



STAR CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho

Tuesday, April 20, 2021

7:00 PM

Agenda Item 1) CALL TO ORDER – Mayor Chadwick opened the meeting at 7:00pm.

Agenda Item 2) INVOCATION – Dustin Tessneer, with the Interfaith Group led the invocation.

Agenda Item 3) ROLL CALL – Present were Mayor Trevor Chadwick, Council President David Hershey; Council Members; Michael Keyes, Jennifer Salmonsens and Kevin Nielsen. Staff present were Executive Assistant Barbara Norgrove, City Planner Shawn Nickel, City Clerk /Treasurer Jacob Qualls and Deputy Clerk Meredith Hudson. City Attorney Chris Yorgason and Public Information Officer Dana Partridge attended via Zoom.

Agenda Item 4) PUBLIC INPUT – No public input.

Agenda Item 5) COMMITTEE REPORTS:

- A. Transportation & Pathways Committee – Chair, John Tensen reported the committee is waiting to hear from ACHD regarding the 5-year Integrated Workplan project request and expects the first draft about the middle of July. On the Pathways side, they are working on a Master Plan of existing pathways. They are identifying routes and will compile a map as the first draft Master Plan to bring to the Council for review. They are working with Eagle and Middleton to get an agreement with the ditch companies to allow pathways to be along the ditches. They also reviewed possible grants to submit to Compass. Tensen met with Mayor Chadwick, Council Members Keyes and Salmonsens, Ryan Morgan and Tina Wilson and identified five projects to submit. 1) Pathway design from Floating Feather to Star Middle School, 2) Feasibility study for extending and paving the Star River Walk pathway, 3) Downtown parking study, 4) Sidewalks along State Hwy 44 from Highway 16 to Can Ada Road, 5) Transportation Master Plan that would include roads, pathways, and trails. The grant application is due May 4. Mayor Chadwick mentioned that he has letters from landowners by the school.
- B. Parks, Art & Beautification Committee – no report
- C. Activities Committee – Chair, Dana Partridge reported via Zoom, the committee has mainly been discussing the Hometown Celebration. They are also working to update their liability waiver and applications with ICRMP. Upcoming events are: The Garden Tour May 22, the first monthly concert June 11 (cohosted by SWIBA), and first movie night on June 25. Partridge thanked Mayor Chadwick for being able to get \$45,000 in donations for the Hometown Celebration.
- D. Mayor's Youth Council –Savanah reported, the committee has been working on the Hometown Celebration, talking to businesses about sponsoring raffle prizes and will be out selling raffle tickets and tee shirts. They will be helping with games and fundraising at the celebration and are having their own raffle as an incentive for the committee member students. Council Member Salmonsens asked how businesses could contact them. Savanah stated that they could contact Julie Olsen or a member of the Mayor's Youth Council. Contact information is on the city's website. Council Member Nielsen inquired how many were on the council this year. Savanah replied that there are approximately ten members. Mayor Chadwick mentioned the scholarships that are given each year and encouraged more students to apply.



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Agenda Item 6) CONSENT AGENDA (ACTION ITEM)

- Council Member Keyes moved to approve the consent agenda with one addition to the final plat approval, that the dedication of the park land would happen in Phase 5. Council Member Nielsen seconded the motion. Voice vote indicated all Council Members signifying aye. Motion carried.

Agenda Item 7A) PUBLIC HEARING: Loran Estates Subdivision Annexation, Development Agreement, Short Plat and Private Street.

- Council Member Nielsen moved to continue the public hearing to May 4, 2021. Council Member Keyes seconded the motion. Voice vote indicated all Council Members signifying aye. Motion carried.

Agenda Item 7C) PUBLIC HEARING: Paint Point Subdivision Short Plat and Private Street.

Continuation from tabled public hearing on 01/05/21. Mayor Chadwick re-opened the public hearing. All Council Members reported they had no ex parte' contact. Council Member Nielsen disclosed that he lives within the boundaries of the affected property owners but did not attend any development public meetings.

Applicant Richard Williams – 11275 Floating Feather Rd, Star ID 83669

Williams stated that he met with the homeowners during the neighborhood meeting and made some adjustments and reviewed the changes with City Planner Nickel. Williams listed the changes that were made. Council Member Hershey asked about the sprinklers and Williams gave clarification. Council Member Keyes asked why they were asking for a private street rather than a public road and Williams replied that ACHD had denied their request for a public road. Keyes also asked about the open space requirement and there was discussion that the applicant was able to ask for a reduction waiver due to the lower density. Keyes asked if the applicant would consent to adding a condition of approval for an easement for a 10-foot pathway through Middleton Mills Irrigation area. Williams agreed to add that to the conditions of approval. Council Member Nielsen clarified that the ditch was tiled and there was discussion regarding the route plans, including putting pathways along tiled ditches and it being contingent upon Middleton Mill Irrigation approval.

