



STAR CITY COUNCIL SPECIAL MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho

Tuesday, October 12, 2021

6:00 PM

1. CALL TO ORDER – Welcome/Pledge of Allegiance

Mayor Chadwick called the meeting to order at 6:00pm and led the Pledge of Allegiance.

2. INVOCATION – Brian Howard – The Cause Church

Pastor Brian Howard with the Cause Church offered the invocation.

3. ROLL CALL

Council President David Hershey, Council Member Michael Keyes, Mayor Trevor Chadwick, Council Member Jennifer Salmonsens were present. Council Member Nielsen arrived at Agenda Item 7B. Council Member Hershey left after Agenda Item 7A.

Also present were City Planner Shawn Nickel, Assistant City Planner Ryan Field, City Clerk / Treasurer Jacob Qualls, City Contract Attorney Chris Yorgason, Public Information Officer Dana Partridge, Star Police Chief Zack Hessing, and City Engineer Ryan Morgan.

4. PRESENTATIONS:

A. HAYDEN HOMES – PRESENTATION TO STAR OUTREACH

Hayden Homes presented a check for \$4,000 to Star Outreach

B. WEST ADA SCHOOL DISTRICT BOND INFORMATION – Nichole Scheppers

Not Present

5. CONSENT AGENDA

A. Final Plats:

- i. Greendale Grove Subdivision #1 (FP-21-18)
- ii. Saddlewood Subdivision #2 (FP-21-19) (Keyes recused)
- iii. Wildrye Creek Subdivision #1 (FP-21-21)
- iv. Wildrye Creek Subdivision #2 (FP-21-20)

B. Engineer Agreement: The City of Star desires to construct improvements to Highway 44 at the west end of town. Improvements include an additional east and west bound lanes and sidewalk where it has yet to be constructed from CanAda Road to Star Road, the project will be broken into four sections, an east bounds lane from Highbrook Way to Star Road will be designed and included as the base bid. Three additional sections including an east bound lane from CanAda Road to Highbrook Way and west bound lanes Star Road to Highbrook Way and Highbrook Way to CanAda Road will be included in the design and bid as alternative bid items to the base bid. Project funding is made available by the city through a proportionate share agreement in conjunction with the Idaho Transportation Department (ITD).



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- Council Member Salmonsens moved to approve the Consent Agenda; Council President Hershey seconded the motion. Ryan Morgan provided additional information on the agreement. The scope of the project has doubled, but the price has not.
- Voting Yea: Council President Hershey, Council Member Keyes, Mayor Chadwick, Council Member Salmonsens. Council Member Keyes recused himself from item 5Aii. Saddlewood Subdivision #2. Motion carried.

6. ACTION ITEMS:

A. Comprehensive Plan Amendment **i. Transition Table Plan Amendment**

- Council Member Keyes moved to approve the Comprehensive Plan Amendment; Seconded by Council Member Jennifer Salmonsens. Voice vote indicated all members signified aye. Voice vote indicated the motion carried.

B. Ordinance 341 and Development Agreement – Rivermoor Subdivision Annexation & Development Agreement (AZ-21-06)

- This item was removed from the agenda.

7. PUBLIC HEARINGS

A. PUBLIC HEARING – Fountain Park Subdivision Annexation and Zoning, Development Agreement and Preliminary Plat (AZ-20-19/DA-20-24/PP-20-17) - Tabled from September 7, 2021

Mayor Chadwick opened the public hearing and asked the Council Members if they've had any ex parte contact. All members confirmed they had none.

APPLICANT

Becky McKay with Engineering Solutions - 1029 N Rosario, Meridian ID

Becky McKay represents Challenger Development. In November of 2020 they submitted this application, prior to the Comprehensive Plans having been developed, with the property designated compact residential. After meeting with the mayor and planning staff, it was decided they would take another look at their site plans, which initially proposed 280 lots and 4.65 dwelling units per acre, to address suggestions they diversify the product, add more curvilinear streets, have less density, and incorporate additional pathways.

