

A meeting of the Meridian City Council was called to order at 6:05 p.m., Tuesday, September 6, 2016, by Mayor Tammy de Weerd.

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

Others Present: Bill Nary, C.Jay Coles, Bruce Chatterton, Sonya Allen, Josh Beach, Clint Dolsby, Tracy Basterrechea, Perry Palmer, 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: Thank you all for joining us. I will open up our regular City Council agenda, it's Tuesday, September 6th, five minutes after. We will start with roll call attendance, Mr. Clerk.

Item 2: Pledge of Allegiance

De Weerd: Item No. 2 is our 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 Michael Pearson with Meridian Seventh Day Adventist Church

De Weerd: Item No. 3 is our community invocation. Is Pastor Pearson here? I don't think I saw him. So, we will skip that.

Item 4: Adoption of the Agenda

De Weerd: And go to Item No. 4.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: On the agenda the Department Report, 9-A, the resolution number is 16-1159. Item 10-A, the applicant has requested to continue that to September

20th, 2016. 11-A, the ordinance number is 16-1702. 11-B, the ordinance number is 16-1703 and 11-C is ordinance number 16-1704. And with that I move we approve the amended agenda.

Borton: Second.

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

MOTION CARRIED: ALL AYES.

Item 5: Proclamation for Meridian Art Week

De Weerd: Item 5 is a Proclamation for Meridian Art Week and I'm going to read this and, then, I'm going to ask Hillary to maybe come forward and talk about Meridian Art Week. Oh, is Mary here, too? I need to put my glasses on. Oh, there we have you. Well, then, I'm going to just have you join me at the podium. Well, it's really exciting to -- sorry, I blew you out of here. It's really exciting to proclaim this Meridian Art Week and, then, I will ask our commissioners to make a couple of comments, but It's All A Buzz about art in Meridian this week and we have had several people already find little treasures through our community as artists and even some not so artist artists are dropping art around our downtown area and so people out walking, if they find a piece of art they get to keep it and I will be dropping mine tonight, C. Jay, so it's just been adding a fun element and just really appreciate the commission for bringing that to us. So, whereas in the City of Meridian public art plays a valuable role in creating a sense of place, beautification of public areas, offers community expression and dialogue and enhances the quality of life for Meridian residents and visitors and whereas having publicly accessible art within the City of Meridian highlights our community's cultural and historical resources and promotes the development of economic, educational, recreational and tourism opportunities within the city and whereas the arts can be used as a conduit for exchanging ideas, connecting with one another, finding common ground and when accessible to the public can help to strengthen Meridian's communities and families and whereas we recognize the growth and demand for the arts in Meridian through the Meridian Arts Commission events, Parks and Recreation courses and the Treasure Valley Youth Theater, Meridian Arts Foundation and other local organizations and whereas the City of Meridian is fortunate to have a group of volunteers who serve on the Meridian Arts Commission for the purpose of advancing the arts within the City of Meridian through research and development of opportunities and sources for art within our community. Therefore, I, Mayor Tammy de Weerd, here do proclaim September 5th through the 9th, 2016, as Meridian Art Week in the City of Meridian and I do encourage all of our residents across the valley to participate in the Meridian Art Week festivities, including the Meridian art drop and art walk, highlighting public art activities in our downtown. And I will present

this to our commission chair Mary and -- Mary Jensen and ask her for a few comments.

Jensen: Thank you, Madam Mayor and thank you to the City Council. Obviously, the arts commission would not be here without them and their forward thinking and their vision. So, we are thrilled to be able to have our very first ever Meridian Art Week. We already have, like the Mayor said, had plenty of participation and I think the most exciting part to the arts commission is that it's not just professional artists that are participating, we have young, we have old, we have nonartists and professional artists as well and it's really exciting to see our community come together to support the arts and I think we are most looking forward to Friday evening, our art walk, and really being able to show the community how vibrant we can be in downtown Meridian and how the arts play a big role in that. So, we are really excited for that. We hope you will all join us. Thank you.

Item 6: Consent Agenda

- A. Approve Minutes of July 20, 2016 Budget Workshop Meeting**
- B. Approve Minutes of August 16, 2016 City Council Meeting**
- C. Approve Minutes of August 23, 2016 City Council Meeting**
- D. Approve Minutes of August 30, 2016 City Council Budget Workshop Meeting**
- E. Professional Service Agreement for Artwork for Traffic Box Community Art Project - Kortlyn Lowry c/o Deana Lowry**
- F. Approval of Acceptance Agreement for Artist Ethan Freckleton to Exhibit 2D Works in Initial Point Gallery**
- G. Findings of Fact, Conclusions of Law for Approval for Silverstone Apartments (H-2016-0060) by DevCO, LLC Located 4225 E Overland Road**
- H. Findings of Fact, Conclusions of Law for Approval for Velvet Point Subdivision (H-2016-0068) by Mussell Construction Located 2795 S. Velvet Falls Way**

