



## STAR CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho

Tuesday, June 15, 2021

7:00 PM

### 1. **CALL TO ORDER**

Mayor Chadwick called the City Council Meeting to order at 7:01pm

### 2. **INVOCATION**

Bishop Aaron Warren, Star 2<sup>nd</sup> Ward, Church of Jesus Christ of Latter-day Saints

### 3. **ROLL CALL**

PRESENT: Mayor Trevor Chadwick, Council President David Hershey, Council Member Jennifer Salmonsens, Council Member Kevin Nielsen. Council Member Michael Keyes attended remotely.

STAFF PRESENT: City Attorney Chris Yorgason, City Planner Shawn Nickel, Assistant City Planner Ryan Field, City Clerk/Treasurer Jacob Qualls, Deputy City Clerk Meredith Hudson, Executive Assistant Barbara Norgrove, Star Police Chief Jake Vogt

### 4. **PUBLIC INPUT**

Mayor Chadwick and Police Chief Jake Vogt met with Matt and Whitney Blazek from the Beer Guys Saloon and discussed some concerns the public had reported. The Blazeks were receptive to trying to fix those challenges and Whitney suggested meeting with the Chief on a monthly basis to address any further issues. There was a short discussion with City Attorney Chris Yorgason regarding the public commenting on consent agenda items. Yorgason mentioned that there are state statutory standards on license renewals and the City has determined that the requirements have been met in this instance, so public comment would not be relevant to the renewal process but if there were comments regarding any issues, it would be acceptable. Council Members Nielsen and Keyes expressed interest in hearing from the public.

#### **Donna Rhoten, 131 N Main Street, Star ID**

Rhoten's home is near the Beer Guys Saloon she mentioned that until they opened there were no noise issues. Since the opening, she and her neighbors have experienced excessive noise and language concerns. She addressed rumors that citizens were trying to shut the saloon down or interfere with their license renewal and assured that was not the intent. They are only asking for the Beer Guys to show responsibility and respect for their residential neighbors.

Council Member Hershey asked how many in attendance were in favor of the testimony. Rhoten mentioned that she had about 28 signatures from neighbors and those in the area. She acknowledged that they had gotten much better and hopes it continues.

#### **Linda Holland, 205 S Knox St, Star ID**

Holland expressed support of Beer Guys. She agreed with the neighbors regarding the noise needing to calm down, but she has not personally experienced any language or problems with them.



## STAR CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho

Tuesday, June 15, 2021

7:00 PM

### 5. COMMITTEE REPORTS

#### **Transportation & Pathways Committee – Council Member Keyes presented a report by Chair John Tensen**

The Transportation committee has two new members, Steve Greene and Richard Girard. The committee is waiting to hear from ACHD regarding the 5-year Integrated Workplan project request and expect the first draft the middle of July.

The Pathways Committee is working on a Master Pathways Plan which consists of inventorying existing pathways, identifying future possible routes and drafting pathway implementation recommendations to bring to the Council for review late summer or early fall.

COMPASS grant opportunities – Four projects were identified and submitted. 1) Pathway design from Floating Feather to Star Middle School, 2) Riverwalk pathway extension and paving evaluation, 3) Downtown parking study, 4) State Hwy 44 sidewalk feasibility study.

Four subcommittees have been formed: ACHD Citizen Advisory Committee, chaired by Jon Turnipseed, Pathways Subcommittee chaired by John Tensen, Transportation Subcommittee co-chaired by Steve Greene and Richard Girard, Development Review Subcommittee chaired by Chris Todd. The next meeting will be held July 7 at 9:00 am.

Mayor Chadwick confirmed the proposed completion timeframe of the pathways map and that it would include a Capital Improvement Plan. Keyes gave some further detail regarding the process.

#### **Parks, Art & Beautification Committee – Christopher Cox, 1140 N Mira, Star ID, on behalf of Matt Vraspir.**

Mural update – They pressure washed the side of building and will start painting tomorrow. The committee is still reviewing the Comprehensive Plan to make adjustments to the parks, they will be involved in the 4<sup>th</sup> of July parade, they are moving forward with the stoplight boxes and looking for input on artwork. Council Member Salmonsens will be putting out a call for artists and creating a formal process for submission.