The project is located on the west side of N. Palmer Lane with 60.52 acres. To the south of the property is Amazon Falls. Nearby roads are Hamlin and Schultz. Hamlin is a right in, right out, and Palmer Ln is a designated collector anticipated to become a signalized intersection at Highway 44. The Mossman Lateral



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goes through the property and serves property to the west. There is also the DD2 drain that comes into the property and segregates the western portion. The Pollard Lateral crosses Palmer Lane, then runs off site and is piped through Amazon Falls, which is what they are planning to do with the Mossman Lateral. They will be piping through the property with it exiting at its historical location. Wild Farm Way is a collector roadway with a 10-foot landscape island going all the way to the north boundary. There is another collector with no front on housing with landscaping and detached sidewalks going to the south boundary creating the interconnectivity Ada County Highway District (ACHD) wanted.

There is a 50-foot offset for landscaping along Palmer Ln intended to have ample area for landscaping, berming, fencing, etc. for when it became signalized and potentially could become a minor arterial. Along all the collector roadways there will be heavily landscaped detached sidewalks, with at least eight feet of landscaping between the curb and the walk. It was noted all McKay's landscaping is a minimum of 20 ft in width. The central amenity, a pool facility, is located off the collector roadway, as is a playground facility. One of the major intentions of the project is to create a lot of interconnectivity and activities for homeowners, including a pocket park, pickleball court, along with micropaths going to and around a pond, and a lot of pathways to give opportunities for residents to bike, walk, and connect with communities adjoining them.

McKay stated she was there that evening regarding an annexation and rezone on the property for R5. R5 would be consistent with neighborhood residential which would allow 3-5 dwellings. In the development there will be a variety of 31% townhome lots, which are adjacent to pathways and next to R15 or R12 in the Amazon Falls project. Toward the north where Eagle's area of impact is, the lot sizes increase while the open space increases where there is higher density with smaller lots. As for the property to the north, they will be taking a concept plan before the City of Eagle soon.

The project is planned as being built in six phases. A connection will be made at Hamlin, along with an acquired easement. Early on coordination was done with Amazon Falls regarding a regional lift station which McKay's client paid their proportionate share of, extending water and sewer to the southern boundary. They have an open space lot where sewer and water are stubbed at. They have been annexed by Star Sewer and Water District, who have indicated capacity exists to serve the development.

There is a generous amount of open space. There is 14.66 acres of total open space, which is a little over 24%. Their usable open space is 10.96 acres, which is 18.11%. They have linear parks, micropaths, multiuse paths, a full facility with a parking lot, playground equipment, picnic shelters, a pond, and a pickleball court. It was their intention to have this project provide amenities and be self-sufficient for the community.

There will be a variety of homes with a combination of different styles, architectural features, modulation, masonry, windows, and doors. The lots will vary from 40 feet to 70 feet wide. 31% of the homes are 60-70 feet in width, 24% are 50 feet in width, 14% are 40 feet in width, and 31% are townhomes. Wrought iron fencing is being considered along the townhomes, with wrought iron fencing already being around all open space lots and pedestrian pathways.



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ACHD is requiring a curb, gutter, and sidewalk be built on their side, with offsite improvements to widen Palmer Lane as it does not meet the minimum width all the way down to State Highway 44. ITD reviewed their traffic study and have signalization and widening of the Palmer Ln intersection at Highway 44 scheduled for 2027 but as Snoqualmie River and McKay's clients have paid a significant amount of money Erica Bowen said they are purchasing the right of way so they can accelerate getting the signal in. The impact fees for this project to both ACHD and ITD will be \$1,049,000 total traffic fees.

They have agreed to all the ACHD conditions of approval, agreed to all the City's conditions of approval, and have exceeded the standards normally required under open space and usable space.

Mayor Chadwick asked if anyone had questions for McKay.

Council Member Keyes wanted to know, in the event ITD does not come through with the signal light, what the plan is for a connection at Palmer Lane at Highway 44 when they do the widening project, and if they will be restricting it to a right in, right out only.

McKay stated she spoke with Erica Bowen and Hamlin is right in, right out with Palmer designated on the Highway 44 Masterplan to be a signalized intersection. With the additional funding and acquisition of the right of way Bowen felt the installation of the signal could be accelerated with widening of Palmer Lane down to Highway 44.

Council Member Keyes asked if she agreed with an added condition of approval for the signal light to be installed before any Conditions of Occupancy are issued. He and McKay discussed this briefly, with her confirming there will still be full access to Highway 44 during the process of widening and getting the signal light in.

Council Member Keyes asked for clarification on how the storm water works on McKay's project, especially at Palmer Lane.