- I. Final Order for Approval for TM Crossing Subdivision No. 1 (H-2016-0099) by Brighton Development Located at the Northeast Corner of I-84 and S. Ten Mile Road**
- J. Approval of Task Order 10594.a to J-U-B Engineers for the “Water and Sewer Main Replacement – E State Ave from Meridian Rd to Cathy Ln - DESIGN” project for a Not-To-Exceed amount of \$109,260.00**
- K. Findings of Fact, Conclusions of Law for Approval for Settlers Square Subdivision (H-2016-0074) by Seagle Three, LLC Located 870 W. Ustick Road**
- L. Final Order for Approval for Volterra Heights Subdivision No. 2 (H-2016- 0095) by Cottonwood Development, LLC Located South of W. McMillan Road and West of N. Ten Mile Road**
- M. Amended Development Agreement for Logan Creek Subdivision (H-2015- 0037) with Donald & Marie Morgan, Gladys Allen and Trilogy Development located at 4617 and 4620 S. Martinel Lane, in the southwest 1/4 Section 28, Township 3 North, Range 1 East. (Parcel No.'s R5475470011 and R5475470030)**
- N. Final Plat for Decatur Estates Subdivision No. 2 (H-2016-0101) by 4345 Linder Road, LLC Located 4345 N. Linder Road**
- O. Final Plat for Hill’s Century Farm No. 5 (H-2016-0103) by Brighton Investments, LLC Located on the East Side of S. Eagle Road, approximately ¼ Mile North of E. Lake Hazel Road**
- P. Final Plat for Bainbridge Subdivision No. 4 (H-2016-0094) by Brighton Investments, LLC Located East of N. Black Cat Road, Midway Between W. Chinden Boulevard and W. McMillan Road**
- Q. Final Plat for Vicenza Subdivision No. 3 (H-2016-0096) by Cottonwood Development, LLC Located North of W. McMillan Road; Between N. Black Cat Road and N. Ten Mile Road**
- R. Final Plat for Vicenza Subdivision No. 4 (H-2016-0097) by Cottonwood Development, LLC Located North of W.**

McMillan Road, Between N. Black Cat Road and N. Ten Mile Road

De Weerd: Okay. Item 6 is our Consent Agenda.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move we approve the Consent Agenda as published and 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. If there is no discussion, Mr. Clerk, will you call roll.

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

De Weerd: All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

Item 7: Items Moved From the Consent Agenda

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

Item 8: Community Items/Presentations

A. Welcome and Swearing in of New Division Planning Chief and New Meridian Firefighter

De Weerd: So, we will move to Item 8-A, which is a welcome and swearing in of some of our newest employees in the Meridian Fire Department. So, I will turn this over to chief.

Niemeyer: Madam Mayor, Members of Council, good evening and thank you. Tonight is a terrific night, both for the Fire Department and the City of Meridian as we welcome and swear in two new members to our family. So, without further ado I am going to do a little rotation here and you're going to see my back side, but if I could ask the Mayor to come on down for the swearing in. So, the swearing in is -- is a tradition in the fire service and for us it's a very proud day. When we swear in these new members they are taking an oath to protect our community -- to protect and enhance our community through professionalism and compassion. That's our Fire Department's mission statement. So, it's always a

day that forever these individuals will remember for the rest of their lives as a great day. So, without further ado, I would first like to call up firefighter Rustin Hood, Rustin's girlfriend Kip Mills and also eight-week-old Piper, if you want to bring Piper up. Absolutely. So, a little bit of background on Rustin. We are very happy to have Rustin on board. He's been assigned already to Engine 34. Rustin comes to us from Caldwell Fire Department where he just got done last year with a -- with a recruit academy, so he's going right out to the line. We are feeding him to the wolves right away. Rustin does have a bachelor's degree in administration from Boise State Boise. Proud of you. Boise State. I'm going to repeat that for some of the folks in the room. In his off time Rustin enjoys family time, fly fishing, skiing, mountain biking, and camping. And as I mentioned, Rustin is also the new dad of eight week old Piper. So, we welcome Piper into our family as well. And with that we will now read the oath of office. Madam Mayor, the oath.

De Weerd: Okay. You have your right arm. Will you, please, raise your right hand. I, state your name, do hereby declare that I will support the Constitution of the United States and the state of Idaho and that I will faithfully discharge my duties as firefighter to the Meridian Fire Department and to the citizens of Meridian to the best of my ability. I promise to protect and enhance our community through professionalism and compassion in accordance with the Meridian Fire Department's guiding principles and policies.

(Repeated by Rustin Hood.)

De Weerd: Congratulations.

Hood: Thank you.

Niemeyer: Picture time.

(Pictures taken.)

Niemeyer: So, our second new member I would like to ask Division Chief of Planning Charlie Butterfield and his girlfriend Amy Busick to come forward. So, Charlie comes to us from the Sun Valley Fire Department where he was the assistant chief the last three years and filling our division chief of planning role, which is primarily focused on where we as a fire department are going in the future, so looking at how do we plan for the future, how do we look at data, how do we analyze and create a plan. We are very happy to have Charlie on board. He's been here for a whopping three days and has already had great input into our team as we have been discussing some of the issues at hand in the fire department. I mention he came from Sun Valley and I don't want any boos on this, please. Charlie did attend Colorado State University where he received his bachelor's and his master's degree in education. Charlie does have a son Bryson, age 12. In his off time Charlie loves snow skiing, water skiing, traveling,

hiking, biking and boating. I think I saw you in SCUBA gear as well. So, kind of a man of -- a jack-of-all-trades. We are very happy to have Charlie on board. So, with that I will turn it over to the Mayor for the swearing in and the oath.

De Weerd: Okay. If you will raise your right hand. I, state your name, do hereby declare that I will support the Constitution of the United States and the state of Idaho and that I will faithfully discharge my duties as division chief to the Meridian Fire Department and to the citizens of Meridian to the best of my ability. I promise to protect and enhance our community through professionalism and compassion in accordance with the Meridian Fire Department's guiding principles and policies.

(Repeated by Charlie Butterfield.)

De Weerd: Congratulations.

(Pictures taken.)

Niemeyer: Just real quick, let's give one last round of applause to these two new members. Thank you, Mayor and Council.

