to have an angry nine year old when I get home tonight, because he loves the Maverick. I just -- I'm very concerned about the precedent that we would set if we are allowing these billboards to exist and, then, allow an entity to, then, annex into the city.

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: Madam Mayor, I think the only precedent we are setting is that if you own a junkyard that's had billboards on it for a decade and you're willing to bring somebody to the table that's going to put something much more pretty, that, yeah, we might be willing to let those billboards stay for a while. Not -- I mean I don't -- I don't see anybody throwing up billboards and, then, come and do it with similar situations. This -- I mean it's been there a decade.

Cavener: Madam Mayor, to that point -- we haven't seen that. But if this is something that this Council is in support of, we will see that.

De Weerd: Well, I -- we have met with the county to say can you work with our staffs and staffs are watching applications in the county closer. We would hope that these don't slip by and that the county will start supporting our ordinances, in particular in these enclaves that -- that you don't create these situations. Certainly this application does clean up a nuisance corner. I would love to see the emission guy come with the development, because, you know, he's really friendly and I am guaranteed a waive every time I drive by.

Beach: I have met with him since this application has come in, looking at his options as to where he could move his -- his business, so that has happened.

De Weerd: Thank you, Josh.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I -- on the signs, I can assure you there has been billboard signs there longer than nine years ago. This is just when its current lease was there. It had signs on it when Carl Rosh owned his motor repair out there and this -- so, this is

just the new lease that was done nine years ago. So, let me assure you those billboards have been out there longer than nine years.

Nary: Madam Mayor?

De Weerd: Mr. Nary.

Nary: Madam Mayor, Members of the Council, you know how much I hate to be a buzz kill, but we have not seen those leases and I don't have any reason to disbelieve what -- that they have reviewed it and they are comfortable with it. We have never seen them. I have no idea what the terms and conditions are. I -- we have -- in the absence of that, in anticipation of this hearing, my team -- we have been discussing options for the city, because really the trigger is -- and this is probably more for the record than for all of you -- 11 years from now someone has to remember that that sign has to come down and I don't want it to be me driving to my retirement home saying how come that sign is still there, because we don't have a pool in which to trigger that effect to happen and I don't know what's going to be there 11 years from now. So, in looking at this there is a couple of concerns that I have that I would like at least you to consider thinking about before you make a decision here. The leases -- again, haven't reviewed them. I don't know the terms and conditions. I don't know the length. I don't know anything about the automatic renewal and if there is an out there. There probably isn't and I'm comfortable that that's probably accurate as what's been portrayed to you. But one of the things that we have looked at and that was raised tonight and was raised at P&Z was a bond. I don't know what a bond looks like and what it's for, it's just an assurance of some sort that someone is going to remove it or you're going to have some money 11 years from now to enforce that. In putting it into the development agreement one of the options we considered, which was brought up by the applicant, was making the city have some interest in that lease, so that we as the city have the ability to not allow it to be renewed, not allow it to continue at the expiration of that. I don't know if the lease allows that. I mean that might be -- that might be an option that would make sense, then, we have some stake in it. Not a financial stake, but really a stake in really the removal or -- but, again, five years from now someone else is standing in Maverick's shoes, if Maverick -- and they renew another lease for ten more years and nobody realizes it, that would violate their DA. I'm just trying to make sure the city doesn't end up having to enforce this through litigation ten, 11, 12 years from now. So, we have looked at a couple of options. There is not a lot that would trigger and work in our system, but there is probably some and I know if you do approve it we would work with Maverick -- the Maverick's counsel to come up with something in the development agreement. All I'm asking is I would like the opportunity to at least be able to advise you better on what your options could be in fashioning a development agreement condition before you approve something and, honestly -- I mean next week is our normal workshop and we don't have land use applications with that, but we would certainly be able to give you at least our best legal advice in two weeks.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Mr. Nary, somewhere I either read or one of the applicants stated that -- that at the end of these 11 years if those signs aren't removed immediately, Maverick don't have to pay leasing or something like that. Did I read that or am I having a daydream?

