

**Star City Council
Meeting Minutes
September 3, 2019**

The regular meeting of the Star City Council was held on September 3, 2019 at 7:00 pm at Star City Hall, 10769 W. State Street in Star, Idaho. Mayor Chad Bell called the meeting to order and all stood for the Pledge of Allegiance.

Roll Call: Councilmen David Hershey, Michael Keyes, Trevor Chadwick, and Kevin Nielsen were present.

Approval of the Agenda: Chadwick moved to approve the agenda, Keyes seconded the motion. All ayes: motion carried.

Consent Agenda: Chadwick moved to approve the Consent Agenda consisting of: Regular Meeting Minutes of August 20, 2019 and Claims against the City for August 2019, Keyes seconded the motion. Keyes asked for an explanation for the \$5875.00 charge for ALC Architecture and the \$3906.25 charge for Calyx-Weaver & Associates. Chadwick explained the charge for ALC Architecture was for preliminary plans for the Community Rec Event Center and Calyx-Weaver is for the HR consultant they have hired. All ayes: motion carried.

Presentations/Public Input:

Boise River Enhancement - Zack ??, with Boise River Enhancement Network (BREN), noted the Boise River is a priceless treasure for the Treasure Valley and we are battling with the health of the river. The primary purpose of BREN is ecological enhancement of the river and their vision is a healthy Boise River that enriches the quality of life of those who live in the watershed. They help stakeholders with projects that enhance wetland, riparian habitat and wildlife in the community and look forward to working with Star.

Michael Olmsa, Chairman of the BREN Coordinating Team, explained one of the first things the BREN team did was a study of the river to understand its current condition and what it can provide. Four key issues they looked at was the geomorphology or the physical shape of the river, the fisheries and aquatic habitat, the wetland and riparian habitat, and the water quality. Part of this plan identifies items that can be improved and BREN works with municipalities and landowners to improve their habitats. He noted now is the time to focus on the river to work with water quality and the eco system and encouraged the City to sit down with them to see what they can do to benefit the river.

Susan ?? pointed out they are all volunteers in the organization and their plan is on their website for review. They were invited here to answer the question what can Star do. One thing is to help BREN provide some education to the citizens. Secondly she urged them to think about how they can stop people from building in the river and along the floodplains to protect them from flooding. They can work with the City on floodplain protection.

Keyes noted he felt they would be a great group for them to get involved with and use in an advisory capacity.

Nielsen mentioned they take into consideration in their ordinances the floodplain and asked if there was anything Star currently has or does not have that would be detrimental to the Boise River or are they just here to explain what they do and are about and want to work with us. Susan stated more of the latter and noted they have not read through the City's ordinances and don't know anything specific regarding setbacks and building guidelines in floodplain. Olsma noted they need to look at more than just lines on a map; they need to be aware the river moves out of the floodplain.

Committee Reports – Jennifer Salmonsens, stated the Economic Development Committee did not meet in August due to a mix up with keys to City Hall and they could not get in. They will be meeting next Wednesday.

Mike Olsen, Chairman of the Beautification and Community Relations Committee, stated in regard to the dog park they have received communication with Keyes and Chadwick and they should get together to get on point on what direction to go. He thanked everyone who attended the Star Merc Recognition ceremony. The Make Star Shine Day is scheduled for October 16. The quarterly recognition plaque at City Hall needs to be updated and he wondered who is responsible for doing this. Olsen extended an invitation to everyone to attend the next Saturday Market this coming Saturday.

Public Input - Richard Linhart, 484 S. Devon Avenue, Star, Idaho, stated he had proposed a model bee ordinance to the City and wondered where it stands. Legal Counsel, Chris Yorgason, stated he has been researching information for the ordinance and should have it to the Council for the next meeting.

Old/New Business:

Moon Valley Development Agreement Discussion – Mayor Bell asked City Planner, Shawn Nickel, to lead the discussion. Nickel stated they worked with the developer and got the wording for the pathway easements in place. Another outstanding item was having multifamily use be an allowed use and not a conditional use. He wanted to make sure the Council was comfortable with this.

Mark Tate, 1087 W. River Street, Suite 310, Boise, Idaho gave some background on the project, recapped where the project is and noted it included a Comp Plan amendment requesting the various zonings placed on the property be changed to mixed use with a development agreement. He pointed out Nickel is referring to the land-use table in the appendix of the development agreement as to what the allowable uses are in the mixed-use area. Not having the development agreement could create a lot of uncertainty for residents. He noted the development agreement also addresses greenbelt access, dark sky lighting and a reserve study.