De Weerd: And I would like to welcome our two new members to the Meridian fire family. You always have these individuals who are standing or sitting behind you in uniform -- they will have your back. It's a tight family unit and it's exciting to have two of our newest family members. I think I probably will owe a couple of mayors some apologies, but it seems like you came to two cities that I'm sure they will be hunting me down. Right? But thank you for joining our family. Thank you to your families as well for also stepping into an extended family at the Meridian Fire Department. They are very close knit and they are a great safety net for our firefighters and their families as well. We know that you will sacrifice, as you already are aware, holidays and evenings and various family time, but we do hope in turn you will get the satisfaction of feeling a sense of pride of the culture and the history that fire department has established in our community and they are the heroes and it's recognized in our community throughout and they are very well supported, in addition to our Meridian Police Department. We feel very fortunate that our public safety personnel, both fire and police, work very closely together and we hold that as an important element of our culture. So, thank you for joining us. Thank you for letting us be a part of this important ceremony and, again, welcome and congratulations.

B. 2016 Community Block Party Sponsor Recognition

De Weerd: Okay. Item 8-B -- oh, Council any comments? Thank you. Item 8-B is under our Parks Department for 2016 Community Block Party sponsor recognition. Renee, welcome.

White: Thank you. I have cleared a room before, but usually it's with my karaoke. Thank you, Madam Mayor, Members of the Council. I appreciate the time on your agenda this evening to publicly thank the businesses that are sponsoring the community block party. We are fortunate to have a number of businesses that have been very active in all of the events for the Parks and Recreation. Before I do I would like to talk just a little bit about the block party and one of the newer events that we are hosting and that is called the talent tournament. We are adding that in the afternoon. It is similar to -- if you have ever gone to the Curb Cup which was in Boise several years ago, it is a talent tournament in which everyone does their talent at the same time and the audience gets the ability to walk through and witness all of them taking place. Each audience member gets three tokens and, then, they get to vote for who their favorites are. So, we are pretty excited about that. So, the block party, I'm really excited to -- to thank the Village in Meridian, who is our main stage sponsor. Idaho Central Credit Union, which is our presenting sponsor for the year. Meridian United Soccer, which is our mascot dance-off. That will be fun. If you have never seen a pancake dance you can't miss that. Right? Boise Co-op is our Kids Corner sponsor. Westside Bodyworks is our food court sponsor. Rocky Mountain Roll is helping us present an inflatable jungle. Peak Broadcasting and Meridian Press are our media sponsors. And we have a first aid sponsor, which is St. Alphonsus Medical Center. So, I'd like to thank them and hope that you will take the time to come out to the block party, which is September 27th, and the beautiful Kleiner Park. Thank you so much.

De Weerd: Thank you, Renee. We appreciate you. We appreciate our sponsors. And thank you for coming in and sharing who they are tonight, so we can, in turn, thank them personally. Thank you.

Item 9: Department Reports

A. Mayor's Office: No. 16-1159: A Resolution Reappointing Jim Escobar to Seat 1 of the Meridian Development Corporation

De Weerd: Item 9-A under Department Reports, Council, in front of you you do have a resolution that's 16-1159, reappointing Jim Escobar to Seat One of the Meridian Development Corporation. Jim has been the chair of the Meridian Development Corporation for a couple of years now and I will tell you that he spends a lot of time and dedication both of his personal and professional time really adding to his passion for downtown and its redevelopment. I would ask for your approval for this reappointment.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move that we approve Resolution No. 16-1159, reappointing Jim Escobar to Seat One in the Meridian Development Corporation.

Milam: Second.

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

B. Police Department: Third Amendment To Professional Services Agreement With Trauma Intervention Programs, Inc. (TIP) for an amount Not-to-Exceed \$10,957.00

De Weerd: This next item, 9-B, is under our police department. The Trauma Intervention Program, TIP, has been an integral part in Ada County for providing citizen-to-citizen response in that critical time of need to victims or those that have had family members that have met some really traumatic incidents and so we asked if the Police Department would be here to share with you a little bit more about the TIP program and the impact it's had in our community. Thank you, Tracy, for being here.

Basterrechea: Thank you, Madam Mayor, President Bird, Members of the Council. First let me say I'm glad the room emptied out. I was a little nervous turning my back to a room full of firefighters. Felt a little bit like Custer at Little Bighorn, so -- just to give you a little bit of statistical data on TIP. Since February 1st of 2016 to August 1st of 2016 we have provided -- TIP has provided service to 730 residents here in the Treasure Valley. The number of the service -- that's the number of residents. The number of services that they have provided have been 1,710 and their ready -- number of ready alert hours that they have contributed to the Treasure Valley is 19,512 hours in a six month period. Number of TIP volunteers right now serving in the Treasure Valley are 24 and the average response time has been 20 minutes and we have had a one hundred percent response time when we have called -- had to call TIP in the Treasure Valley. So, so far it has been a very successful program and we have been getting very good feedback from our officers, as well as from the fire department. Just to give you a little idea of what they do, they do service not only the police during emergency situations dealing with families who have suffered from a tragic situation, but they also service the fire department, as well as the coroner's office, so with that I will stand for any questions you might have.

De Weerd: Thank you, Tracy. Council, any questions? They do an annual recognition for these volunteers and I would invite you to attend one of those. You will hear some of the stories that -- of incidents that they have responded to and hear a little bit more about the behind-the-scenes of how they really touch people's lives in those times of a real need and I am just thrilled that our Police Department really took the lead in bringing this service to Ada County to our community, because it really has made a difference in the lives of -- of those that have had some pretty traumatic instance, whether it's a death notice or a trauma event, it all is the same, people are in a time of panic and they need -- they need someone there to care.