Nary: What I understood from the Planning and Zoning minutes, Mr. Bird -- and they can correct me -- if the lease is not renewed one of the questions Planning and Zoning asked is how do we assure the poles get removed -- the signs actually get physically removed? And the testimony was that the value of those poles is significant. So, if there is no continuing lease, then, the sign company will remove it, because they will put them somewhere else. So, that I think was my understanding of why they believe it will get removed if it's not renewed. My concern is is that, again, this is not for tomorrow, this is ten years from now. Someone decides to renew those leases and it isn't any of those people that are in this room tonight, and it violates their agreement, now we are in a litigation situation, because they renewed a lease now that we didn't know about and that's where the potential of the city having some property interest in those leases to at least have the ability to be on notice that someone is requesting a renewal or an extension or whatever the case may be ten years from now, we would have notice to be able to -- to not allow that to occur. That's -- that's always our thinking is what would probably be the safest for the city, but without looking at the leases I don't know that they can do that. You know, I don't know if that's a separate agreement with Maverick, but, again, that's a real clunky system to have when it might be ten years from now.

Bird: Yeah. But I -- follow up, Madam Mayor?

De Weerd: Uh-huh.

Bird: I felt that they had put -- they had put the -- it back on the owner to make sure that those signs once their lease was up left, because if they didn't -- they weren't going to get any rent. Am I daydreaming or --

De Weerd: We want your answer on the record.

Gronbeck: So, that was a proposal.

De Weerd: If you will just state your name again for the record.

Gronbeck. Oh. Sorry. David Gronbeck.

De Weerd: Thank you.

Gronbeck: That's a proposal. I think that would, obviously, trigger the removal of them and we -- the owner of the property would be happy to execute, you know, some type of agreement that states, you know, rent abatement and what have you.

Bird: That's just a proposal.

Gronbeck: Yeah. Yeah. We are just -- we are trying to come up with proposals to make you all feel comfortable that those billboards will go away at the end of the lease.

Nary: Madam Mayor?

De Weerd: Mr. Nary.

Nary: Madam Mayor, Members of the Council, so I don't -- I guess what I'm asking is I don't think in two weeks I can tell you we have an agreement -- that we have an agreement prepared or comfortable with both the Maverick's counsel and us, but I can at least tell you in two weeks whether or not the possibility of having something like this or what they are proposing -- because, again, I think they have looked at -- I mean the developer has done an excellent job here in trying to alleviate this concern. So, this is not a concern, you also have two parcels here and the rear parcel may or may not continue to be part of this project and it may become something else. There is a billboard on that, too. Now, as part of the original development agreement that's an issue. Is that something that we could have a conversation about when it redevelops, whether it's less than 11 years from now that that sign needs to come down in a shorter time frame. Because Mr. Bird hit it on the head, it's a financial question. That's all it is. But many of these I mean, again, if there was two years left on an agreement and there was not that 11 with an automatic renewal, it may be a different question and I just don't know that. But without looking at the leases I can't give you any better information than what we have tried to brainstorm through since this was at the Planning and Zoning Commission level. So, we think there is a way we can do this. I'd like to feel more comfortable that it's something we have reviewed to make sure that we can make this work. We have no other -- no other interest in making sure the city doesn't end up litigating something that nobody really wants to litigate ten years from now.

De Weerd: So, you can get us the leases?

Gronbeck: Absolutely.

Bird: I have no problem with it. You don't have a problem with that?

Gronbeck: No. Absolutely. Yeah. Even though there is language in the leases, we have got approval from the sign companies to share it, so -- we will get them to you.

De Weerd: Okay. Mr. Bird.

Bird: Is two a week delay going to bother you people at all?

Gronbeck: No. I don't think so. I mean two weeks is fine. I think what we would ideally like to do is subdivide the property. I think that makes sense for the lease. But, again, you know, any agreement, you know, is on the billboards. We are happy to execute on both parcels. We understand what has to happen.

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: I know we enter into development agreements all the time that somebody may violate in ten years. I mean we are not dealing with Joe's Snowcone Shack. Unless there is really good actors, I feel completely confident that they don't want the billboards and will do everything they can to insure that they are gone as soon as possible and I'm sure that they completely adequately reviewed the lease agreements on the billboards -- I mean if it's the will of the Council, obviously, we will push it a couple weeks, but I have zero reservations that we are going to get that plan to go. Good thing we waited. Those sneaky Maverick guys.

De Weerd: I'm sorry. Thank you.

Gronbeck: Thank you.

De Weerd: Council, what do you want to do? Mr. Palmer had great foresight to say let's not close the public hearing on this. Good job.

Palmer: Thank you.