Concern was expressed with multi-family being a permitted use and with the density. Nickel noted they will still have to do zoning certificates to make sure they are in compliance with City ordinances. Nielsen noted recalling they discussed they would need to come back later to discuss; and by having them conditionally approved the Council will have a chance to review and possibly condition. Tate noted they would have to meet the zoning ordinance conditions and

there would be design review. Nielsen stated by taking away the conditional use process it could leave them open to do whatever they wanted. The idea is for them to bring a design to the City, they review it and at that time may place additional conditions if required. Keyes stated he recollected the Council desired some commercial on that part of the property and if they allow mixed-use from the get-go it has been his experience if they have the option to do high density over commercial, they opt to come back with high density. He stated he would like to revisit having some commercial on the property.

Council and Tate further discussed the mixed-use zoning, the possibility of multi-family, the need for commercial and that the applicant was to bring back a plan for review. It was noted the preliminary plat did not cover this portion of the property; but a development agreement and the zoning applies to the entire property. It was decided to review the transcript of the previous discussion, have legal counsel review the process, and have multi-family be a conditional use.

Public Hearing: Tarrytown Subdivision (PP-19-04/FP-19-08) - Mayor Bell explained this application for a commercial lot requesting to be split into two commercial lots. The NAPA Auto Parts is already on the west pad. Mayor Bell asked the Council if they had any exparte contact or conflicts of interest; hearing none he declared the public hearing open.

Applicant: Crystal McDaniel, Accurate Surveying and Mapping, 1602 W. Hayes Street, Boise, Idaho stated she is the planner on this project. The property is located at 11449 W. State Street, is 1.18 acres in size, current zoning is C2, and their pressurized irrigation will tie into the Bi-Mart lot. They are asking to have the original lot split into two lots, with the NAPA Auto Parts currently being built on the west lot. Parking was discussed and whether there was a shared agreement with Bi-Mart. McDaniel stated she would need to check into whether there was an agreement.

Public Testimony: Brian Watt, 350 N. 9th Street, Boise, Idaho stated he is with Rocky Mountain Management, who are a part of NAPA Store LLC. He stated that to his recollection they had to self-park for the two lots; that there was no cross-parking agreement with Bi-Mart.

Mayor Bell closed the public hearing and Council moved to deliberations.

Chadwick motioned to approve Preliminary Plat PP19-04 and Final Plat FP19-08 for the Tarrytown Subdivision with the conditions listed in the staff report, Hershey seconded the motion. Keyes stated he would like it clarified with City staff regarding the parking and make it a condition of approval that parking is covered. Nickel stated he would check into the parking and make sure there is a cross access easement appropriate for this site. All ayes: motion carried.

Public Hearing: Stonecrest Subdivision (AZ-19-06/PP-PUD-19-01) - Mayor Bell asked the Council if they had any exparte contact or conflicts of interest; hearing none he declared the public hearing open. Nickel pointed out they did not have a staff report from ACHD at this time and he had suggested Chris Todd move forward with his presentation, knowing a decision would probably not be made tonight, in case the Council had additional items for him to bring back.

Applicant: Chris Todd, 53 N. Plummer Road, Star, Idaho noted the property is contiguous to the City limits through the Pinewood Subdivision. They will have services with the Star Sewer and Water District at Bridger Bay and that will extend to CanAda Road. Todd stated they have met with ITD and ACHD, have made the changes they requested, and been given verbal approval for an approach permit. He has been in communication with the Fire Department, Chief Timinsky, regarding a second emergency access point. Todd explained the Comp Plan designated this area as commercial and explained they are requesting a PUD due to design restraints. The Pinewood Subdivision was concerned with high density and wanting them to match their homes to what is next to them. They are proposing to have a variety of housing types and various setbacks. Todd noted they are looking at having five acres of commercial along State Street and reviewed possible building styles. He reviewed the proposed preliminary plat with commercial up front, townhouses in the middle, and single-family residents to the side and back. They felt this was the best plan for having buffering to the commercial. Discussion was held regarding ITD not having a report yet and the possibility of CanAda tying into this property. Todd stated in their discussions with ACHD they indicated they will not be extending CanAda past State Street due to the Lawrence Kennedy Canal, Idaho Power's property to the west and due to the expense. Todd was asked if they would be putting in sidewalks along Highway 44 after which a discussion regarding open ensued and Todd explained the possibility of a sidewalk running from the north-west corner to basically the intersection in Stonecrest and throughout the property and eventually connect to Pinewood at Highbrook. Discussion held regarding increasing open space, connectivity of trails, buffer areas, fencing and their working with the irrigation company regarding what they may allow done with the ditch. They will look to present a plan for the next meeting following Council suggestions.