McKay stated along Palmer Ln there is 50 ft able to be used for seepage beds, with 37 ft being dedicated from center line, along with an additional right of way. There will still be room for trees along the collector as it is anticipated this will be upgraded to a minor arterial once it is signalized.

Council Member Keyes asked about the change to setback requirements and parking spots. McKay said the change in setback request is only for the attached townhomes. Additional parking spots weren't necessary because of street parking and parking spots at the pool facility.

There was a discussion regarding pathways, public easements, and sidewalk widths.



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Council Member Salmonsens asked whether they would be willing to provide a public easement along the pathway along Drainage Ditch #2 (DD2). McKay stated the DD2 easement is not exclusive, and none of their pathways will be gated as all sidewalks are public. After a brief discussion, it was determined a public easement would be good if the pathway connects on the south side. McKay also noted they will be bridging the DD2 drain and connecting to Hamlin.

Council Member Salmonsens asked about them working with the neighbor to the west. McKay stated they already have been working with Mr. Pardo on the extension of Hamlin, and her client is willing to install utilities and extend it, which Mr. Pardo said was fine and would dedicate the right of way.

Council Member Salmonsens asked if they would be willing to increase the five-foot sidewalk width to seven feet along Palmer Lane as the Transportation Committee is looking to change the sidewalk width requirements for arterials and collectors to be seven-foot width minimum. McKay stated it would be fine, noting they have been doing ten foot along major arterials like Beacon Light and seven feet on some collectors to accommodate pedestrians and bicyclists.

Public Testimony

Tom Bevan - 4202 N. Marcliffe Ave, Boise ID

Tom Bevan owns the property to the south at Palmer Lane and State Street. He stated he was in favor of the project but felt the intersection had to be addressed now due to traffic impact. As he has the property to the south, he would be glad to assist with money to help in getting the signal light sooner.

Hal Sullivan - 757 S. Moon Beam Way, Eagle ID

Hal Sullivan stated he was unaware of this project and had spent years in development in California looking at land his company was interested in and determining the best use and how it could make the community better. Because of this experience, he feels the subdivisions are not respecting the existing land or complimenting the area. Another concern he has is regarding traffic and worries over whether emergency vehicles would be able to respond to emergencies quickly.

Carolyn Sullivan - 757 S. Moon Beam Way, Eagle ID

Carolyn Sullivan expressed frustration and concern with current traffic, as well as future impacts on traffic and safety that might be created by the project.

Ralph Burkey - 2300 Blessinger Rd, Star ID

Ralph Burkey had questions about how close the project is to the vicinity of the Lemp lateral and if they will be drawing irrigation water out of the ditch as those who work or live on the lateral depend on it for irrigation. Another concern was over trash being left in the ditch.



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Rebuttal

Becky McKay with Engineering Solutions - 1029 N. Rosario, Meridian, ID

McKay addressed the irrigation, stating this project is not on the Lemp Lateral and that all ditches on the property will be piped. She addressed urban sprawl, with an emphasis on needing to accommodate the growth that comes with it and the necessity of having a variety of homes and lots that are more affordable and meet the needs of the residents in the area. She addressed transportation planning, noting they don't have acquisition of the right of way at Palmer Lane, which is necessary to facilitate a signal light going in. She stated not being able to have a certificate of occupancy until the signal light goes in would be the wrong move.

Mayor Chadwick asked if Snoqualmie River was donating too. McKay said yes. Mayor Chadwick then asked if she knew how much. McKay stated she thought they were asking for \$68,000 and on another phase for \$40,000 but those would be numbers to check with the City of Eagle to verify exactly what they had accepted.

McKay stated the project is not high density, it is mixed used, and complies with the Comprehensive Plan. Further, she asked for support as these types of projects are going to facilitate signal lights, street widening, and sidewalks being put in to help communities.

Mayor Chadwick asked if there were any further questions, hearing none, he closed the public hearing at 8:06 p.m. and moved to council deliberations.

Council Member Keyes stated he thought McKay presented a plan that fits beautiful with the Comprehensive Plan and the land uses around it. He did note he had concerns about traffic and spoke directly to those in attendance who shared them, stating help was coming with ITD widening Highway 44 as early as next year, along with the signal light. He also mentioned Salmonsens' request for the pathway additions to the development and asked if there were any other conditions.