Basterrechea: Yeah. They have -- actually, they have really filled a void that we couldn't -- we couldn't fill on those situations where we have officers that have to go back to calls. Our victim witness coordinators are not equipped to deal with every person that we come into contact with, so they have been as huge service to the community.

De Weerd: And you raised a good point. It really does deploy our resources back onto the streets back into service and it has trained volunteers that will sit with the victim or the victim's family and give care. So, thank you for giving us an overview.

Basterrechea: Thank you.

De Weerd: So, Council, in front of you you do have an item that is requesting a third amendment to the Professional Services Agreement.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: I move that we approve the third amendment to the professional services agreement with the Trauma Intervention program, TIP, for an amount not to exceed 10,957 dollars.

Bird: Second.

De Weerd: I have a motion and a second to approve Item 9-B. Any discussion by Council? Mr. 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 10: Action Items

A. Final Plat Continued from August 16, 2016 for Biltmore Estates Subdivision No 3 (H-2016-0086) Located at W. Victory Road and West of South Meridian Road Continued to 9/20/16

- 1. Request: Final Plat for Thirty One (31) Single Family Residential Building Lots and Six (6) Common Lots on Approximately 11.91 Acres in the R-4 Zoning District by Oakwood Estates LLC.**

De Weerd: Item 10-A, the applicant has requested continuance to September 20th. I will ask staff to state on the public record the reason for that request.

Allen: Madam Mayor, Council, from what I heard it was some sort of family emergency that the applicant could not be here tonight, so they asked for a continuance.

Bird: Surgery.

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

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move we continue H-2016-0086 to September 20th, 2016.

Cavener: Second.

De Weerd: I have a motion and a second to continue Item 10-A to September 20th. All of those in favor say aye. All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

B. Public Hearing for Twelve Oaks (H-2016-0100) by Twelve Oaks, LLC Located 1845 W. Franklin Road Approved

- 1. Request: Modification to the Development Agreement to Update the Development Plan for the Site**

De Weerd: Item 10-B is a public hearing for H-2016-0100. I will open this public hearing with staff comments.

Allen: Thank you, Madam Mayor, Members of the Council. The first application before you tonight is a request for a development modification. This site consists of 9.43 acres of land. It's zoned C-C and TN-R and it's located at 1845 West Franklin Road on the south side of Franklin, west of South Linder Road. This property was annexed back in 2005 with a development agreement. In 2013 the agreement was modified to update the development plan for the site. The Comprehensive Plan future land use map designation is mixed-use commercial and medium-high density residential. The applicant is requesting a modification to the development agreement to update the development plan for this site. The current development plan depicts a mix of single and multi-family residential townhomes and apartments, 52 to 55 units. A residential care facility for approximately 40 units. And commercial uses, four building pads, with a large central common open space area with a pond. These are the elevations that were approved with the last development agreement modification for the proposed townhomes. The proposed plan depicts a multi-family residential development with a mix of eight and 12-plex apartment buildings and duplexes totaling 106 units, with a clubhouse and commercial building pads. The residential care facility has been removed. The proposed gross density of the development of 13.27 dwelling units per acre, which is consistent with the future land use map designations for this site. One driveway access is proposed via Franklin Road and that is the one you see right here, with driveway stubs to the properties to the west and those are here at the northwest and the southwest corners of the property. Public streets were proposed previously, but are not required for a multi-family development. Therefore, the applicant is only proposing driveway access to the site. Conceptual building elevations were submitted for the proposed structures. The ones you see on the left there are the two and three-story apartment buildings. The one on the right is the proposed clubhouse elevation. The duplexes are two story. And, then, the garage units that are associated with the multi-family. Building materials for all of the structures appear to consist of a mix of stucco and vertical siding. Future development is required to comply with the design standards in the architectural standards manual. Written testimony has been received from Jim Jewett, the applicant. He is in agreement with the staff report as written. Staff is recommending approval per the staff report. Staff will stand for the questions.

De Weerd: Sonya, you showed some elevations earlier on. Were those in the -- yeah. That. Were those in the original?

Allen: Yes. Madam Mayor, those were proposed right -- if you can see my pointer here, right along the southern boundary of the site. There was townhomes proposed there. Multi-family in this area. And, then, the residential care facility here, with a commercial building pad here and, then, also over here on the top right.

De Weerd: And, then, it -- and the current elevation has changed quite substantially. Now they are just garage doors.

Allen: Yes. Now, there is duplexes, rather than townhomes, proposed along the southern boundary and all multi-family residential apartments. The commercial pads stayed the same.

De Weerd: Are the elevations for the apartments the same as they were in the original?

Allen: I don't believe so, Madam Mayor. They were not attached as an exhibit with the development agreement. Only the townhomes. So, I'm not sure how much detail those had at the time.

De Weerd: Okay. Council, any questions?

Bird: I have none, Mayor.

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

Jewett: Yes. Madam Mayor and Councilmen, Jim Jewett, 16 -- oh, excuse me. 167 East White Spur, Meridian.

De Weerd: Thank you.

Jewett: So, to clarify what Sonya said, the apartments have never changed. The building designs we are submitting now are just fine toothed. They are ready to go. We are ready to submit the permits. So, those are a final work. But they were conceptually the same texture as you see here. But what's changed is the residential care facility went away and we replaced that with the same buildings and, then, the duplexes along the back were townhouses before and we have changed them to duplexes. They do become a little garage heavy, because we are --

De Weerd: A little?