Public Testimony:

Del Martens – 1586 N Wild Mustang Pl, Star ID 83669

Martens had concerns with the original plan but has no objection to the revised plan and expressed thanks to the Council and Rick Williams.

Mayor Chadwick closed the public hearing and went into Council deliberations. Council Member Hershey supported the reduction in open space requirement due to the large size of lots and expressed support of the project.

- Hershey moved to approve with the condition of the possibility of the applicant working with Middleton Mill. Council Member Nielsen seconded the motion. Council Member Keyes asked to have the motion amended to include the grant of the variance on the open space. Hershey amended the motion. Nielsen amended his second. Voice vote indicated all Council Members signifying aye. Motion carried.



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Agenda Item 7B) PUBLIC HEARING: River Park Estates Subdivision Annexation, Development Agreement and Preliminary Plat.

Mayor Chadwick opened the public hearing. All Council Members reported they had no ex parte' contact. City Attorney, Chris Yorgason led a discussion regarding annexation, explaining that annexations are at the discretion of the City Council and established by State statute. He outlined the categories of annexation and went through the processes and procedures. Council Member Keyes stated that he had received a letter from the Canyon County Commission stating that they had no record of this annexation request and asked if the city should move forward with this application. Yorgason further explained the procedures and regulations, and it was his understanding that the city had fulfilled its legal responsibilities. Keyes presented the option to table this application and have further discussion with Canyon County, on the principle of neighborliness. Council Member Nielsen suggested that we should exercise the right to move forward with the application. Council Member Salmonsén said she could see both sides but felt it would not hurt to reach out to Canyon County again before proceeding. Mayor Chadwick mentioned that he had previously met with the Mayor of Middleton, and spoke about their discussion regarding annexations. Mayor Chadwick was supportive of moving forward with the hearing tonight since so many citizens were in attendance. He set up a meeting with the County Commissioners.

- Council Member Keyes moved to table the hearing until May 4. Council Member Salmonsén seconded the motion. Council Members Nielsen and Hershey both expressed a desire to move ahead with the hearing tonight. A voice vote indicated Keyes and Salmonsén signifying aye, and Nielsen and Hershey signifying nay. Mayor Chadwick voted to hold the hearing and the public hearing went forward.

Applicants Travis Hunter and Todd Tucker – 729 S Bridgeway Place, Eagle ID 83616

Tucker, who works for Boise Hunter Homes, noted that he had reached out to the Planning Director at Canyon County in November of 2020 and clarified that Canyon County was aware of the application for annexation. Travis Hunter, whose family owns Boise Hunter homes shared the company background, reviewed some of the projects they were currently working on and described the company's vision and values. Tucker detailed their application including the zoning, plan, characteristics, features, amenities, pathways and open space. Hunter introduced their Wildlife Enhancement and Recreation Program with funds to be collected from each home sale and HOA dues, which will go toward things such as fish stocking, river bottom enhancements, pathways and greenbelt trails. Hunter detailed the architecture of the project and requested a waiver of the architectural criteria for side setbacks. Council Member Nielsen clarified the purpose of the code. Tucker presented examples of the homes that they build and testified about the road improvements to be included in the project. He stated that he had met with the appropriate agencies and was given approval of compliance with their standards from the agencies. Council Member Keyes asked for further detail regarding the open space, the greenbelt, and public access to the greenbelt. Tucker explained they will be providing a stub street to align with the sportsman access and the streets are public. Council Member Hershey asked for clarification on whether the 5-foot setback waiver included all the lots or specific lots, and it was confirmed that it included all. Council Member Salmonsén asked about the Wildlife fund and asked what would be available to the public versus homeowners. It was clarified that the money would be paid to the City to enhance public property the City owns. Salmonsén also asked about the existing ponds and Tucker gave an explanation of the process of filling in the ponds to be structurally sound. Salmonsén inquired



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about the plans for the existing trees. Tucker said they would try to preserve as many trees as they could. Nielsen asked for clarification on their plan for the setbacks and landscaping and Tucker replied that they take care with their architecture, window placement and landscaping to enhance the community. Keyes asked about the stub road and asked if they had met with the adjacent landowner to make sure it made sense for them. Tucker responded that they had not but felt that the location of the two stub roads would be useful. Mayor Chadwick mentioned a letter from Earl Hafer who was concerned that he would have to access to his home through the neighborhood and it was confirmed that he would be able to maintaining his current access.