Public Testimony: Dan Sample, 12080 W. State Street, Star, Idaho encouraged the Council to delay approving as he would like to see at least half of the property be commercial, see the ingress/egress moved farther east to be at the halfway point of the property, and they need to contact the Middleton Mill Irrigation and work out what can be done with that lateral as it appears to be underneath their triplexes. More than likely the irrigation company will want the lateral left open to catch access irrigation water. Also, they need to update their residence mailing list as he lives across the road and was not notified of any meetings.

Rebuttal: Todd stated he has met with the ditch rider but not with the board regarding the lateral. He explained how the lateral flows and made assurances everyone will get their water. He stated their initial plan was to put that water into a pond and pump from it for pressurized irrigation to this property. He assured everyone they would be meeting with Middleton Mill Irrigation to work out details. He explained the access to the property was actually moved slightly west due to comments from ITD and ACHD. They plan to have a cross access parking agreement between the two commercial lots. Todd stated he will make sure Sample is on their notification list. There was discussion regarding the design of the entry way and Todd stated ITD would require them to improve five-hundred feet in both directions and did not want them to put in an island. Keyes asked about the timing of the commercial. Todd stated the developer plans to build commercial on lot 2 concurrently with residential. They are looking to sell the other lot to be developed by another developer. Keyes asked if they would be bringing in enough fill to match the grading with Pinewood. Todd stated he was not sure they would match but they will be looking at raising the grade above the floodplain. Keyes reviewed some of the provisions in the new Comprehensive Plan regarding the Central Business District and felt the plan didn't

quite meet the guidelines and he particularly wanted to address pedestrian and bicycle access. Todd explained some possibilities and some of the areas where they have planned access and noted it was not suitable to cross the highway at this time due to no signal. Todd addressed concerns for putting apartments on the second story of the commercial buildings versus commercial on the second story and explained parking can become an issue and would the market in Star accept this type of plan. It is something they are willing to consider and suggested possibly putting something in the development agreement or make a condition that if they can't get these places leased for market rents that they would be allowed to do some sort of live/work. Discussion held regarding the amount of ground for commercial versus residential and Todd pointed out the commercial is actually slightly more than the residential. Todd noted Pinewood Lake residents asked for a buffer between their residential and the commercial, so they are proposing triplexes and then single-family residences against patio homes in Pinewood. Council reiterated their concern that this is a major commercial corridor and they would like to see more commercial; following discussion Todd stated he would have to discuss with the owner.

Chadwick moved to table this application till the second meeting in September, which will be September 17, 2020, Nielsen seconded the motion. Keyes wanted to clarify to Todd that they are looking for them to redesign the entrance to be more like a parkway entrance, to possibly have some alignment with ITD regarding the sidewalks, it be more of a bicycle community, they work with Pinewood Lake neighbors for access for them to fix their backyard slopes, they work with City staff on an architectural overlay district, and Council wants to see staff reports from ITD and ACHD. All ayes: motion carried.

Public Hearing: Star Storage Conditional Use Permit (CU-19-11) - Mayor Bell asked the Council if they had any exparte contact or conflicts of interest; hearing none he declared the public hearing open.

Applicant: Drew Newnham, 549 S. Star Road, Star, Idaho stated they purchased the ground to the north and would like to expand the existing Star Storage RV parking to meet the demand. The RV parking will be as far back as possible from the road and up against the sewer treatment plant. Chadwick asked Newnham if he had seen the Fire Department letter regarding fire hydrants. Newnham stated he would work with them.

Public Testimony: No one from the public spoke.

Mayor Bell closed the public hearing and Council moved to deliberations.

Nielsen moved to approve file CU-19-11 a Conditional Use Permit for Star Storage, Chadwick seconded the motion. All ayes: motion carried.

Ordinance No. 294 2019-2020 Appropriations - Hershey moved that pursuant to Idaho Code Section 50-902 the rule requiring an Ordinance to be read on three different days, with one reading to be in full, be dispensed with and that Ordinance No. 294 be considered after reading once by title only, Nielsen seconded the motion. Roll Call: Hershey – aye, Keyes – aye, Chadwick – aye, Nielsen – aye: motion carried.