- Council Member Keyes moved to approve the project with amendments to the Development Agreement to include a public easement on the pathway and along the canal, and the seven-foot-wide width for sidewalks on Palmer Lane; Council Member Salmonsens seconded the motion; Voice vote indicated all members signified aye. Motion carried.

Mayor Chadwick called for a five-minute recess. The Council meeting reconvening at 7:15pm. For the record, Council President Hershey left, and Council Member Nielsen was present.

B. PUBLIC HEARING – Moon Valley Townhomes Preliminary Plat and Development Agreement Modification (PP-21-12/DA-21-13-MOD) - Tabled from September 7, 2021

Mayor Chadwick asked the Council Members if they've had any ex parte contact. All members confirmed they had none.



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Applicant

Mark Tate - 1087 W River St, Boise ID

The location of the property is on the east side of Highway 16, the south side of Moon Valley Road. at, or near, where the future interchange of Highway 16 and State Highway 44 will be. There will be two accesses to Riverstone, with the main entrance being off Moon Valley Road and a secondary entrance being built in a later phase. Both accesses will be privately gated, with private streets, as it is isolated from a traffic perspective.

Some amenities provided include public pathways along the river, and a community clubhouse which includes a full gym, social room, lounge, kitchen suitable for demonstrations or commercial exhibits, an outdoor swimming pool, and fire pits. There are also several lakes, one of which is approximately 16 acres, with a planned beach club with a restroom, paddle boards, kayaks, and a beach front on the lake. There is also an existing driveway being made into emergency access, as well as a pedestrian pathway down to the river, and they are excited about the Highway 16 bridge and connectivity to the open space on the west side of the highway.

Tate noted some people do not want five acres lots. Some want smaller, lower maintenance one acre or half acre lots. They may have multiple homes or travel but still want a nice home with amenities. He stated they looked at several different options for the project, including commercial and multifamily. As there is no frontage on State Street, they chose not to pursue commercial and ultimately decided not to go with 250-300 apartments units either. Instead, they settled on townhomes which they felt fit with the Comprehensive Plan designations and fit well with what was in the area around the intersection of Highway 44 and Highway 16.

The applicant talked about Palmer Lane, noting they are paying a proportionate share fee to ITD, mentioning other fees they are paying as well. He appreciates the mayor already having conversations with ITD about timing, and they will do whatever they can to support the construction of the Palmer Lane signal going in as soon as possible. He stated they did their ACHD traffic study which reported all their roads are at acceptable levels of surface.

Each of the units will have a two-car garage and there will be street guest parking equaling more than the city requires. They are proposing a 27 foot back of curb to back of curb on the streets, which is the standard for parking on one side of the street, but they would agree to have no parking if this was allowed instead of the 33-foot-wide requirement. Tate stated they felt they have adequate visitor parking, so having a narrower section on the private street with off-street parking makes sense. Then he asked the requirement for streetlights being installed and energized prior to building permits be stricken.

Mayor Chadwick asked if there were any questions of the applicant.

Council Member Keyes stated the last time they were talking about this property the council was clear they didn't want high density residential and wanted to see something along the lines of light office or commercial.



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He stated it is up to the council to decide what's appropriate for a site. He also noted according to the Comprehensive Plan, the land use map mixed use designation says zoning within this land use designation is to be strictly monitored to be sure mixed-use isn't used for high density residential. He continued to explain details pertaining to this and stated he was curious why this project was being brought before them when it was already made clear it wasn't something they wanted.

Tate said since the last time they discussed the project there have been multiple commercial projects approved in the area and he and his clients met with several commercial brokers to talk about opportunities for commercial, retail, or office at this site. All of the brokers expressed concern about the circuitous access to the site, along with not having frontage on State Street. He explained that with so many commercial properties being approved, and with their site location lacking access encouraging pass through traffic, they are in an inferior position to do commercial development, so they decided on a townhome project. Further, he noted commercial use would generate more traffic than residential, as it would be bringing in more trips from outside the area. Additionally, he felt having more rooftops in the area will make other properties more viable for development. He stated he wasn't ignoring the prior conversations they had, but with the advice from commercial brokers they felt a townhome project was a good fit. In their opinion, single family residential and townhome residential also qualify as falling under two or more uses for mixed use and meet the standard.