The Council took a five-minute break at 8:28 p.m.

The Public Hearing continued at 8:33 p.m.

Mayor Chadwick, Council Members Hershey, Keyes, Salmonsens & Nielsen present

Public Testimony:

Lance Manning – 2048 N Foudy Ave, Eagle ID 83616

Manning is a contractor who works for Boise Hunter Homes. He gave an endorsement of Hunter Homes and supported this project.

Al Dauven – 22020 Blessinger Rd, Star ID 83669

Dauven is not in favor of this project. He spoke about his of who has legal control of Blessinger Road. He described an incident that happened where he didn't get a response from the Star Police Department and had to call Canyon County Sheriff Department for assistance. His issues with the project included number of homes, road size and volume of people.

John MacLeod – 6970 Saddle Ranch Ct, Star ID 83669

MacLeod expressed concern about the intersection, stating that traffic is already bad and if they take the culvert out, there would only be one access route. He asked if there was a consideration of the historical building on the corner of Blessinger and State Street. He was also concerned about the high-water table and if building up that area would change the flood plain and waterway. His last concern was if widening the road would encroach on his property. Mayor Chadwick confirmed the location of the culvert and Council Member Nielsen asked if the historical building was listed on any historic registries.

Mary Dauven – 22020 Blessinger Rd, Star ID 83669

Because the subdivision will be going all the way down the side of their road, Dauven is requesting fencing and a berm for separation due to their horses and dogs. She also requested an R-2 rather than R-3. Mayor Chadwick asked what type of fencing she would like. She replied that she would like vinyl fencing for separation and noise barrier. Keyes brought to their attention a collector road that borders their property and they discussed plans for the road and how it would impact her property.

Trace Leighton – 21270 Trigger Ranch Ln, Star ID 83669

Leighton talked about a report he had submitted regarding considering people downstream when there is



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construction upstream. He stated that he believes this is an illegal hearing due to the noncompliance of notification to the City of Middleton, Canyon County and the Flood District 10. He is in opposition based on his personal property and as a representative of Leighton Lakes Estate HOA. His opposition is for the density and the traffic that will come with it. He discussed the County Comprehensive Plan and believes that any new development should be held to the county plan and feels that the City of Star has violated rules regarding annexation laws, specifically the notification law. He quoted several state statutes regarding annexations over county lines.

Timi Leighton – 21270 Trigger Ranch Ln, Star ID 83669

Leighton continued testimony citing state statutes regarding establishing a city impact areas, annexing across county boundaries and believes that the City of Star is loosely interpreting the laws, leaving Canyon County and Middleton out of the process.

Trevor Leighton 22444 Trigger Ranch Ln, Star ID 83669

Leighton continued with citing county codes and feels there should have been discussions with Middleton regarding items such as areas of impact, establishing a density and flood plan issues. A law enforcement authority development plan and a joint planning commission should be established before proceeding. He asked when Star intended to negotiate an agreement with Canyon County and mentioned that it freezes Canyon County residents out when Star makes decisions without input from Canyon County neighbors. He is concerned that Star is becoming the next Meridian in density and does not understand how Star can make legal decisions that affect his property when he doesn't even live in Star and can't have a vote, and how Star can continue to make decisions without letting all other government agencies know.

Tina Vucinich – 1483 S Blue Jay Place Eagle, ID 83616,

Vucinich and her husband Mark have purchased land on Trigger Ranch Lane in Star. They lived in Eagle for 25 years and watched it grow. She expressed support of Hunter Homes but is concerned about the number of homes and the impact of increased traffic and decreased neighborhood quality. They moved to experience an open space feel in the Star community and do not want to lose that.

Mark Vucinich – 1483 S Blue Jay Place Eagle, ID 83616,

Vucinich agreed with the Leightons and his wife, and while he acknowledges that Hunter Homes builds a great product, he believes that they are taking advantage of the growth in the area by cramming in homes when they could reduce the density and keep an open feel to the area.

Gregg Herrera – 22104 Trigger Ranch Ln, Star ID 83669

Herrera is in opposition to the project. The draw for him living in Star was open space and he is concerned with the density and believes that the current traffic is already an issue and is concerned about an increase. He mentioned that he has a letter from another property owner who could not attend the meeting but was also in opposition to the project.