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: I think we have got some wise counsel. I, too, think it's a great project and is going to be wildly successful, but certain items need to be buttoned up and I think the request for additional time makes sense. One of which is the -- the billboards from the notes that I took. Not only the existing lease, but to insure that the specific provisions of the DA that you craft have the teeth necessary to insure the leases aren't renewed, they are not signed and cumbered, that there is

a provision that assures their removal. I have done billboard leases. I have been involved in these matters. I have seen sign companies go bankrupt and not come and repossess their sign. Anything could happen. Probably all unlikely, but there is language that you can craft to insure their removal and to insure all of that occurs at no cost to the city. In addition to that we can address -- I think there was a question on the allocation of sign spaces. I read that application -- that available signage excluded the billboards. If one of the remarks was do we want to consider the existing billboards as part of the signage?

Beach: No. Currently the signs are included in the allowed signage for the parcel. So, in order to -- in order for the Maverick to have the signs that they are going to propose for their business Council needs to make a motion that they are allowed either half of the signage or -- however you want to word that or allow that, but there needs to be some sort of -- some sort of direction from Council to allow Maverick to have the -- the allotted signage for the parcel, assuming that the billboards will stay. Does that make sense? Correct. Yeah. So, all the signage is used up currently by the billboards.

Borton: Madam Mayor. When you say signs do you mean billboard signs or nonbillboard signs?

Beach: Billboards are illegal signs in the city and so signage is signage.

Borton: Okay.

Beach: So, that signage is what's allowed. Does that make sense? So, even though they are illegal signage or they are illegal signs, the allocation for the parcel is maxed out if these signs remain.

Cavener: Madam Mayor?

De Weerd: Mr. Cavener.

Cavener: Josh -- sorry. Thank you. Josh, just for clarification, we could just remove the billboards as part of the sign calculation?

Beach: Correct. However you want to make a motion that's up to you. But, you're right, however you want to word it. But currently staff's interpretation of the code -- we don't come across this very often, obviously, is that all of the signage that that would be -- any commercial business -- any signs that they would have they wouldn't be able to because of the signs that are there, but you as Council can make a motion that they are allowed to have the signs. They wouldn't be allowed and you can exclude the billboards from that calculation.

Borton: And that's the sense what I thought Council was supportive of, as far as crafting new language when it comes back. And the last one was if it's possible

to define or -- the scope of the prescriptive easement as to whether or not the southern border, the 25 foot buffer or if it's a five foot landscape buffer because we know there is a prescriptive easement? Just so that's answered one way or the other.

Beach: Sure. I think -- I think -- and correct me if I'm wrong -- I think that as far as the annexation is concerned, we don't typically get comments from the irrigation district. For a preliminary plat, if this were subdivided we absolutely would and they would want some sort of defined easement there for that drain, but we don't get a lot of comments on annexation, because it's kind of this moving from jurisdiction to jurisdiction without an actual project. Does that make sense?

De Weerd: I think we can just call it a creek -- a creek. Creek. Whatever. And put improvements on it and maybe we will get comments. Right?

Beach: More than likely.

De Weerd: They probably won't be nice ones, but --

Borton: That determination isn't made as part of the annexation. I guess it's not necessary to address right now, but I think it might be from the earlier discussion, so -- certainly can craft it.

De Weerd: Okay. Anything else? Any other outstanding item that we want to come back with? I think this gives the -- yes, please.

Meyers: Last time I went before this body was for the Locust and McMillan. It was a Comprehensive Plan amendment. We went until midnight. We have plenty of time. First, I have a question -- and some of it I don't know enough about your city to know these answers, so I'm hoping to get them and you may or may not have it. The billboard provision, when -- when did that go into city codes?

De Weerd: Boy --

Bird: When did the city -- when did we outlaw --

Meyers: Yes.

Bird: I have been on 18 and a half years and I think it was outlawed before come on. And the deal is this property is county, so have had no -- we have had no jurisdiction on it.

Meyers: Yeah. I was --

Bird: And -- but you -- I don't think you will find that we have allowed a billboard in at least 20 years.

Milam: '78?

Bird: '78.

Meyers: Okay. Okay. I was just kind of wondering on that. I was hoping maybe it was more recent and, then, that would address the Councilman's concerns about people going out and putting up billboards and, then, requesting annexation.

De Weerd: No. They them put up in -- on county enclaves.

Meyers; Well, I know, but --

Bird: And I bet you that some of those billboards up there have been up since '78 or before.

De Weerd: Oh, yeah.

Bird: Absolutely.

De Weerd: They have been approved certainly since then.

Meyers: My understanding of your development process is that we had to come tonight, get the approval and, then, we would move to the next step, which is annexation agreement and, then, the property gets annexed. Is that the process or could we be working on the annexation agreement prior to it being annexed?

