

CITY OF STAR
MEETING MINUTES
August 20, 2019

The regular meeting of the Star City Council was held on August 20, 2019 at Star City Hall, 10769 W. State Street, Star, Idaho at 7:00 pm. 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 all present.

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

Consent Agenda: The Consent Agenda consisted of a Final Plat for Parkstone Subdivision, Phase #13. Chadwick moved to approve the Consent Agenda with an additional condition to the Final Plat for Parkstone, Phase #13 – The Applicant will work with Boise Flood Control District #10, Keyes seconded the motion. All ayes: motion carried.

Old/New Business:

Public Hearing: 2019-2020 Budget (continued) – The Mayor stated that the public input of the public hearing for the budget was closed at the last meeting. Council will continue deliberations as there were some items they wanted to discuss.

The Mayor stated he sat down with the Maintenance Supervisor and they have identified a few line items that can be reduced. The wood surface repair has been reduced from \$,5000 to \$2,500; the fence post and hardware has been cut to \$1,000; tools have been cut to \$5,000; tires and repair have been cut down to \$1,500; the Metroquip item has gone from \$4,000 to zero, the electrical outlets go to zero from \$2,500; the cement curbing from \$2,500 to \$1,500 and the copy machine maintenance is already in another line item taking it to zero from \$2,400. In Building Repair electrical is reduced. A total of \$23,900 has been taken out of the maintenance budget. In Capital, the Toro utility is there, but there is a Kabota that will do all the same stuff as the Toro and it will be about \$18,000 instead of \$36,000. So, there is another \$36,762 out of maintenance budget.

Chadwick stated we spent about \$9,000 this year on fertilizer, chemicals, etc. do we need to do more. The Mayor stated this is a program that happens four times a year. Chadwick stated the power saws are about \$6,500 and asked if they are needing to replace units. Chadwick stated we had pump problems this year, is this a good number and do we think it will be enough. Nielsen asked if we are on a maintenance program. Bell stated that we are.

Councilman Keyes stated we are spending \$50 a month on a cell phone for the Mayor. The Mayor has talked to Council and other people and he will start carrying two phones; that way all the communications will come from the City phone. Keyes asked if he would have emails on the phone. Bell stated he would.

Bell stated the savings would pay for a part time code enforcement officer. Keyes stated he thinks in lieu of public testimony, we are overdue to have help with a compliance officer. He also believes it is time that we have an assistant planner and/or compliance officer. Keyes stated that when he looks at the maintenance budget from last year, he wanted it reduced \$5,000. That increase is an increase to an additional \$95,685 with a reduction of \$14,785. Chadwick asked if we can make the Toro workman go one more year. Nielsen stated when looking at the numbers with the \$32,000 reduction and would be \$52,000 it would allow for the code enforcement/planner that Keyes is suggesting and additional monies. Keyes will have to total those numbers. His total was \$36,762 with a planner to be \$50,000, we need to find an additional \$13,000. Keyes stated that his concerns about the maintenance budget are significant and the parks don't look that much better than then did before for the increase. The improvements of \$100,000, that money comes out of impact fees. The current workman is not running at all. Chadwick stated that under Public Relations there is \$5,000 that we don't use. That makes a total of \$46,000. We removed marketing last meeting as it was in public relations. Yes, we could hire a planner for \$46,000. Nielsen suggested pulling the Toro out tonight and if we need it, we can revisit it later. Chadwick suggested buying the Toro this year. Nielsen stated we could buy the Toro or buy the mower now. Keyes stated to summarize the changes, two weeks ago we removed the \$600 phone allowance; we have \$10,000 from 419.60 and \$13,900 from 419.61 for a total of \$23,900. Then we removed the Toro workman and will purchase it this year, for a \$30,862 reduction. The total would be \$54,767. We could move the balance to a part time planner/part time compliance officer for \$46,000 and move the rest to the benefits package. Nielsen stated he wanted the Council to get phones as well. Hershey stated he already carries two. Chadwick stated we can discuss that at a later time.

Chadwick stated that we've had many discussions with people, and when you look at the increases, we have revenue from franchise fees, revenue sharing 3% and annexations. We as a City are growing. To get things done it is appropriate to complete some of the plans – the economic plan and central district one, Canyon Highway District #4, 960 Main, ADA compliance for Hunters Creek and maintain the parks. Those items are about \$304,000 and that is about a wash with 3% tax increase and with the increase for the police. We want to continue to move this City forward and make plans and move forward. Nielsen moved to approve the budget including the changes, Keyes seconded the motion. All ayes: motion carried.