There was a discussion about the extension of Moon Valley Road across Highway 16 which will connect it to Wildbranch Lane on the west side of Highway 16, as well as the extension of Highway 16 all the way to Interstate 84, and whether this would cause Tate to reconsider the application being brought before the council. He stated it would not, as he didn't think it changed the issue of them being on the south side of Moon Valley Road and not being near the direct accesses.

Council Member Nielsen asked why Tate had not come in requesting a rezone in compliance with the Comprehensive Plan. Tate stated the mixed-use zone seemed appropriate even with different types of residential. In his interpretation of different uses, a rezone wasn't required for the mixed-use designation. Nielsen mentioned other requirements and referenced a similar scenario in the City of Eagle with the same challenges where a very successful restaurant has gone in. As such, he didn't understand the concern. He also stated the reason they have the mixed-use ordinance way to create a buffer between the high traffic commercial areas and high-end neighborhoods with light office and residential together.

There was further discussion on when the zoning code went into effect and whether it applies to the current application. Nielsen confirmed it does, as the application is being presented now and today's code is what applies.

Mayor Chadwick stated if he were to approve this application it would be to the detriment of the entire community, and he would be failing Star citizens. He referenced the property tax ratio, a desire to not rely solely on residential properties, and a preference for waiting five years until the connection from the completed Highway 16 exists so opportunities for important commercial uses won't be lost. He stated it is his goal to get



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the tax burden on residents down from 93% to 80%. Some potential commercial uses he felt would be a good fit were coffee shops, dental offices, chiropractors, doctors, offices, or flex space. He did not feel something like a box store or a Lowe's would be good.

There was a discussion about the extension of Wildbranch Lane and how that would affect circulation in the area. Tate stated it would be good to have a conversation with a traffic engineer about how much pass-through traffic there would be, and he would like to see models. If a traffic engineer said there would be a fair amount of traffic, he might feel differently about commercial uses for the project.

Mayor Chadwick moved to public testimony at 7:58pm.

Public Testimony

Robert Piazza - 648 Rivervine Wy, Eagle ID

Piazza stated that as president of the Rivervine HOA he had been asked by the majority of members to speak on their behalf, excluding two individuals who would be speaking for themselves. While their subdivision is located outside the City of Star, the development does affect their home values and quality of life. Notably, the development poses a safety concern to the HOA and neighbors due to traffic impact. Piazza said it has already affected their quality of life. He asked the City of Star to delay the project due to safety concerns surrounding increased traffic and asked them to urge ITD and ACHD to immediately make the necessary improvements to Moon Valley Road, Stone Heart Road, Short Road, and Palmer Lane. These are all narrow, single lane county roads and the improvements cannot wait until Highway 44 is widened. At a minimum, a signal light needs to be installed at Palmer Lane and Highway 44 as soon as possible.

Kamala Robbins - 7817 West Deerfawn Ln, Eagle ID

Kamala Robbins spoke on behalf of her husband who could not attend, reading a letter he had written.

In summary, the letter stated Mr. Robbins spent 12 years on a planning advisory board, with three of those years as the chair responsible for making recommendations by balancing a developer's vision for a piece of land, the needs of the city, and the concerns of the residents in the area. With the City of Star's Comprehensive Plan, the City Council has sole discretion when it comes to deciding what goes into this residential property along the Boise River. With Riverstone, the area now includes neighborhood residential along with estate residential and rural residential properties. Once Riverstone is fully developed Short Road, Palmer Road, and Moon Valley Road will all be impacted, and all feed into Highway 44 in proximity to each other. Adjacent to Short Road, Amazon Falls rental condos will also be creating traffic concerns, as well as at least three additional multiple acre properties for sale on the north side of Highway 44. With high density and compact developments, the locations must have multiple accesses to reduce traffic congestion and improve quality of life. He asked City Council to make sure development does no harm to residents and people who travel on Highway 44.



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Mrs. Robbins also added, speaking on behalf of herself, there are no neighborhood parks, which she knows don't make money and are of no importance to developers. She also stated she felt she could speak for everyone in Riverstone regarding none of them having known about this proposal.