Jewett: We are required to have garage -- parking space and we wanted to provide attached garages for those units. We are just trying to offer a different mix of a rental than you would see in the standard apartment plans and projects you see in town where they are all apartments and all have a detached garage. These are actually attached to the units, giving another unique rental within the same project with a pool and a clubhouse. So, that's all we are trying to do is just offer a three bedroom, two bath, two car garage and with our limited space --

because what you saw in the townhouse you would be parking out front of it. So, now we replaced it with a parking garage. I do understand your point.

De Weerd: Thank you.

Jewett: Otherwise, I will stand for questions.

De Weerd: Council, any questions?

Bird: I have none.

De Weerd: Okay. Thank you.

Jewett: Thank you.

De Weerd: Okay. I do have one person that signed up as neutral. Tom Roam. Thank you for joining us. If you will, please, state your name and address for the record.

Roam: Tom Roam. 115 South Linder.

De Weerd: Thank you.

Roam: I don't have a lot of questions. I just -- my only concern -- been there a long time and I have got five or six hundred feet of -- would be my west end, their east side of the property, which I have animals on, cows, stuff like that, and I have had troubles with the sub behind me shooting golf balls -- actually shooting at cows and other things like that. Bow and arrows. Actually guns. Things like that. And so I'm a little concerned about that wall, because of my animals and I plan on keeping them and kind of attached to them. So, that's my only really concern about the project is my side -- my particular border where I boarder that and am I going to have problems with that and how would I avoid that? Other than that, that's really my only concern with that.

De Weerd: Thank you so much.

Roam: I have no idea what you would do with that.

De Weerd: Well, we will ask him -- what is the -- what are the fencing materials?

Allen: Madam Mayor, I would defer to the applicant to answer that.

De Weerd: I didn't know if you had covered that in your -- I will ask the applicant in his wrap-up remarks. Is there anyone else who would like to provide testimony on this item? Okay. Jim. It is a good question to ask. If you will just restate your name for the record.

Jewett: Yeah. Jim Jewett again. That neighbor didn't attend the neighborhood meeting and nothing has changed along that boundary from our original application from years ago and I can't recall what we agreed on back then, so -- but nothing's changed from what we originally agreed to with him and the city as far as what happens along that boundary. But I don't recall what type of fencing it is, if it's vinyl or -- I don't -- other than I can tell you that we will comply with whatever we agreed to that's in the agreement.

Bird: An eight foot block, wasn't it, Jim?

Jewett: That was on -- if it's in the agreement that's what I will have to agree to. That's currently what's between him and the north boundary, which is Hark's Corner -- is that cinder block fence.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: We will have to look, but I'm not too sure that that isn't what was -- and I was being serious. I'm not too sure that wasn't what was agreed to down there, because that's what we got on the north side and not too sure it wasn't that --

De Weerd: Do you see that in the original --

Allen: I'm looking. I haven't found it yet, Madam Mayor.

De Weerd: Okay. Council, while we have Mr. Jewett up here, any questions regarding this application?

Jewett: Madam Mayor, I would certainly agree to an additional condition that a suitable fence, if it's -- that's the nature of that if Council's comfortable with that, that's along the northern boundary, put on his east boundary -- my easterly boundary and his westerly boundary and I'm okay with that.

De Weerd: Okay. So, that could be added regardless of what's in there.

Bird: Yeah.

De Weerd: I appreciate that, you know, because fences and animals don't always play well together. For some reason the animals don't get it, that that's not their property, but --

Jewett: We have to work on teaching them I guess.

De Weerd: People, too, sometimes, so -- so, Council, anything further?

Milam: No shooting the animals and --

De Weerd: Yeah. Well, unfortunately, you know -- yeah. That's a tough one. Thank you.

Jewett: Thank you.

De Weerd: Council, anything further for the applicant or staff?

Bird: I have none.

De Weerd: Again, any further questions or testimony from any member of the public? Okay.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Seeing none, I move we close the public hearing on H-2016-0100.

Milam: Second.

De Weerd: I have a motion and a second to close the public hearing an Item 10-B. All those in favor say aye. All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Hearing no discussion, I move that we approve H-2016-0100 and include all staff, applicant remarks and that is to include the fence on his east property to match the north -- or the south fence on the property to the east of this. Am I clear?

De Weerd: Uh-huh.

Bird: Okay.

Milam: Second.

De Weerd: I have a motion and a second to approve this item. Any discussion from Council? Mr. Clerk, will you call roll.

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

De Weerd: All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

De Weerd: I will note -- oh, did Jim already leave? Wow, he left quickly. It would have been nice to keep the original elevations. Just saying.

C. Public Hearing for Roundtree Place Subdivision (H-2016-0081) by Trilogy Development Located at 755 S. Linder Road

- 1. Request: Annexation and Zoning of 5.78 Acres of Land with an R-8 Zoning District**
- 2. Request: Preliminary Plat Consisting of Twenty-Three (23) Building Lots and Four (4) Common Lots on 4.99 Acres of Land in the R-8 Zoning District**

De Weerd: Okay. Item 10-C is a public hearing for Roundtree Place Subdivision, H-2016-0081. I will open this public hearing with staff Josh's comments.