De Weerd: Mr. Nary.

Nary: Madam Mayor, Members of the Council, you're -- you're primarily correct. I mean if the Council wishes to approve this project with a development agreement attached to it, which is what we are talking about, that's the normal way it happens. It gets approved. We work out the details. The uniqueness of this particular project is because of this particular issue regarding signs and how we can assure that they actually will get removed at the end of the lease period and without having reviewed those leases I have no way to assure the Council that we can create a condition that we can enforce, whether it's through -- what I want to try to avoid -- and I think we can, but I don't know that without looking at them -- is that the only method we have 11 years from now to enforce that is litigation and I don't think we are going get there, but without reviewing that I can't advise them that we can create a development agreement and I don't want to come back a month from now when we have hit an impasse, because we can't reach an agreement that's satisfactory for the city and for Maverick and we are

back to square one. I think in two weeks we should at least have enough comfort level to advise the Council that we will be able to work out an agreement, but that still may take a little bit of time, but today without having reviewed those I don't have any way to give any assurance that there isn't a flexibility in the language or the ability for Maverick to do what they would like to do, too, which is to get those removed at a certain point in time and that's all I'm looking for is a little comfort level that they are what you say they are, the leases give us some ability to incorporate that into our development agreement with you, so that we don't end up having to just litigate this 11 years from now.

Meyers: Sure. And I understand that. Yeah. Our -- to get back to it, I just didn't think we could start the development agreement. If we could move forward with the development agreement, see if we can get an agreement and, then, we come back, approve that, approve the annexation, Maverick is perfectly happy with going that route.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Todd, we seem to be worried about the 11 years left on the leases. I am sure that your lease with the owner exceeds 11 years -- Maverick's lease does, so it really don't matter whether we all are sitting here or not, you got a lease with the owner that will be very --

Meyers: Yes. I mean we are looking at 30 years with renewals after that.

Bird: Okay.

Meyers: To kind of give you a background on myself. I'm a former city planner from Idaho Falls and so I have discussed this left and right with everybody in our office and we don't -- I know you do not want to put a city council that's going to be sitting in those chairs 11 years from now, in a bad situation and so we are very understanding about that. If we can just go ahead and move to the development agreement and see whether or not we can resolve these issues -- I think there are some ways to do that. I understand the record keeping is -- is difficult, but I think some of it does have to get put back on Maverick on that and our desire for visibility.

Bird: Thank you.

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: I think what I hear you requesting is the same as what Council is proposing.

Meyers: Yeah. I will support what Council is proposing on that. Let's see if we can work out the -- the nuts and bolts of this and, hopefully, we can keep this project moving forward.

Borton: Awesome.

De Weerd: Okay. I would --

Borton: Madam Mayor, just --

De Weerd: Yes.

Borton: -- one last thing to echo what Councilman Palmer said at the start was a thank you. This is a challenging corner and a challenging project and I think that's a good sentiment to share trying to tackle this. That's it.

De Weerd: Okay. I would entertain a motion to continue this to May 17th.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move that we continue the public hearing on H-2016-0027 to May 17th, 2016.

Milam: Second.

De Weerd: I have a motion and a second. And, Mr. Bird, do you want to limit the continuance on the public hearing aspect to the items that have been discussed pertaining to the signage --

Bird: The billboards and the signage.

De Weerd: -- to the billboards, the signage, and -- was there questions regarding anything on the easement along the creek?

Bird: That -- and, Madam Mayor, I would -- with the motion I -- I know that our legal counsel will come back with probably not a DA, but he will have definitely an idea of what kind of DA he's going to write to make sure that the city is properly protected and I would include all that in the motion to continue and -- and I'm sure that between the two -- the applicant and our legal staff, that we can certainly come back and figure out something

De Weerd: Do you want to restate your motion?

Bird: No.

De Weerd: Does second agree?

Milam: Yes. Second agrees.

De Weerd: Okay. All those in favor say aye. All ayes. Thank you.

MOTION CARRIED: ALL AYES.

Item 10: Department Reports

A. Public Works: Budget Amendment for FY2016 in the Amount of \$40,000.00 for the Construction of Test Well 32

De Weerd: Item 10-A is a department report under Public Works. I will turn this over to Warren.