There was a suggestion to have exercise equipment installed at the dog park. They are ready to be installing life preservers at the ponds, working with City Clerk Jacob Qualls on the Pack it in, Pack it out program and getting signs installed at the Riverwalk. They are also working on the volunteer Park Ranger Program.

Council Member Salmonsens asked about the process of ordering the life preservers. Mayor Chadwick shared that Justin Ivan, owner of the Firehouse Subs got a \$6,000 donation to buy the units and they will be ordered and installed. A member of the audience suggested that we put some life preservers by the bridge where a lot of people swim.



## STAR CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho

Tuesday, June 15, 2021

7:00 PM

### **Historical Committee – Chip Sutton, 1095 N Culver Creek Pl, Star ID**

Sutton outlined some of the projects the committee will be concentrating on. These include creating a collection of oral histories of long-time residents of Star, identifying historic buildings, cemetery records, and areas where the Oregon Trail went through Star. They will also be focusing on canal construction and would like to take a field trip to the Idaho State Historical Archives. Mayor Chadwick expressed the importance of preserving Star's history and Sutton mentioned wanting to start a museum in the future.

### **Mayor's Youth Council Committee – Jack Bodmer, 12125 W Fox Haven, Star ID**

Bodmer noted that at their last meeting they had 11 student participants and two advisors. They were preparing for the Hometown Celebration fundraiser and set a goal to sell 2000 raffle tickets, which will be sold in markets, concerts, and businesses throughout the month. They have received several donations from local businesses as well. So far they have made \$634 toward scholarship funds. There was a short discussion regarding the purchase of a credit card reader for the committee and the Mayor reminded everyone that we were the first city to become a 2<sup>nd</sup> Amendment Sanctuary City in the state of Idaho and that the MYC will be selling 2<sup>nd</sup> Amendment hats.

### **Activities Committee – Mayor Chadwick reported on behalf of Dana Partridge**

Mayor Chadwick reiterated that the Mayor's Youth Council will be fundraising at local businesses and markets, mentioned some of the raffle prizes and encouraged businesses to contribute to the raffle prizes. Registration for the fun run is open, and they are accepting parade applications. There is a \$1000 grand prize for the fan favorite float. Southwest Idaho Business Alliance will be hosting a Saturday market at the Riverwalk on July 3.

There are details, applications, and registration links on the city website, [www.staridaho.org/hometown](http://www.staridaho.org/hometown).

## **6. POLICE BUDGET PRESENTATION – Star Police Chief Jake**

Vogt recognized Patrol Services Financial Analyst Nolan ??? who prepared the presentation and was available to answer any questions.

Vogt presented the proposed Star Police budget for the fiscal year 2022. He reminded the Council that there were two variables he can't speak about yet because they are set by the County Commissioners during county-wide budget deliberation. Those two variables are COLA and any potential medical insurance increase premium rates. Vogt did a review of where they are now and what he is proposing for the year 2022. He gave an overview of the current number of officers, (nine officers - six patrol officers, two detectives and himself) and their current services, schedules, and shifts.

Vogt presented an overview of the contract with updated budgeted costs, including employee wages and overtime, vehicles, equipment (including guns, belts, uniforms, on-body video and storage), shared services credit with Eagle, Star, Kuna and unincorporated Ada County, and additional benefits and specialized



## STAR CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho

Tuesday, June 15, 2021

7:00 PM

resources such as SWAT and narcotics teams provided at no additional cost to the city. Vogt presented the proposed budget numbers of what the cost would be with a 3% COLA and adding in two additional detectives, another vehicle and an administrative assistant. He discussed some statistics regarding the ratio of police officers per number of citizens.