Public Hearing: Annexation & Zoning of Destocki Property – The Mayor reviewed the public hearing procedures. The Mayor asked Council for any ex parte contact or conflicts of interest. Hearing none the Mayor declared the public hearing open and asked the applicant to speak.

Applicant: Jessica Williams, 671 N. Glen Aspen Way, Star, stated she is the daughter and she is nervous. She is here as a representative and lives here in Star. Her family is applying to annex and rezone their property to Residential (R4) as they all want to live on the same property and surround the pond. The applicants are out of state currently.

Chadwick asked if the intent of this development is for all family to live on the property? Williams stated it is and they are very close. Chadwick stated they are brave to live that close together. Williams stated that they feel strongly about living that close.

Keyes stated he first wants to thank Williams for coming tonight. Keyes has a question for staff. He noted a concern about a 650' separation for driveways. Nickel stated that once the preliminary plat is submitted, it will be given to Canyon Highway District #4. Keyes asked if they could have a connected driveway. Nickel stated they will have to work with the Highway District, they don't have services there right now.

Chadwick is there a concern for no other access points, do we need another stub street? Nickel stated Canyon County Highway will review the project. Nickel will sit down with the Highway District and figure that out. Nickel stated this is just an annexation and zoning application.

Public Input: Craig Johnson, 23986 Can Ada Road, Star, stated this hearing is for annexation and zoning and he has never seen it done at the same time. The Mayor stated that is standard. Johnson stated it is zoned R4, up to four units to an acre. He thinks it fits in and is significant. He applauds a family community, he also feels there should be consideration for infrastructure development in that area. The plan is to have five lanes from State to Floating Feather, he would like Council to consider that.

Chadwick asked if this is conceptual can we have a secondary access as a condition? Nickel stated we don't have a development agreement, but we could put conditions on a preliminary plat. Chadwick wants to make sure it gets done.

The Mayor closed the public hearing and moved to deliberations. Nielsen's only thought is they aren't crazy. He thinks it's great and he is in favor of this.

Keyes stated he also applauds the desire to put together a family compound. The Comp Plan says they can go up to five units. He supports this.

Hershey stated he thinks the applicant is crazy (jokingly). When he looks at what we have here we will look at it more when the preliminary plat comes in. He is in favor.

Chadwick moved to approve the Destocki Annexation and Zoning, File #AZ-19-04, Keyes seconded the motion. All ayes: motion carried.

Public Hearing: Willowtree Learning Center Conditional Use Permit – The Mayor stated we would follow the same procedures for the public hearing. He asked Council for any exparte contact or conflicts of interest. Hearing none, he opened the public hearing and asked the applicant to speak.

Applicant: Megan Shirley, 1996 S. Springbrook Lane, Boise, stated she is opening a learning center at 11231 W. Hercules. This is a center to help get kids ready for kindergarten, they will learn and play games. The learning center will incorporate West Ada School District kindergarten curriculum.

Chadwick asked if she anticipates parents staying or is this drop off and go? Shirley stated it would be drop off and go.

Public Input: No public testimony was given.

The Mayor closed the public hearing.

Keyes stated he doesn't know why we ask for a conditional use permit. Keyes moved to approve the conditional use permit for the Willowtree Learning Center, File #CU-19-09, Hershey seconded the motion. All ayes: motion carried.

Public Hearing: James Dean Conditional Use Permit – The Mayor stated we would follow the same procedures for this public hearing. He asked Council if they have had any exparte contact or conflicts of interest? Hearing none, the Mayor opened the public hearing and asked the application to speak.

Jim Dean, 2958 W. Colony Court, Eagle, stated the address for the building is 246 N. Seneca Springs Way. There are three suites and Gardian Fitness will be in the third space. They will have four to six one-hour classes per day and 8 to 12 participants per class.

Chadwick asked if we have any concerns about the starting time at 5 am? Nickel stated we can make that as a condition of approval. Where the parking lot is located there should be no problem.

Public Input: Robert Parrish, 9965 W. Pettis Court, Star, lives 100 yards from the property. He met with the owner, his concerns are signage and outside lights. He begs the Council to consider that he doesn't want to see a sign. There is a fitness center out on State Street but that is out on State. Any signage needs to go on the building. When you drive through at night there are no lights on. Please keep lights down. He didn't see any signs on the application. He doesn't like the dental sign.

Chadwick asked Dean if he intends to put a sign on the building. Dean stated that he needs to get a permit first. Parrish didn't see any location of the sign.

Dean does have a comment and he assures the building is a good looking building. He has not applied for a sign yet, his sign will be architecturally structured to match the building and he does not like neon.