Stewart: Madam Mayor, Members of the Council -- I caught her before she left. I'm here tonight to present a budget amendment to you for the test well for Well 32. So, Well 32 is the second well in the pressure zone five system, which is the one out here going southwest of town. It's the -- the new pressure zone that we have got little forays out into and we are trying to get that connected and get first a supply in that pressure zone. We had a developer that donated a lot to us in the -- it was the Lee Centers Development just south -- or just to the -- yeah, south of Kentucky Ridge and we have a process for putting new wells in that's basically a three process where we drill a test well, then, we drill a production well, then, we equip the production well with all of the building and equipment and things like that that go into it. So, this is the first, essentially, step in that process where we acquire the lot, we go out and we put in a test well. On this particular lot we have a couple situations that occurred. The property that they gave us is a little bit of an odd shaped piece of property. Of course, you know, when they donate a piece of property they don't necessarily want to give you the -- the really nice square piece of ground all the time in the best location, you kind of get remnant parcels here and there and so that's kind of what we got here with this kind of an odd shaped triangular piece of parcel out in the middle of the development. So, a couple things we had to do that we don't normally do. One was to do a conceptual plan to make sure that we could fit not only the well and all of the well house and stuff on there, but also we wanted to make sure there was enough room on this site that if we had to come in and add filtration, because we couldn't find good water quality, that we had room enough to do that. So, we had a conceptual site plan done. That cost us a little bit of money that we don't always have to do. And, then, secondly, this site is out in the middle of a

field, which makes access to the site a little less desirable than maybe some of the ones that are on the existing roadways and kind of to accommodate that we went ahead and built a gravel path so that they didn't sink into the ground and the mud when they were putting the well in. So, these were -- these were expenses that we -- you know, as we were looking at the cost for previous test wells and using that for budgetary purposes, because we didn't exactly know at the time we were putting this budget together exactly what we were going to get, we didn't incorporate all of these additional added expenses. So, we are in situation now where we bid that out, got a qualified driller that's ready to go and drill the test well and we are a little short of funds and so we need to come to you and request your approval for an additional 40,000 dollars in order to complete the test well for Well 32. And with that I will stand for any questions that you may have.

De Weerd: Thank you. Council, any questions?

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: Madam Mayor, I just wanted to thank you for the memos before the budget amendments way ahead of time. They are fantastic. Made me a lot more comfortable when we get to the meeting. Thank you.

De Weerd: Anything further? Thank you.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Seeing no more, I move that we approve the budget amendment for FY-2016 in the amount of 40,000 dollars for the construction of test Well 32.

Borton: Second.

De Weerd: I have a motion and a second. Any discussion? Madam Clerk, will you call roll.

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

De Weerd: All ayes.

MOTION CARRIED: ALL AYES.

B. Public Works: Approval of Award of Bid and Agreement to POST DRILLING for the "Well 32 Test Well -

**Construction” project for a Not-To-Exceed amount of
\$228,750.00.**

De Weerd: Okay. Item 10-B is also Warren.

Stewart: Yes. Thank you, Madam Mayor, Members of the Council. This is actually the approval of the contract for the well driller to go out and drill the well and I would stand for any questions.

Bird: Madam Mayor?

De Weerd: Yes, Mr. Bird.

Bird: Warren, could you -- could you tell me -- I didn't see on here -- how many bidders did we have and what kind of a range did we get on this?

Stewart: Councilman Bird, I do not know the range, but I know we had multiple bidders.

Bird: Good. Okay.

Stewart: At least two and I don't know if we had three.

Bird: Okay. Thank you. That's -- that's all I needed. No questions? Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move that we approve and award the bid to Post Drilling for the Well 32 test well construction project for the not to exceed amount of 228,750 dollars.

Borton: Second.

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

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

De Weerd: All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

Stewart: Thank you all very much.

Item 11: Ordinances

- A. Ordinance No. 16-1686: An Ordinance (Tribal Fire AZ-14-013) of the City of Meridian Granting the Annexation and Zoning of 1.44 Acres of Land to the C-G (General Retail and Service) Zoning District in the Meridian City Code. The Property is Located in Lot 1, Block 2, Rolling Hills Subdivision and Part of the Rights-of-Way Adjacent Thereto, Lying in the Southwest 1/4 of the Southeast 1/4 of Section 16, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho; and Providing an Effective Date.**

De Weerd: Thank you. Ordinance 11-A is 16-1686. Madam Clerk, will you, please, read this by title.

Jones: Thank you, Madam Mayor. An Ordinance AZ 15-013, Tribal Fire, for annexation and rezone of a parcel of land being Lot 1, Block 2, Rolling Hills Subdivision and part of the rights-of-way adjacent thereto, lying in the Southwest 1/4 of the Southeast 1/4 of Section 16, 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 R-1 to C-G, General Retail and Service District in the Meridian City Code, providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission as required by law and providing for a summary of the ordinance and providing for a waiver of the reading rules and providing an effective date.