James Theriault - 346 South Hamlin Ln, Eagle ID

James Theriault was the first person to occupy a home in Riverstone. As such, he's seen the growth firsthand and stated neither Moon Valley Road nor Short Road can handle the traffic impact. He reiterated sentiments from others regarding emergency vehicles needing to be able to access the area, as well as residents needing to be able to get out during peak traffic hours. He is against the project, and it needs to be thought through more before something with such a high traffic impact is put in when the roads can't handle it.

William Connelly - 188 South Moonbeam Wy, Eagle ID

William Connelly is an architect, professional planner, and occasional developer. His concerns were primarily over the lack of exits and emergency vehicles being able to come in and out as there is only one entry into the subdivision. He also wanted to know if there would be public access to any of the pathways going to the river.

Lloyd Akins - 10390 West Beacon Light Rd, Star ID

Lloyd Akins owns a piece of property on the east side of where the townhomes will be. He stated the traffic is already bad. He has concerns about the property regarding containment of their wastewater, and the canal all along Moon Valley Rd needing to be entirely piped for safety reasons. Another concern he has is about multi-level homes being against his property and being able to see directly into the yard his granddaughter plays in despite security fences being installed. He asked that the project be put on hold for traffic reasons and because he doesn't feel it fits the Comprehensive Plan.

Lisa Hines-Boyd, Treasurer of the Vine HOA

Lisa Hines-Boyd said Moon Valley Road is no longer safe and is crumbling from the current amount of traffic. With additional traffic, it won't be able to handle it and she supports the council pausing the project until transportation studies could be done, infrastructure put in, and signal lights go in.

Jim Tracy - 5906 West Hamlin Lane, Eagle ID

Congestion causes problems with fast responses of emergency vehicles and with fast exits and will significantly impact public safety in his neighborhood. He believes this proposal is different in character than the existing facilities in the area. He does not agree the new townhomes would emulate the high quality of Riverstone. He also expressed concerns over the lack of access and separate entrance, stating it is out of practice with consistent use.

Hal Sullivan, 757 S. Moon Beam Way, Eagle ID

Hal Sullivan stated he was there to oppose the project. Primarily he was concerned over traffic impact, but also felt the project doesn't fit and agrees with the members of the City Council. He referenced another project and



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his own development company complimenting current neighborhoods with larger lots, smaller density, and more greenbelt areas

Quinten Nesbitt - 7435 Moon Valley Road, Eagle ID

Quinten Nesbitt has been at his current location for almost 30 years and is involved in agriculture. He stated he has been to the Comprehensive Plan meetings, and none of them have addressed agriculture. Instead, they've focused on development which he felt ruins quality of life. He expressed frustration the land wasn't zoned for agriculture but understands there's no way to stop development and noted the traffic is a problem.

Paul Akins – 8099 W. Moon Valley Road, Eagle ID

Paul Akins has concerns about traffic and safety, stating with people moving into Riverstone, there are pedestrians on Moon Valley Road. He is concerned about the open ditch by Pioneer, as the ditch becomes piped and goes under Highway 16, it poses a potential drowning hazard should anyone fall in. Akins asked for clarification on who enforces agreements developers have made pertaining to wastewater on their development property. His property has the Riverstone development on three sides, and he has pictures for two sides where they are not containing their wastewater.

Mayor Chadwick asked Akins to leave his contact information with City Engineer Ryan Morgan to go out and look.

Donna Bosworth – 155 South Short Lane, Eagle ID

Donna Bosworth's family live just across the street from the Eagle Christian Church. Her concerns were about traffic, noting it took 45 minutes for emergency responders to get to her mother from Star after she fell. She also asked them to keep Star small instead of making it into another Boise or Meridian, stating the people in Star live there because it matches their lifestyle and what they like.

Danny Bosworth– 155 South Short Lane, Eagle ID

Danny Bosworth was speaking on behalf of his in-laws who own property on one side of Short Road. His concerns were over traffic and density. He also noted they will be trying to get Short Road closed.

Steve Hardy, H Bar H Veterinary Clinic - 7390 Moon Valley Road, Star ID

Steve Hardy thanked the council for giving the public an opportunity to talk. He stated he's been here for 39 years and is in favor of commercial use. He also expressed a need for veterinary clinics, especially large animals, as there are a lot of farm animals and agriculture in the area. Without a signal, traffic makes it difficult to get to his clinic. He stated the road needs to be fixed before more development happens. He thinks the connection of Moon Valley Road to Moyle Road, and the signal light will be great. Ultimately, He felt everything needs to be slowed down so the infrastructure can be taken care of, get the community behind it, and be sure this will service what's already been built.