Council Member Hershey asked for clarification whether the 1 officer per 1000 citizens was just for patrol officers or if it included everyone - detectives, chiefs and sergeants. Vogt responded that the statistics are both ways. Hershey asked about the crime rate per capita. Vogt did not have those statistics but said that the types of crimes are more violent and taking longer to deal with, so the additional officers help with safety for both officers and the public. Council Member Nielsen asked if Vogt could provide numbers specific to Star, rather than the national average. Mayor Chadwick provided some of the statistics for 2018, 2019 and 2020 with just the patrol officers. Nielsen then asked about the equipment and if there was any equipment, they were not currently using that they feel would be of use. Vogt responded that they were well equipped at this time. Council Member Salmonsens asked if the reason for adding two officers was for them to better cover the 24-hour period, or to work together at the same time. Vogt responded that it was more for a full 24-hour coverage. Council Member Keyes asked about how House Bill 389 would affect this request and Mayor Chadwick mentioned that it was on the agenda for later and they could discuss it then.

### **7. CONSENT AGENDA (ACTION ITEM)**

Mayor Chadwick noted that the minutes would be removed off the consent agenda.

- A. Approval of Claims Provided & Previously Approved: June 1 – June 15, 2021
- B. Minutes (removed)
- C. Moyle Village/ Heights Subdivision (PP-21-06/DA-21-05/PR-21-05) Finding of Fact  
Cranefield Subdivision (RZ-21-02/DA-21-04/PP-21-05/PR-21-04) Finding of Fact
- D. 2021 Beer, Wine and Alcoholic Beverage Licenses: See Attached Report
- E. Star Transportation Committee Additional Members: Steve Greene, Richard Girard

- Council Member Salmonsens moved to approve the consent agenda. Council Member Nielsen seconded the motion. Council Member Keyes clarified that the findings of facts had been amended. Voice vote indicated all Council Members signifying aye. Motion carried.

### **8. PUBLIC HEARINGS & INDIVIDUAL ACTION ITEMS**

#### **A. PUBLIC HEARING – Annexation of Stonebriar Subdivision Annexation and Zoning, and Development Agreement**

Mayor Chadwick opened the public hearing at 7:57 pm. All Elected Officials reported they had no ex parte' contact.

#### **Applicant**

City Planner Shawn Nickel on behalf of the Stonebriar Homeowners Association



## STAR CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho

Tuesday, June 15, 2021

7:00 PM

The Applicant is seeking approval of an Annexation and Zoning (R-R-DA) and a Development Agreement for the annexation of the existing Stonebriar Subdivision into the City of Star. The annexation of the subdivision includes a total of 13 existing residential lots and associated common lots and an out-parcel. Nickel gave a brief summary of the application. City Attorney Chris Yorgason asked for a clarification of how the contiguous conditions of annexation were met. Nickel further explained the map that was displayed. Council Member Nielsen asked if the applicant had asked for conditions in addition to the development agreement. Nickel responded that they had not, but annexations were generally "as is" properties but additional items could be discussed.

There was a discussion regarding a public easement or greenbelt on the common lot and possibly putting some conditions regarding a connection and non-conforming accessory structures.

### **Public Testimony**

#### Kevin Amar 1580 W Cayuse Creek Dr, Meridian, ID

Amar is a neighbor of the applicant and is here to support them in their quest for annexation.

#### Daniela Hansell, HOA President 7353 N Stonebriar Ln, Star, ID

Hansell summarized the annexation request, citing two reasons for the request. First was to use the Star Sewer and Water services, and second that they love the city and they want to share in vision of the Comprehensive Plan and maintain the current rural feeling of the neighborhood. Mayor Chadwick asked about the pathways and Hansell replied that they haven't discussed it but she would be supportive on an easement on the common area but not on Kaufman property unless it was discussed with the owner.