Nielsen asked about the lighting, what is there currently. Dean stated there is one streetlight in the parking lot and there are lights in the soffits that shine straight down. Dean stated there would be no change to that. There will be building signs no street signs. Nickel suggested to maybe limit the height and type of lighting with maybe a timer.

Keyes stated it sounds like you are already being a good neighbor, make sure the lights don't annoy neighbors.

Nickel stated he wanted to remind the applicant regarding the conditional parking. The building has only eight spaces for parking, but he does have existing parking that can be striped. Dean stated he does understand.

Nielsen moved to approve the conditional use permit for James Dean with a four-foot sign and a light timer be employed and off by ten pm, Keyes seconded the motion. All ayes: motion carried.

Public Hearing: Greiner Hope Springs Annexation, Zoning, Rezone and Preliminary Plat - The Mayor stated the hearing would follow the procedures as before. He asked the Council if they had any exparte contact or conflicts of interest, hearing none, the Mayor opened the public hearing and asked the Applicant to speak.

Applicant: Tucker Johnson, 372 S. Eagle Road, Ste. 328, Eagle, stated he was born and raised here. A power point presentation was given. The tapestry of the valley was discussed, he wants people to be passionate about the places where they live. He showed several subdivisions that he developed in different cities. The subdivisions were discussed. The site itself was shown. The Comp Plan Map shows neighborhood residential and called for Residential R4-R5. The existing zoning, the R3 was annexed previously and there are two existing buildings, there are six parcels. They are asking for R4 – three to five units per acre. The lot lines are already there. A plat was shown. There is a 14-foot change in the topography and presents an opportunity from what he has seen in the valley. They are taking advantage of the topo. The existing sewer runs through the property. The water line also follows the same route for a little way and then takes off in a different direction. Traffic is a concern. He showed a colored rendering. This will be 4.02 units per acre. The application will have a development agreement. There are 252 lots and will include the two existing homes. Both homes are twenty years or newer. Open space, including grass strips, is 18.5%. Utilities are to the property, all are underground. Landscaped parks were shown of various subdivisions they've done. The drainage ponds they want to make as large as possible, in a major event, water will go into a French drain and then back up into pipes into the park area and then dissipate. Then water goes to historic drains. The surface can be useable and desirable. Areas were shown where the parks are. They will have separate sidewalks and street trees, and are doing five-foot sidewalks. There will be a slight berm in the back. Streets are 36' back of curb to back of curb. They will have seven feet of grass area in the right-of-way. Detached sidewalks were shown, the entry corridors and other roads and detached sidewalks. Pathways were shown. The target market is single level homes and two thirds of the homes will be single level homes. They are marketing to empty nesters. They are not age restricting the neighborhoods. Connecting paths were shown, there is a six-foot draw and a major sewer line and to make it more difficult it is a pathway instead of a road. The pathways may be gravel or asphalt. A stream was shown. Lexington Hills was shown. They are planning a clubhouse as one of their amenities and a parking lot with a nice patio. They worked with the post office and will place the mailboxes in a cluster with ample parking. There is 700 feet along the road with no houses so it can be used as parking. Pictures of the clubhouse were shown; along with community gardens. There are three community garden sites located. Sample homes were shown with varied architecture.

Johnson stated there is one items in the DA, they want a deviation from setbacks. They want a front setback of 35 feet from the property line. Space to the dwelling unit is 15 feet for living space. Five-foot side setbacks not five feet per story. Garage is not dominate to architectural. Streetlights were shown and will have down lighting. They will have flower baskets on the

streetlights along the main corridor – 15 maybe 20. The fence style is either 6' vinyl or 6' stained cedar. He will stand for questions.

Hershey thanked Johnson and asked if the setbacks are because of detached sidewalks. Johnson stated that it was. Hershey asked about the traffic calming and could he explain as it is important to him. Johnson stated they are avoiding straight roads so it won't be an easy path to Munger. Other items, he argues about 36' roads in favor of 33' roads as narrow roads prevent speeding. They want to stripe the roads, but that it is up to ACHD. ACHD was concerned about Sailing Hawk Road, ACHD approved the intersections. Hershey asked if there was a need for easements as some of the property is not developed and will not develop. Johnson stated the property to the south is Fallbrook, to the west Soaring Hawk and Weavers property. Existing sewer and water to the house to the east, they are going to re-route that water line with a road. They will stub a water line to the property and will follow the roads. They don't need any easements from the neighbors.

Nielsen stated there are a few other points, he brought up our comprehensive plan transitional densities that have been discussed with the applicant. The property to the east is RUT – further east are transitional properties.