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Against, Not Speaking

Sandy Thierault, Deanne Nonzeta, Ed Nonzeta, Jeannie Lemon, Terri Little, Mark Richards, Betsy Dudley

Rebuttal

Mark Tate - 1087 West River Street, Boise ID

Mark Tate discussed the number of additional trips generated, referencing the traffic study indicating 1139 additional trips, not the 4000 mentioned multiple times. As for the bait and switch comment, he wanted to clarify his meaning having been going from commercial to medium to high density residential. He stated he meant going from a more intense use to a less intense use, not the other way around as one person had commented. Tate then addressed Paul Akin's concerns about drainage. He was unaware there was an issue and will reach out to make sure everything gets taken care of. He addressed Lloyd Akin's concern over the height of the buildings, noting there is a landscape buffer and a large setback.

Mayor Chadwick and Tate discussed the widening of Highway 16, including timeline, funding and whether Wildbranch Lane goes through will have a major impact on the viability of different uses for the project. Tate stated he did not think it would be fair to wait an indefinite amount of time for a more concrete timeline. He reiterated the large amount of commercial already in development or possibly being developed in the future, along with the increased traffic more commercial will create, and the disadvantage they will be at if Wildbranch Lane does not connect. These were all reasons he felt townhomes would be a good fit. Mayor Chadwick felt approving this application would be a detriment to future commercial going in.

Council Member Salmonsén asked about the mixed-use designation and a discussion took place with several interpretations being presented. There was not a consensus on which interpretation was correct with Council Member Keyes believes there is flexibility for Council Members to interpret however they see fit.

Mayor Chadwick closed the public hearing.

Council Member Nielsen stated he agreed with comments made during rebuttal regarding lower traffic and the lowest traffic impact would be high density housing. Outside of high density residential, other low traffic impact commercial uses would be a nursing home, a storage lot, or an RV Park. For the developer, he stated to get an approval for an application like this, they would need to rezone to come into compliance with the Comprehensive Plan.

Council Member Keyes stated an age restricted community of retired people would also have a demonstrable impact on traffic. He suggested a rezone to a lower density project, and if it is all residential, a rezone to a similar density to what already exists in the project. He also expressed disapproval over certain comments made he felt were inappropriate and disrespectful, such as former city council being likened to a fox guarding a henhouse.



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- Council Member Keyes moved to deny the application as it is inconsistent with both the Comprehensive Plan and the Development Code; Council Member Salmonsén seconded the motion. Voice vote indicated all members signified aye. Motion carried.

There was a five-minute recess with the Council reconvening at 9:50pm.

C. PUBLIC HEARING – Rooster Hollow Subdivision Rezone, Development Agreement, Planned Unit Development and Preliminary Plat (RZ-21-03/DA-21-18/PUD-21-02/PP-21-07)

Mayor Chadwick asked the Council Members if they've had any ex parte contact. All members confirmed they had none.

Applicant

Randy Wall with Professional Engineering Services - 5636 N. Portsmouth Ave, Boise ID

The project is on the west side of town and was annexed into the City of Star and into the Star Sewer and Water District in 2006. There was a Development Agreement which has since expired. Wall has been involved with the project for about a year. They designed a project with a mix of land uses, housing types, a variety of employment options, with social and recreational opportunities through an assortment of amenities within walking distance of residential development.

Wall explained the turn radiuses meet the public road standards of 100 foot, there is a breakback curve, and north of the backage road it meets the land use designations where there is medium residential, and a commercial industrial corridor between Highway 44 and the backage road. He noted there is no road there yet but hopefully after an approval of the project they'll have approval for the first section of the backage road north of State Route 44. He stated there was a neighborhood meeting where they took the feedback, they got from the meeting in order to come up with the current project. The neighbors did not want townhomes next to the properties so they designed the open space to be a combination retention area where storm water will be retained on site. Per city and highway requirements, this also meets criteria for a sports field combination retention basis, flat slopes, maintained turf, irrigated turf, with a 20 ft buffer, landscape buffer, and a masonry buffer wall between the neighbors and the commercial area. There will also be a pickleball court.