Beach: Good evening, Madam Mayor, Members of the Council. This is an application for annexation and zoning and for a preliminary plat. This site consists of approximately 5.78 acres of land, which is currently zoned RUT in Ada County. Is located at 755 South Linder Road. To the north is single-family residential property in the Tapestry Subdivision, which is zoned R-8. To the east is South Linder Road -- excuse me -- single family residential zoned property in the Mallard Landing Subdivision, which is zoned R-4. To the south is single-family residential property in the Primrose Subdivision, which is zoned RUT within Ada County. And to the west is the Peregrine Elementary School, which is zoned R-4. A little history. In 1948 the subject property was platted as a five acre lot or Lot 18 as part of the Van Hees Subdivision. The future land use map for this property is medium density residential. The applicant has submitted an application for annexation and zoning, as I said, of approximately 5.78 acres of land with an R-8 zoning district and a preliminary plat consisting of 23 residential lots and four common lots on five acres of land. Vehicular access is proposed for this site via an extension of South Flintstone Way, which is an extension of this here from the Tapestry Subdivision and vehicle access to West Waltman Street and no direct access to South Linder Road is proposed or permitted for this proposed development. A 25 foot wide landscape -- or, excuse me, landscape buffer is required along South Linder Road, which is considered an arterial street

and part of the landscape in accord with the UDC. The applicant is also proposing to construct a ten foot wide landscape buffer adjacent to West Waltman Street. It will also need to be landscaped according to the UDC. Based on the area of the preliminary plat, which, as I said, is approximately five acres, a minimum of .5 acres of qualified usable open space is required to be provided as set forth in UDC. Based on the preliminary plat the applicant is proposing a .22 acres, which is 4.4 percent of the proposed -- the proposed development. The applicant has complied with making some changes to this that would -- prior to the Commission hearing the applicant had submitted some additional open space along this area here and the pathway out to the sidewalk along South Linder Road that does comply with that. So, apologize for that confusion. They have met their -- their ten percent requirement for open space. The applicant has submitted several building elevations for future homes in the development. Building materials appear to consist of a mix of horizontal lap siding, board and batten with stone accents. For the most part staff is supportive of these provided elevations. Staff is not supportive of the vision here at the bottom left and not feel that that provides the appropriate architectural elements with the living area above the garage that we would like to see toward the street. Because homes on lot whose sides or rear face South Linder Road, Lots 1 through 3 and 6 of Block 1 and Lot 1, Block 1, Lots 1, 7 and 9 of Block 2 will be highly visible, staff recommends that the sides or rear of those structures that face the public street on those lots incorporate articulation through changes in material, color, modulation and architectural elements. Staff did not receive any written testimony prior to the Planning Commission hearing. Commission did recommend approval. A summary of the Commission public hearing. Christy Watkins was the applicant's representative in favor of the application. There was none in opposition. There was several that commented Jeanette Ockerman, Ron Hohnstein and Andrew Gowens. Did not receive any written testimony prior to the Commission. I presented the application. Bill Parsons also commented on the application. Key issues of public testimony where the proposed density of the subdivision, fencing along Waltman Road, safety of children crossing Linder to get to the Peregrine Elementary School, traffic -- the lack of direct access to Linder from the proposed subdivision, removing the direct access to Waltman Road, the capacity of Peregrine Elementary School. Key issues of discussion by the Commission were safety of children getting to Peregrine Elementary School and the potential for providing additional crossing guards across Linder. The proposed density of the development. Traffic to and from the area both for the school, as well as the increased number of homes in the area. The addition of the pathway through a common lot to the sidewalk along South Linder Road. Commission change to staff recommendations. They removed Condition 1.1.3B, because the applicant had complied with the -- as I mentioned, the open space requirements. Remove condition 1.1.3C with the addition of new Condition 1.1.3B the applicant will comply with that condition. Add a new condition 1.1.3B, which the Commission recommended the applicant provide a pedestrian pathway from South Treetop Avenue through the proposed common lot to the proposed sidewalk in the landscape buffer along South Linder Road. There are no

outstanding issues for the Council. With that I will stand for any questions you have on the application.

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

Bird: I have none, Mayor.

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

Wonders: Good evening, Madam Mayor and Council Members. Scott Wonders with JUB Engineers. 250 South Beechwood Avenue in Boise. 83709. Here representing the applicant. Again, just here representing the applicant on five acres of in-fill property that we are proposing. We are just at the five acres based on the -- the old recorded plats, so we are providing and amended our application to include the ten percent open space after we worked with staff. We are including a tot lot amenity in the -- in the main common open space area and providing that pedestrian connection that was requested in our conditions of approval. We have widened that section -- the pedestrian connection from the internal street out to Linder Road as well. A couple items for school access, which is just to the west. They will have the option of either going south to Waltman and, then, along the existing sidewalk or in the existing Tapestry Subdivision to the north there is a pedestrian connection there that goes across the -- the open play area between the subdivisions and the actual school itself. We are proposing to connect to the Nampa-Meridian Irrigation System. I think there was a letter to that effect to the applicant in the staff application, so we are addressing the pressurized irrigation in that way. We are in agreement with all the staff recommendations of approval and here to answer any questions that you may have.

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

Bird: I have none, Mayor.

De Weerd: Okay. Thank you.

Wonders: Thank you.

De Weerd: I do have a member that has signed up. Ron Newberry signed up against. If you would like to come forward. Thank you for joining us. If you will, please, state your name and address for the record.

Newberry: My name is Ron Newberry and I live at 2125 Waltman.

De Weerd: Thank you.

Newberry: And thank you, Mayor and Councilmen. When I look at this it has four common lots covering five acres. How can four lots cover half of what we are talking about, which is a ten acre parcel?

De Weerd: I don't know where you are --

Newberry: Right. I can't understand what's happening here.

Beach: Madam Mayor, could I answer that question? There are 23 proposed residential lots and four common lots.