#### Jay Kevin Brunk 7795 N Stonebriar Ln, Star, ID

Brunk is on the Board of Directors and Design Review Committee. He is also a real estate developer, broker, and general and engineering contractor. He was concerned about the liability issues with the path. Currently they are a private community so their insurance recognized that and if public access was brought in, it could create potential issues as far as anything happening to the public. Brunk requested that the application be tabled. Council Member Nielsen suggested that instead of tabling, we could have our city attorney address the insurance concerns. City Attorney Chris Yorgason explained that there is a state statute that if a private property agreed to be accessed for recreational purposes, free of charge, that there is no liability if someone gets hurt but he encouraged them to have their attorneys or insurance agents review the statute. Brunk replied that in the past they had trouble with people coming through their subdivision before they put up their gates and would have no problem giving access as long as there was no connectivity into their subdivision to ensure their resident's safety. Nielsen suggested a code type access so they would not have to give up their common area.

#### Nate Kaufman 8151 N Stonebriar Ln, Star, ID

Kaufman owns property that could be affected and has not been in discussions regarding a pathway on his property. He was open to talk about it but it was determined by staff and Council that the easement would stop at Kaufman's property and a negotiation could be discussed at a later date.



## STAR CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho

Tuesday, June 15, 2021

7:00 PM

Daniela Hansell asked if they would have a chance to see the amended development agreement. She was assured that they would have a chance to review it before signing. Kevin Brunk added that he would like to negotiate the actual wording regarding the connectivity and liability in the development agreement, so everyone was comfortable with it. There was a discussion on how to proceed with the annexation and looking at several options other than just the easement.

Mayor Chadwick closed the hearing at 8:33 and moved to Council deliberations.

- Council Member Nielsen moved to approve the annexation and zoning of the application with a direction for staff to work with the applicants to come up with an acceptable method of conveying a pathway for connectivity to the greenbelt at such a time as there is a connection available, and accept and acknowledge the existence of non-conforming conditions and uses. Council Member Salmonsén seconded the motion. Voice vote indicated all Council Members signifying aye. Motion carried.

Mayor Chadwick called a recess at 8:36 pm and reconvened the meeting at 8:40 pm.

### **B. PUBLIC HEARING – Stargazer Subdivision Annexation and Zoning, Development Agreement and Preliminary Plat**

Mayor Chadwick opened the public hearing at 8:40 pm. All Elected Officials reported they had no ex parte' contact.

#### **Applicant**

Jane Suggs with Gem State Planning, 9839 Cable Car St, Boise, ID

The Applicant is seeking approval of an Annexation and Zoning (R-3), a Development Agreement, and a Preliminary Plat for a proposed residential subdivision consisting of 125 residential lots and 10 common lots. Suggs reviewed the staff report and ACHD's report, and agreed with the conditions of approval. Suggs gave an overview of the project and outlined the amenities, common area, open space, and landscape plan and access points and showed some examples of the houses.

Council Member Keyes asked about Open Door Rentals and if the subdivision was intended to be a built to rent subdivision. Suggs responded that the property would be single family detached residential for sale and explained further about the Open Door Rental procedures. Council Member Hershey asked about the proportionate share and the two homes on adjacent properties and Suggs replied that they would be part of the plat. Mayor Chadwick requested that a paved path along the stub instead of being just grass. Council Member Salmonsén asked if the open space area would be private for residents only or if they would be open to the public. Suggs explained that they are private property, meant for the subdivision but it won't be restricted.

#### **Public Testimony**

Zach Bruneel 3035 Hamlet Ln, Star, ID



## STAR CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho

Tuesday, June 15, 2021

7:00 PM

Bruneel is the owner of the retained 3-acre parcel and was pleased with the drawings but expressed two concerns. First, he would be opposed to turning the large grass area into a public park that will be adjacent to their land. Secondly, he wants to be assured that the 3-acre land could be developed into smaller lots that match the neighborhood, and possibly put a public road in as well. There was a discussion on whether Bruneel's property was included in the plat and the zoning density calculation, how it meets the comprehensive plan and whether the plat or development agreement would need to be adjusted.

### Jason Arey 12086 W Wetland Park Dr, Star, ID

Arey expressed concern with the number of subdivisions that are being approved, the infrastructure might not be keeping up with it. He also mentioned concern with policing, the schools being pushed to capacity, lack of sidewalks for the kids, and increased traffic. Mayor Chadwick responded with a brief explanation of how things were being put in place to address those concerns but gave **Array** his card and said he would meet with him, or any of his neighbors to further answer those questions.