Tammy Casteel – 22318 Blessinger Rd, Star ID 83669

Casteel spoke at length for her concern over the nesting owls in the old historical barn at Hwy 44 and



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Blessinger, worrying an increase in traffic may increase their likelihood of becoming extinct. She also makes note this barn was built by Mrs. Blessinger with the intent that Star never extend or widen Blessinger road. In addition to working with the National Historical Registry in regard to the barn, she also had plans for a cat and dog rescue to benefit the community's feral animals and would prefer 10 to 5 acre lots to preserve the community and small-town feeling. With more density to housing, she is concerned about crime, traffic, and commute times.

Chris Casteel – 22318 Blessinger Rd, Star ID 83669

Casteel stated that they moved to Star to get away from the big city. He talked about wanting to preserve the old barn and their plans to have a nonprofit cat and dog rescue organization. He asked if the annexation was for the proposed homes only or for them as well. It was confirmed that it was for the proposed property only. He expressed appreciation for the city getting together and communicating like they do.

Bruce Bayne – 1103 W Main St, Middleton ID 83644

Bayne is the Public Works Director of the City of Middleton and raised concerns about the lack of notification from the City of Star for public hearings and completing proper procedures in regard to this project and annexation of lands within the impact area for the City of Middleton. He stated that the City of Middleton objects to any annexation of lands in Canyon County within Middleton's area of impact for all projects in the past, present and future and calls into question whether all government agencies have been properly notified of public hearings and reiterates proper procedures have not been followed in determining an area of impact for the City of Star per the agreement with Canyon County. Bayne retracted a previous letter and is submitting a new letter to replace it. Council Member Nielsen asked how they could not be aware of Star's area of impact boundary. Bayne countered with a question regarding our map, agreement with Canyon County and ordinance and challenged that we do not have an agreement as the code requires. Mayor Chadwick clarified that there was Area of Impact and Comp Plan Planning Area with two different codes and stated the city would take the testimony under advisement.

Diane Broadhead – 22010 Blessinger Rd, Star ID 83669

Broadhead would like to see the zoning be an R-2 rather than R-3. She mentioned that the road is detrimental to their health and safety, and made the following requests be made on Blessinger Rd; Sidewalks be constructed prior to construction for safety due to increased traffic; a privacy fence along her property; a berm or fencing where privacy is compromised; put safeguards to protect her property from any problem caused by increase in elevation ensuring development would not affect their well or septic leach lines, and assure that their electricity would not be impacted. Broadhead also stated they would not be liable for storm drains or culverts.

Ervin Ballou – 433 Rene Pl, Eagle ID 83616

Ballou represented Flood District #10 as Senior Project Advisor and Assistant Manager of the District. Ballou referenced a letter and confirmed they got a notice of the public hearing. He wanted to make some requests on behalf of the flood control district. He mentioned they are charged with protecting and promoting health safety and general welfare within boundaries of flood control district and expressed a couple of concerns. One is having access to the river to be able to do maintenance and when they do have access, sharing it with police



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and fire. He testified they normally put a gate and lock so there is no public access. They are developing a 2D model which will allow the district to predict with accuracy where the water will go at any flow. Ballou mentioned a form for land use changes and site development and asked the developer submit the form to them. Council Member Keyes asked to clarify access needs to the river through the property and Ballou explained the equipment and access needs and their requirements from the agencies. Ballou confirmed they will have conversations with the owner when they get the application.

Tim Eck – 6152 W Half Moon Ln, Eagle, ID 83616

Eck is the owner of the Star River Ranch Subdivision. He met with Boise Hunter Homes with concerns over the Wetlands Preservation and they have modified their plat to accommodate protecting the Wetlands. He pointed out the one connection to the subdivision is Big Wood Way and asked that the city look at traffic calming in the location. He understands growth is coming and appreciates the low density and amenities and supports the subdivision. City Planner, Nickel asked about the connection of the green belt to their sportsman's access. Eck explained they have a flood control District 10 easement across their Southern boundary and an agreement with Fish and Game for hunting and fishing with limited access. Mayor Chadwick asked if Flood District 10 would be able to access their greenbelt from the sportsman access. Eck replied yes, he has an easement with the flood district, described the area leading to the access point and mentioned multiple access points are necessary.