Newberry: Right. The four common lots it says on 4.99 acres. That's half of what's there. Now, what's going to go on five acres?

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Sir, I think -- I think what it's saying is there is 4.99 acres in this -- in this complete development. Okay? We are going to have 23 building lots and we are going to have four common lots within this 4.99 acres. And that is just a five acre piece. That isn't a ten acre piece. All they are -- they are platting right now is that -- it's 4.99, actually, acres and they are going to build 23 -- okay. You got 23 buildable lots and, then, they have got four common lots for open space.

Newberry: Right.

Bird: And that's it. All within that 4.99 acres.

Newberry: Okay. I live right down the street from that school and already the traffic going up and down that -- Waltman is really congested at school times, especially in the mornings. Now, you're going to have all these people dumping out onto Waltman Road trying to get onto Linder to get out of the subdivision and it's really, really going to be bad, because already there is 147 homes in the Primrose Subdivision coming out of that area and, then, you have got all the houses on the east side of Linder that have to dump onto Linder Road to get out of there. So, for them to come onto Waltman Lane is really, really dangerous for all the children that are going to school at that time in the morning.

De Weerd: Well, I appreciate your concern about the -- the children, but it's -- it's going to be the same as if you have any access there for that lot to redevelop for the property.

Newberry: Right. But what I'm getting at is there is no access for that subdivision to come out onto Linder Road, other than coming onto Waltman or through another subdivision and that's what's dangerous, because the school is

right there. I'm more concerned about the walking traffic than am about the flow of that subdivision, because it's really heavy. Really heavy. And it's important.

De Weerd: Well, thank you, sir.

Newberry: Thank you.

De Weerd: We appreciate you coming. Is there anyone else who would like to provide testimony on this item? Okay. Does the applicant want to make comment to that?

Wonders: Again, Scott Wonders for the record. Just a point of clarification. So, it is -- we are providing ten percent of the five acres, so it will be half an acre of open space within the five acres, so -- and we do our best with road alignments. I mean they are tough. Worked with ACHD and on this one we really tried to -- I don't know how many iterations we did with staff, but in order to kind of orient the houses so they weren't looking at a bunch of rear-facing yards along Waltman, and we made them all side loaded and, then, added the landscape buffer adjacent to Waltman with a six foot fence, so -- and, then, working with ACHD they didn't want us to do access out to Linder for obvious reasons. So, that's kind of how we -- we arrived at this layout. But other than that I don't have anything else to add, unless you have any other further questions of me.

De Weerd: Council, any questions?

Bird: I have none.

De Weerd: Thank you.

Wonders: Thank you.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: I move that we closed the public hearing on H-2016-0081.

Bird: Second.

De Weerd: I have a motion and a second to close the public hearing on Item 10-C. All those in favor say aye. All ayes. Motion carries.

MOTION CARRIED: ALL AYES.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: I move that we approve H-2016-0081 and include all staff, applicant, and public testimony.

Bird: Second.

De Weerd: I have a motion and a second to approve Item 10-C. Any discussion from Council? Mr. Clerk, will you call roll.

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

De Weerd: All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

De Weerd: And I would ask that the applicant, being sensitive to Mr. Newberry's comments, that you work with the school and -- just to insure that that access out has the safety precautions to -- to advise the typical signage about school children present. I participated in the National Walk To School Week at Peregrine and it is very busy, a lot of kids in that area, and I'm sure people who are attracted to move into a neighborhood like that are there because they probably have school-age children themselves and so we hope that that makes us extra cautious as well, but thank you for bringing that attention to -- to the deliberation.

Item 11: Ordinances

- A. Ordinance No. 16-1702: An Ordinance of the City of Meridian Providing for the Adoption of an Amendment to the Budget and the Appropriation of Expenditures of (\$7,460,149) to Defray the Necessary Expenses and Liabilities of the City of Meridian, in Accordance with the Object and Purposes and in the Certain Amounts Herein Specified for the Fiscal Year Beginning October 1, 2015 and Ending on September 30, 2016.**

De Weerd: Okay. Item 11-A is Ordinance 16-1702. Mr. Clerk, will you, please, read this ordinance by title only.

Coles: Thank you, Madam Mayor. Ordinance No. 16-1702, an ordinance of the City of Meridian providing for the adoption of an amendment to the budget and the appropriation of expenditures of 7,460,149 dollars to defray the necessary expenses and liabilities of the City of Meridian in accordance with the object and

purposes and in the certain amounts herein specified for the fiscal year beginning October 1, 2015, and ending on September 30th, 2016.

De Weerd: You have heard this ordinance read by title only. Is there anyone who would like to hear it read in its entirety? You are our token public, so -- seeing none, Council?

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move we approve Ordinance No. 16-1702 with suspension of rules.

Milam: Second.

De Weerd: I have a motion and a second to approve Item 11-A. If there is no discussion, Mr. 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.

B. Ordinance No. 16-1703: An Ordinance of the City of Meridian Providing for the Adoption of a Budget and the Appropriation of \$119,231,649 to Defray the Necessary Expenses and Liabilities of the City of Meridian, in Accordance with the Object and Purposes and in the Certain Amounts Herein Specified for the Fiscal Year Beginning October 1, 2016 and Ending on September 30, 2017.

De Weerd: Item 11-B is Ordinance 16-1703. Mr. Clerk, will you, please, read this by title only.

Coles: Thank you, Madam Mayor. Ordinance No. 16-1703, an ordinance of the City of Meridian providing for the adoption of a budget and the appropriation of 119,231,649 dollars to defray the necessary expenses and liabilities of the City of Meridian in accordance with the object and purposes and in the certain amounts herein specified for the fiscal year beginning October 1, 2016, and ending on September 30th, 2017.