### **Applicant Rebuttal**

Jane Suggs stated that the possible density issue was a surprise to her and started a discussion on tabling the application in order to work with staff, Mr. Bruneel and Mr. Barton to work out the issues. She asked for a continuation of the hearing to July 20, 2021.

- Council Member Nielsen moved to table the public hearing until July 20, 2021 and directed the applicant to work with all owners involved to come up with a density that is representative of the entire area, preserving the density for each owner so it equals out to be that R-3, and only taking public testimony on information that is new coming from this discussion and discussing potential conditions of the development agreement. Council Member Salmonsén seconded the motion. Voice vote indicated all Council Members signifying aye. Motion carried. 9:19pm.

### **C. Action – Ordinance 337 River Park Subdivision Annexation and Development Agreement**

- Council Member Hershey moved to dispense with the rules requiring an ordinance to be read on three different days with one reading to be in full and that Ordinance 337 be considered after reading once by title only. Council Member Keyes seconded the motion.

Roll Call: Hershey aye, Keyes aye, Salmonsén aye, Nielson aye. Motion carried.

- Council Member Salmonsén moved to approve Ordinance 337, River Park Subdivision Annexation. Council Member Keyes seconded the motion.

Roll Call: Hershey aye, Keyes aye, Salmonsén aye, Nielson aye. Motion carried.

### **D. Action – Borton-Lahey Agreement – An Agreement to contract for legal services**

City Attorney Chris Yorgason briefly explained the purpose of the agreement.



## STAR CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho

Tuesday, June 15, 2021

7:00 PM

- Council Member Nielsen moved to approve the agreement. Council Member Keyes seconded the motion. Voice vote indicated all Council Members signifying aye. Motion carried.

### **E. Action – West Ada School District Agreement – An agreement to waive certain fees and to have certain fees waived.**

- Council Member Salmonsens moved to approve the agreement. Council Member Hershey seconded the motion. Salmonsens inquired if we got a new school, if the fees would need to be waived again. City Attorney responded that because the schools are specifically listed, we would do an amendment to add more schools. Voice vote indicated all Council Members signifying aye. Motion carried.

## **9. TABLED NOTICED PUBLIC HEARINGS**

- A. **PUBLIC HEARING** – Rivermoor Subdivision Annexation and Zoning, Development Agreement, Preliminary Plat, Private Street (AZ-21-06/DA-21-08/PP-21-09/PR-21-08)

i. **Action** Rivermoor Subdivision – **Tabled to July 20**

- B. **PUBLIC HEARING** – East Star River Ranch Subdivision Rezone, Development Agreement, Preliminary Plat, Conditional Use Permit and Private Street (RZ-20-12/DA-20-28/PP-21-03/CU-21-01/PR-21-02)

i. **Action** of East Star River Ranch Subdivision – **Tabled to July 20**

- C. **PUBLIC HEARING** – Landyn Village Subdivision Annexation and Zoning, Development Agreement, Preliminary Plat, Planned Unit Development and Private Street (AZ-20-04/DA-21-14/PP-20-04/PUD-20-03/PR-21-07)

i. **Action** of Landyn Village Subdivision – **Tabled to July 20**

- D. **PUBLIC HEARING** – Comprehensive Plan Amendment / South of the River Plan

i. **Action** on Comprehensive Plan Amendment / South of the River Plan – **Tabled to July 6**

ii. **Action** Adoption of South of the River Plan Architectural Overlay – **Tabled to July 6**

- Council Member Nielsen moved to table the public hearing for Rivermoor Subdivision to July 20, table the public hearing for East Star River Ranch Subdivision to July 20, table the public hearing for Landyn Village Subdivision to July 20, table the public hearing for the Comprehensive Plan Amendment/South of the River Plan to July 6. Council Member Hershey seconded the motion. Council Member Keyes suggested having a workshop to look at it before adopting. Voice vote indicated all Council Members signifying aye. Motion carried.