De Weerd: You have heard this ordinance read by title. Do I have a motion?

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Move we approve Ordinance No. 16-1686 with suspension of rules.

Borton: 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, absent; Cavener, yea; Palmer, yea; Little Roberts, yea.

De Weerd: Motion passes.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

- B. Ordinance No. 16-1687: An Ordinance (TM Creek East H-2015-0018) of the City of Meridian Granting the Annexation and Zoning of 14.93 Acres of Land to the R-40 (High Density Residential) Zoning District in the Meridian City Code. The Parcel is Located in the Northwest One Quarter of Section 14, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho; and Providing an Effective Date.**

De Weerd: Item 11-B is Ordinance 16-1687. Madam Clerk, please, read this by title.

Jones: Thank you, Madam Mayor. An Ordinance AZ MDA H-2015-0018 for annexation and rezone of a parcel of land located in the Northwest One Quarter of Section 14, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho; as described in Attachment A and annexing certain lands and territories situated in Ada County, Idaho, and adjacent and contiguous to the corporate limits of the City of Meridian as requested by the City of Meridian, establishing and determining the land use zoning classification of said lands from RUT to R-40, High Density Residential District, in the Meridian City Code, providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission as required by law and providing for a summary of the ordinance and providing for a waiver of the reading rules and providing an effective date.

De Weerd: Council, you have heard this by title. Do I have a motion?

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: I move that we approve Ordinance No. 16-1685 with suspension of rules.

Bird: 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 carries.

MOTION CARRIED: ALL AYES.

- C. Ordinance No. 16-1688: An Ordinance (Brinegar Prairie H-2015-0046) of the City of Meridian for the Annexation and Zoning of 23.46 Acres of Land with an R-8 (Medium Density Residential) Zoning District. Said Property is a Parcel of Land Located in the SW 1/4 of Section 2, Township 3 North, Range 1 West, Meridian, Ada County, Idaho.**

De Weerd: Item 11-C is ordinance 16-1688. Madam Clerk, will you, please, read this by title.

Jones: Thank you, Madam Mayor. An Ordinance H-2015-0046, for annexation and rezone of a parcel of land located in the SW 1/4 of Section 2, Township 3 North, Range 1 West, Boise, Meridian, Ada County, Idaho, as described in Attachment A and annexing certain lands and territories situated in Ada County, Idaho, and adjacent and contiguous to the corporate limits of the City of Meridian as requested by the City of Meridian, establishing and determining the land use zoning classification of said lands from RUT to R-8, Medium Density Residential District, in the Meridian City Code, providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission as required by law and providing for a summary of the ordinance and providing for a waiver of the reading rules and providing an effective date.

De Weerd: You have heard this read by title. Do I have a motion to accept?

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: I move that we approve Ordinance No. 16-1688 with suspension of rules.

Bird: 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.

MOTION CARRIED: ALL AYES.

Item 12: Other Items

De Weerd: Item 12 is other items. Not sure what other items you might have, but any other items?

Palmer: Madam Mayor?

De Weerd: Yes.

Palmer: I don't have any.

De Weerd: Well, thank you, Mr. Palmer. You're awesome.

Item 13: Future Meeting Topics

De Weerd: Item 13 is future meet topics.

**Item 14: Executive Session per Idaho State Code 74-206A (1)(a):
Considering A Labor Contract Offer Or To Formulate A
Counteroffer**

De Weerd: Fourteen, Executive Session.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

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

Borton: Second.

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

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

De Weerd: All ayes.

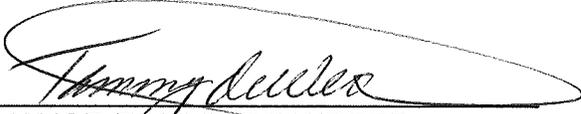
MOTION CARRIED: ALL AYES.

EXECUTIVE SESSION: (9:38 p.m. to 10:27 p.m.)

(Proceedings not recorded.)

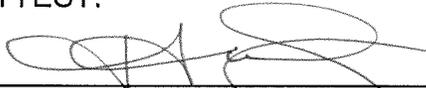
MEETING ADJOURNED AT 10:27 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)


MAYOR TAMMY DE WEERD

5 / 18 / 16
DATE APPROVED

ATTEST:


JACY JONES, CITY CLERK