Chadwick asked if we need to reduce the density along the east. Nickel stated that is up to the Council. The intent of the RUT five-acre plat. Nielsen asked if it is developable today. Nickel stated it is closer to the west.

Nielsen asked if homeowners are responsible for their trees – what if they want to take the trees out. Johnson stated the CC&Rs will require a certain number of trees. People have a choice to move there and the CC&Rs are a contract. Nielsen asked what type of trees they will have. Johnson stated they would be from the Boise City Tree Selection list and it will depend on what is available. They will work on a license agreement with ACHD.

Nielsen stated that lighting is addressed. In past hearings the sideway lighting that shine onto other properties, we need shielded lighting or soffit lighting. Johnson stated he has no heartburn over that.

Chadwick asked on western boundary are there any ditches along that boundary. Johnson showed an aerial. The eastern boundary they have been farming the property, and it is all flood irrigated to the west. They do have a gated pipe along there. They get delivery of water from the top – there is no ditch, maybe a drain from Trapper Ridge.

Public Input: Susan Steppe, 2645 N. Brandon, Star, property to the east. A letter was written and handed out. If you look at the map, they did have 17 acre so they split it. The south five-acre will not be subdivided. The rectangle property is under contract. She has concerns with the adjacent lots that are 5600 sq. foot lots – eight homes to an acre. The five acre is to the southeast and she doesn't understand why there will be a road to a parcel that won't develop. By moving the water line away from their property, it will keep their insurance high. She suggested moving the lots on the eastern boundary and put the road next to their property. There will be 9.4

additional cars on Munger and New Hope. There will be older people with no parking and no area for bus stops.

Monica Bates, 1134 W. Wild Aster Street, Star, stated she is wondering about the traffic survey – nothing has been talked about the outside roads, just the inside roads. Is the traffic study completed and does it include school busses, room for walkers, kids, bicyclers? She wants to know about bike lanes and paths. She has called several times about speeders. She is concerned about construction traffic. She has been to one of the Johnson's other subdivisions and it is very crowded – the Comp Plan encourages acreages of one to two acres. When the comp plan came out they were very happy. She thinks it needs to be thought out and maybe another public hearing.

Bruce Weaver, 2620 N. Munger, Star, stated he owns the property to the west. He remembers a long time ago Johnson talking about tapestries. Weaver likes cornfields, his concerns are he has had no contact regarding the irrigation as he is co-owner of the pump. He doesn't know how he is going to irrigate his property, easements – there are irrigation easements. His pump is all the way to the southwest corner and the irrigation needs to be up to the northwest corner. He would urge Council to give a little time and get some answers, he would like some more time with the developer.

Brenda Weaver, 2620 N. Munger, Star, stated she doesn't know what to say, she thinks R4 is a little tight. She applauds the subdivision for looking different and it is very tight, you can barely get two cars in the garage. She would like to see the soffit lights. In CC&Rs she would like to see "Right to Farm" added and make residents aware there are sights and smells they may not like. Also, she wants no dumping of grass clippings over the fence. It is all pressurized irrigation, it is complex. They are concerned with timing of water, can they plant corn.

Applicant Rebuttal: – Johnson stated that relative to the water line it will be relocated and was brought in about 2006 or 2007, Mr. Greiner had it moved. They will be moving that water line and anywhere there is a stub there will be a stub. Insurance rates are higher with hydrants. He doesn't believe there are taps on that hydrant. They are providing a stub street to the east, he is open to that at the central location. They will look at it. There is an expensive traffic study and it calls for trip captures, he wishes it was less, but traffic will change. He doesn't have an area for bus stops and the school district sets the distance. If there are enough children the busses will come through the subdivision. He doesn't control that. The berm will be ten feet. He doesn't know about the bike lanes. Construction traffic as a condition of approval, he encourages construction traffic to go a certain way, but they have no control of where it goes. ACHD does encourage signs to go to certain roads sometimes. Hazelwood is an R-8 density and it is tight, all driveways are eight feet. It is different from living on ten acres. If your truck doesn't fit in the garage, then don't buy the house. Johnson stated he called Mr. Weaver a couple times. It is required by law to provide irrigation. They will simply reroute the water. The Middleton Mill also has that as a condition. It would be a winter project. The State Code and City Code both require the plat to have the right to farm statement on it. It is also in the CC&R's. There will be fencing around the perimeter per phase. Johnson stands for questions.