## **10. DISCUSSION ITEM:**

- A. **House Bill 389 (2020 Legislative Session) – An item to discuss impacts of House Bill 389 and its effects on the budget for FY 2021/2022 and future years.**

Mayor Chadwick and City Clerk/Treasurer Jacob Qualls have a workshop scheduled with the Association





## STAR CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho

Tuesday, June 15, 2021

7:00 PM

of Idaho Cities to discuss impacts. The Mayor explained the caps and the increases on revenue sharing and restrictions. Council Member Keyes confirmed that the revenue sharing would enable us to cover the new police officers and staffing. Mayor Chadwick discussed issues regarding property tax, taxing districts and tax relief. Council Member Nielsen mentioned old laws that were in place that need to be corrected at a state level. Keyes asked about Caldwell's moratorium and there was a discussion regarding the differences in what the cities were responsible for and how each were impacted, and there was a further discussion on moratoriums, foregone monies, tax relief and growth paying for growth.

Keyes offered a quote from the author of House Bill 389.

### **B. Horizontal Apartments – An item to discuss information received regarding developments with a single corporate ownership**

Council Member Keyes talked about the concept of built to rent neighborhoods, which he says are essentially horizontal apartments. He discussed putting reasonable conditions on how they operate as has been done with apartments, or adding additional ordinances in terms of managing, while being conscientious of State and Federal laws. Keyes asked the questions "what can we do and what should we do?" Council Member Nielsen talked about defining the difference between apartments and horizontal apartments, being conscious of regulating construction types and businesses and adhering to our own codes, as well as State and Federal.

Keyes mentioned that the term "horizontal apartments" is a term of art that has a relatively specific definition being single-family residential units that are all contiguous to each other and said that he would just like to discuss the concept further. Mayor Chadwick agreed to set up a workshop and Keyes asked for staff to notify the council if any subdivisions are coming before them that might fit that definition.

### **C. Development Cost Analysis Tool – A discussion**

Mayor Chadwick mentioned that Eagle developed a Cost Analysis Tool and asked Council Member Salmonsens to talk about exploring this option to show what the cost impacts are of developments in long terms for the city. Salmonsens was a part of the tech subcommittee compass hired high level agency tool Compass developed a tool based on criteria from each city where if a development comes in at a certain number of units, it triggers a response to use this tool. It is specific to each city. Data points are entered and when the development is entered, it tells what the cost will or will not be in 20 years and allows you to build off that. Council Member Keyes asked if a staff member was need full-time to operate the model on top of the initial cost. He had asked ACHD to provide data on roads and adequate facilities ordinance begin using the compass model as soon as it becomes available and then after a period of time create an ordinance or see how we want to use the tool but Salmonsens



## STAR CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho

Tuesday, June 15, 2021

7:00 PM

said they are working on a web based so agencies can enter Nielsen mentioned that it does take a staff person to

### 11. REPORTS

#### A. Elected Official Reports

Council Member Keyes – He reported in his Transportation Committee report earlier

Council Member Hershey – Nothing to report

Council Member Salmonsén – She did her first ride along with Deputy Austin Eckert for about 4 hours and had a wonderful experience. She complimented the community and the police force. She also did Fire Ops Training. She was successful at rescuing her victim from the smoke-filled room and gained a new respect for firemen.

Council Member Nielsen – He attended the Mayor's Youth Scholarship Award dinner

Mayor Trevor Chadwick – He mentioned that we gave out five scholarships to seniors and would like to reach out to the community to take advantage of this opportunity to further their education. The Boise River Enhancement Network is doing a river cleanup on Saturday, June 26.

#### B. Staff Reports – Nothing to report

### 12. ADJOURNMENT

Mayor Chadwick adjourned the meeting at 10:06 pm.

/s/ Trevor A. Chadwick

/s/ Jacob M. Qualls

\_\_\_\_\_  
Trevor A. Chadwick, Mayor

ATTEST: \_\_\_\_\_  
Jacob M. Qualls, City Clerk / Treasurer