Rebuttal:

Todd Tucker addressed the issues brought up by public. The 26 ft roads were a condition of approval from Canyon County Highway District. He explained the interim plan for the offset of Blessinger to bring it into compliance, adding the Idaho Transportation Dept will be reconstructing the area. The old barn will not be touched; all the improvements will be to the west of it. Culverts are a condition of approval with Canyon County Highway District. He described a redesign of the collector road shared by the other property owners. The Idaho Dept of Transportation has a plan for the traffic on State Street. Tucker briefly addressed the annexation issues, stating they are in agreement with the City Engineer and City Attorney and are in compliance with both the State Statutes and City of Star codes. As far as the access to the river, they will meet with Flood District 10 to see if they can accommodate them. Council Member Keyes asked to further discuss the flood control access to the river. Tucker replied that he is concerned with the aesthetics of heavy equipment being given access, but will fill out the application and comply with any requirements. Keyes mentioned the number of comments with concerns of the density and asked if they would consider going to an R-2. Tucker responded they would prefer to stay at the density they were proposing and added it is in conformance with the comprehensive plan and with other subdivisions in the vicinity. Keyes and Mayor Chadwick asked about berms and landscaping for privacy and Tucker agreed to do what he could while still making it possible for other properties to be developed in the future. Keyes mentioned the 26 ft road and asked if that was realistically wide enough. Tucker responded that in the long run it would probably not be wide enough but would function for now. Travis Hunter added they would be happy to make it wider. Council Member Salmonsen asked if they would still need to request the side yard setback waiver if the density were reduced and Tucker answered it would still be necessary in order to accommodate their product. Keyes asked them to take the 19 homes out as a condition for approval and Tucker replied that if they could get the setback waiver, they would agree. City Planner Nickel noted that part of application was for waivers for lot lengths and to include that in the conditions. Salmonsen



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asked if we had an ordinance establishing an area of impact. Mayor Chadwick answered that we have one on Ada County side but not on the Canyon County side. City Planner Nickel added that they have not adopted the Comprehensive Land Use Map on Canyon County side. City Clerk Qualls and City Attorney Chris Yorgasen explained the process for the area of impact agreements with the varying counties and cities. Council Member Nielsen provided further clarification. Salmonsens asked if the codes apply to this application. City Attorney Yorgason stated the requirements are in Idaho State Statues. Before annexation, land must be contiguous and requested to be annexed for this type of agreement. Mayor Chadwick closed the public hearing and moved on to Council deliberations. Council Member Hershey acknowledged that 2.1 is a low density but he would like to see what an R-2 looks like and where the setback waivers would be in an R-2 situation. He suggested tabling and engaging in further discussions with Middleton. Keyes recounted the concessions the applicant had made and felt confident that they could move ahead with approving the application with the conditions. Nielsen offered an apology to Mr. Bayne regarding his question about the area of impact.

- Nielsen moved to approve the application with stipulations that have been discussed including waivers and zoning. Keyes seconded the motion. Keyes confirmed the conditions. Hershey and Nielsen had a brief discussion about conditions regarding setbacks. Salmonsens asked to have the conditions confirmed. Nickel confirmed the conditions as follows: providing a buffer on the south side of the collector road that includes a berm and landscaping, removing 19 lots; an R-2 zoning designation, a blanket waiver of setbacks, public access on the greenbelt, a waiver of lot length, work with Flood Control District 10 for access; widen Blessinger Road on the condition they don't have to acquire additional right of way from adjacent land owners, a possible pathway along the northern irrigation ditch easement. Nielsen amended the motion to include the conditions just discussed. Keyes seconded the amended motion. Voice vote indicated all Council Members signifying aye. Motion carried.

Agenda Item 8) DISCUSSION / ACTION ITEMS:

A. Approval of Ordinances & Development Agreement, Ordinance 329 10040 W State Street Annexation

- Keyes moved to suspend with the rules requiring approval of the Ordinance after reading once by title only. Hershey seconded the motion. Roll call vote. All ayes from Council.
- Keyes moved to approve Ordinance 329. Hershey seconded the motion. Roll call vote. All ayes from Council. Motion carried.

Agenda Item 9) REPORTS:

Due to the late hour, it was decided to forgo the reports. Mayor Chadwick mentioned that they got approval of a flood plain ordinance they have been working on with FEMA.

Agenda Item 10) Adjournment

Mayor Chadwick adjourned the meeting at 10:15 pm.



Trevor A Chadwick, Mayor



ATTEST: 

Jacob M Qualls, City Clerk / Treasurer