Chadwick moved to approve Ordinance No. 294, an Ordinance to be termed the Annual Appropriation Ordinance of the City of Star, Idaho, for the fiscal year commencing October 1, 2019, and ending on September 30, 2020, appropriating sums of money in the aggregate amount of \$5,109,132.00 to defray all necessary expenses and liabilities of the City of Star for said fiscal year; specifying the object and purposes for which such appropriations are made and the amount appropriated for each object and purpose; authorizing the certification to the County Commissioners of Ada & Canyon Counties, Idaho, the amount of \$1,306,208.00 property taxes to be levied and assessed upon the taxable property in the City; providing for the filing of a copy of this Ordinance with the office of the Idaho Secretary of State as provided by law; providing for publication; and providing an effective date, Keyes seconded the motion. Keyes noted in Section 3 it shows as 2010 fiscal year and should be 2020 fiscal year. All ayes: motion carried.

Resolution 2019-08 Law Enforcement/Prosecuting Attorney Agreement - Chadwick moved to approve Resolution 2019-08 a Resolution of the City of Star, Idaho approving an agreement between the Ada County Sheriff's Office, the Ada County Prosecuting Attorney's Office and the City of Star for law enforcement duties, services, and functions as well as prosecution services within its boundaries; and providing for an effective date, Nielsen seconded the motion. All ayes: motion carried.

Ordinance No. 295 Amended Flood Plain Ordinance - Nielsen moved that pursuant to Idaho Code Section 50-902 the rule requiring an Ordinance to be read on three different days, with one reading to be in full, be dispensed with and that Ordinance No. 295 be considered after reading once by title only, Hershey seconded the motion. Roll Call: Hershey – aye, Keyes – aye, Chadwick – aye, Nielsen – aye: motion carried.

Nielsen moved to approve Ordinance No. 295, an Ordinance of the City of Star, Idaho, a municipal corporation of the State of Idaho, amending Star City Code Title 10, "Flood Control", Article III Section B: Basis for Special Flood Hazard Areas; to include Ada County; amend recreational vehicles temporary placement; providing for severability; and providing an effective date, Keyes seconded the motion. Chadwick clarified they are changing “and” to “or”. All ayes: motion carried.

Ordinance No. 296 Iron Mountain Estates - Hershey moved that pursuant to Idaho Code Section 50-902 the rule requiring an Ordinance to be read on three different days, with one reading to be in full, be dispensed with and that Ordinance No. 296 be considered after reading once by title only, Keyes seconded the motion. Roll Call: Hershey – aye, Keyes – aye, Chadwick – aye, Nielsen – aye: motion carried.

Hershey moved to approve Ordinance No. 296, an Ordinance annexing to the City of Star certain real property owned by Todd Campbell Construction, located in the unincorporated area of Ada County, Idaho, and contiguous to the City of Star; generally located at the northeast corner of Pollard Lane and Floating Feather Road in Star, Idaho; Ada County parcel number R7747350650; establishing the zoning classification of the annexed property as residential (R3) of approximately 15.64 acres; directing that certified copies of this ordinance be filed as provided by law; providing for related matters; and providing an effective date, Keyes seconded the motion. Hershey, Keyes, Chadwick ayes, Nielsen nay: motion carried.

Reports:

Council: Chadwick made Council aware they have met with Ada County Highway District and are still trying to work out days to do a field trip out here.

Hershey state he had met with the solid waste folks at the landfill and did a tour.

Chief Vogt reminded the Council the Sheriff's Department is updating their mobile computers and will be rotating cars around as they try out three different computer systems. The new parking ordinance has been in place for a few weeks and they are working on educating citizens before they start issuing citations, which now has more teeth. He discussed City fines and stated he is working with Ward on having a flat fee plus court costs. This will make it easier for officers issuing citations.

Mayor: Mayor Bell reported he attended the Treasure Valley Partners meeting and they talked about drug enforcement being prosecuted through the Federal system and this is would be a model for other states. He attended the COMPASS Board of Directors meeting and they voted to accept the Air Quality Board as part of COMPASS. The Mayor reminded everyone of the meeting this coming Thursday with the Ada County Commissioners.

Adjournment: The Mayor adjourned the meeting at 9:20 pm.

Approved:

Respectfully submitted:

Charlten Bell, Mayor

Kathleen Hutton, Deputy City Clerk