Keyes stated that ACHD talked about a turn lane on Wing Road. Johnson stated they will accept their staff report. ITD made a request for Highway 16. They are happy to contribute to any improvements, they did an analysis for five to ten years. Generally speaking, ITD wants an additional 345 sq. feet. They will all contribute their share. The distance ITD needs is 10%. If there is a right number, they are happy to contribute. Keyes asked to have clarity about the water line to the property on the eastern boundary that is apparently stranded for water now. Johnson stated they can look at it. He needs to work with the Star Sewer and Water District on the sewer and water lines. Keyes asked him to add that to the development agreement that you would work with the eastern neighbors. Johnson stated he would. Keyes asked if he would be willing to add that to the DA and with something that strongly suggests the construction will use a certain direction for trucks. Keyes stated he is not clear where easements and ditches are, and vinyl fences don't necessarily work well with animals, if you encounter that will you not put a vinyl fence up. Johnson stated he doesn't want to commit, as he doesn't see that circumstance.

Chadwick noted on the easterly boarder you are talking about a pathway to water. He asked if there is a way to create a pathway to create a buffer. Johnson stated the eastern water line needs to have a gravel road. Star Sewer & Water's preference is to be in the roads. This is efficiency of design and for Star Sewer & Water this is the best design. Chadwick asked Johnson to sit down with Weavers prior to the approval. Johnson has been doing this for a long time. He would not like to not come back and maybe the neighbors don't want to come back.

The Mayor closed the public hearing.

Nielsen talked about the number of trees. He appreciates a lot of the design applications, that we discussed here and putting items in the DA regarding irrigation and phasing. He doesn't recall if he wants to put "Right to Farm Act" on plats. Dumping is illegal. He appreciates the call out for stub streets. The Comp Plan is rural transitional property to match the surrounding properties.

Hershey stated he agrees with Councilman Nielsen, there are certain things we can change and certain things we cannot. One thing he cannot find is the Fire Department letter and fire hydrants are required. Putting the fencing up prior to development, he is in favor of especially the eastern side. He would want something that says all water issues are addressed prior to the phase. State law does require the same. It should include all ACHD conditions, generally those are his comments.

Keyes stated he thinks Johnson has brought a nice product which exceeds the open space amount. He appreciates the willingness to provide the water and would like to see a better buffer on the east. He gets a sense he is trying to be a good neighbor and he will get with all neighbors. He appreciates the addressing of lights.

Chadwick stated he does like the project as well. He would like a condition of the DA that all properties get water stubs. He would also like the DA to address the Weaver's farming so they are protected. He is good with fencing at the time of the development.

Yorgason stated that the stubs on the east are with approval from Star Sewer and Water. They

could possibly stub two properties. Chadwick stated we are being asked to go against our setbacks; it is okay to be good neighbors and provide stubs to the neighbors.

Nickel stated that you have a development that offered future improvements to ITD, we can draft something similar to Trapper Ridge.

Keyes moved to approve the subdivision with the following conditions: access to city water to eastern properties, existing ditches work with Weavers, fences up during construction phase, ITD improvements, “Right to Farm” Act to include the sights, sounds and smells in the CC&R’s and the construction traffic to go a specific direction, Chadwick seconded the motion. Nielsen stated that this application meets the specifications of our Comprehensive Plan and conditions of our codes as well. All ayes: motion carried.

Ordinance No. 293 Greendale & Greendale Grove: The Mayor stated this is the Ordinance approving the Greendale & Greendale Grove Subdivision. 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. 293 be considered after reading once by title only, Chadwick seconded the motion. Roll Call: Hershey – aye, Keyes – aye, Chadwick – aye, Nielsen – aye: motion carried.

Nielsen moved to approve Ordinance No. 293 annexing to the City of Star certain real properties located in the unincorporated area of Ada County, Idaho and contiguous to the city of Star, located at the northeast corner (Greendale Grove) and the southwest corner (Greendale) of N. Wing Road and W. Beacon Light Road in Star, Idaho; the property owned by Lloyd & Betty Akins is more specifically identified by Ada County parcel numbers; establishing the zoning classification of the annexed property as Residential (R3) of approximately 81.13 acres; directing that certified copies of this Ordinance be filed as provided by law; providing for related matters; and providing for an effective date, Keyes seconded the motion. All ayes: motion carried.

Executive Session per Idaho Code 74-206(1)(b) & (d) to discuss personnel evaluations and consider documents exempt from disclosure – Chadwick moved to enter Executive Session, Nielsen seconded the motion. Roll Call: Hershey – aye, Keyes – aye, Chadwick – aye, Nielsen – aye: motion carried.

The Mayor closed the Executive Session at 11:23 and no action was taken.

Reports: No reports were given.

Adjournment: The Mayor adjourned the meeting at 11:24 pm.

Approved by:

Respectfully submitted:

Charlten Bell, Mayor

Cathy Ward, City Clerk