De Weerd: You have heard this read by title. Is there anyone who would like to hear it read in its entirety? Council?

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move we approve Ordinance No. 16-1703 with suspension of rules.

Milam: Second.

De Weerd: I have a motion and a second to approve Item 11-B. Mr. Clerk, will you, please, call roll.

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

De Weerd: The motion carries.

MOTION CARRIED: FIVE AYES. ONE NAY.

- C. Ordinance No. 16-1704: An Ordinance (Gibson Amity H-2016-0036) of the City of Meridian Granting Annexation and Zoning for a Parcel of Land being "Parcel-B" of Record of Survey No. 9941, Instrument No. 2014-088010 as recorded, Ada County Records, Situated in a Portion of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and a Portion of Government Lot 1, Section 31, Township 3 North, Range 1 East, Boise, Ada County, Idaho; and Annexing Certain Lands and Territory, Situated in Ada County, Idaho containing approximately 5.86 acres of land; 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 Classification of said Lands from RUT to I-L (Light Industrial) District in the Meridian City Code; Providing that Copies of this Ordinance Shall be Filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as Required by Law; and Providing for a Summary of the Ordinance; and Providing for a Waiver of the Reading Rules; and Providing an Effective Date.**

De Weerd: Item 11-C is Ordinance 16-1704. Mr. Clerk, will you, please, read this by title.

Coles: Thank you, Madam Mayor. Ordinance No. 16-1704, an ordinance Gibson-Amity H-2016-0036 of the City of Meridian granting annexation and

zoning for a parcel of land being Parcel B of record of survey number 9941, Instrument No. 2014-088010, as recorded, Ada County records, situated in a portion of the northeast quarter of the northeast quarter and a portion of Government Lot 1, Section 31, Township 3 North, Range 1 East, Boise, Ada County, Idaho, and annexing certain lands and territory situated in Ada County, Idaho, containing approximately 5.86 acres of land 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 classification of said lands from RUT to I-L, Light Industrial District, in the Meridian City Code. Providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Recorder and the Idaho State Tax Commission as required by law and providing for a summary of the ordinance and providing for a waiver of the reading of rules and providing an effective date.

De Weerd: Thank you. You have heard this ordinance read by title. I see no one who is jumping up and down to hear this read by -- in its entirety. Council, do I have a motion to approve?

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: I move that we approve Ordinance No. 16-1704 with suspension of rules.

Bird: Second.

De Weerd: I have a motion and a second to approve Item 11-C. Mr. 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: Future Meeting Topics

De Weerd: Council, just a heads-up on upcoming events. We have Scentsy's Rock-A-Thon on Friday, the 9th, from 6:00 a.m. to 6:00 p.m. I'm sure they are always looking for rockers. If you have an interest. Idaho Avenue streetscape dedication is 5:00 o'clock on Friday on Idaho Avenue and we would love you to come out and, then, there is also the art walk that is kicked off at 5:30 in City Hall plaza, right in front of her sign. And, then, you can walk downtown Meridian and -- and enjoy a lot of activities from Hair Art Gallery, they will have some music, to the chalk art and the music on Idaho Avenue. There will be a lot to enjoy.

September 8th Car Max is having their ribbon cutting ceremony at 11:30 and would love you to join our new business in our community. The Farmers Market, if you haven't done this, I found my favorite honey is Hattie's Honey is just absolutely delicious. A beekeeper that's a youth member and she does a marvelous job. So, just go and check them out from 9:00 to noon. 9/11 flag tribute in Kleiner Park on Sunday, the 11th, and, then, A Day to Remember Fall Fair at Ten Mile Christian. This is an annual event. They will be recognizing our -- our public safety personnel and our military and that's on Sunday from -- Sunday, the 11th, from 1:00 to 4:00. And, finally, next Tuesday Coffee With The Mayor at Zamzow's on Chinden and that's on the 13th from 8:00 to 9:30. And this community partner has been even advertising on the radio. So, they are going all out to -- to invite the community to come on down and talk with our elected and our leaders in the city. So, hopefully, you can join us there, too. Any other topics for future meeting agendas?

Item 13: Executive Session per Idaho State Code 74-206(1)(d): To consider records that are exempt from disclosure, Idaho Code; 74-206(1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation and 74-206A(1)(a) a governing body or its designated representatives may hold an executive session for the specific purpose of: (a) Considering a labor contract offer or to formulate a counteroffer

De Weerd: If not, I will move to Item 13 for the Executive Session.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move we go into Executive Session as per Idaho State Code 1(d), 1(f) and 1(a).

Milam: Second.

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

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

MOTION CARRIED: ALL AYES.

EXECUTIVE SESSION: (7:06 p.m. to 8:09 p.m.)

De Weerd: I would entertain a motion to come out of Executive Session.

Bird: So moved.

Borton: Second.

De Weerd: I have a motion and a second. All those in favor say aye. All ayes.
Motion carried:

MOTION CARRIED: ALL AYES.

De Weerd: Do I have a motion to adjourn?

Bird: So moved.

Borton: Second.

De Weerd: All those in favor?

Palmer: No.

De Weerd: No? Motion passes nonetheless.

MOTION CARRIED: FIVE AYES. ONE NAY.

MEETING ADJOURNED AT 8:09 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)


MAYOR TAMMY DE WEERD

9, 20, 16
DATE APPROVED

ATTEST:


JAY COLES, CITY CLERK