There are 20 townhome lots with 26 single family residence lots around the perimeter. They worked closely with the fire department on the project, resulting in five-foot setbacks to give a bigger area between structures and will make it easier for the fire department to access the structures. As part of the Future Land Use Map Update there is a creative space for light manufacturing with live-work units in line with the vision the City of Star has for the gateway into the city on the west side. The land uses are light manufacturing, live-work, service commercial and residential. The applicant is proposing a rezone for the property from mixed use to R5 residential, in accordance with the medium residential which is up to R6. South of the backage road they are proposing C2 with everything having a Planned Unit Development and Development Agreement associated with it to give them the maximum amount of flexibility to make a creative project.



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The townhomes will be modern architecture with a 20-foot alley, and alley loaded garages. The six live-work units will be three stories, with two stories for office or live above a workshop area. Some will have roll up doors on both the front and back sides.

Mayor Chadwick had a question about whether there are specific parking requirements for the live-work units as there are parking spaces, but the garage doors are on the front. Wall stated the roll ups are on the back and the driveways are not shown but each will have a wide driveway. Mayor Chadwick asked about the townhomes, wanting to make sure the garbage trucks will be able to get through the alleyway. Wall confirmed it would not be an issue, with signage stating No Parking and enforcement by the HOA.

Council Member Keyes asked if the applicant had seen the letter Canyon Highway District 4 (CHD4) sent out that afternoon regarding the private road versus the public road. Wall said he had and discussed struggling with ITD on whether the road would be private or public because they were unsure where the City of Star city limits were, and if there would be a rural approach or an urban approach. He stated they are of the opinion this would fall under an urban approach per IDAPA standards while ITD considers it a rural zone in accordance with IDAPA standards. Additionally, all the roads will be private because they could not meet the ACHD 100-foot minimum radius requirement and CHD4 doesn't want to connect a private road to a public road.

Canyon Highway District 4 is allowing them to build a 26-foot road, with two 11-foot lanes, four-foot bike lanes, and two-foot gravel shoulder on their side of the road. They would like this to be public, as it meets all the criteria of IDAPA. Wall suggested it be temporarily private and in the Development Agreement contract have it say when the road goes full width it can be dedicated as a public road.

A discussion followed on whether Rooster View Lane met all City of Star standards except for radiuses, which it does. The radius is 60-foot instead of 100-foot. A discussion followed on geographic constraints, the City of Star's desire to not have private roads, whether CHD4 would agree to approving it if the City of Star granted a variance for the radius, if the fire department was satisfied with the current radius of 60 feet, and the agreement needing to be a three way one between ITD, ACHD, and CHD4. Shawn Nickel stated there wouldn't need to be a variance as it could be taken care of through a Planned Unit Development. Ultimately it was decided a condition would be added to the Development Agreement stating Wall would need to get the approval or they would be rehearing the application.

Council Member Salmonsens asked about the sports field and retention area, wanting to be sure the area could be used as a sports field most of the time and not hold water. Wall stated storm water would percolate into the ground completely within 24 hours. There was also a brief discussion about the ground water table. Salmonsens asked to confirm if the three-story live-work units fall within the 35-foot maximum height. Applicant stated they will.

Mayor Chadwick moved to public testimony at 9:46.

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Public Testimony, Against

Mark Crohn - 6808 Saddleman Ranch Court, Star ID

Mark Crohn is located across Highway 44 from the project. He wanted to address a comment made by Council Member Nielsen regarding development and if they don't want development, don't have their neighbors sell because the council is just there to approve. Crohn disagreed, stating the council has control over density and he felt the onus is on the council and don't simply put it on neighbors selling everything. He also pointed out the comment made regarding geographic restraint of the 60-foot radius is incorrect as there is no mountain, river, or lake. Instead, it is a housing constraint and if the radius needs to be over 100 feet, it can be redesigned to create that. Next, he addressed the comment regarding 'shooting myself in the foot' as it pertained to eliminating a commercial development on a previous application. Crohn stated this project would be doing exactly that, as the Comprehensive Plan states 100% commercial but this applicant is seeking to put in more houses, much like the previous applicant who was denied. Further Mr. Crohn stated the application goes against the Comprehensive Plan. He would like to see the project be placed on hold so a designation can be figured out to prevent safety issues surrounding only one entrance and exit.

Tammy Crohn - 6808 Saddleman Ranch Court, Star ID

Tammy Crohn lives across the highway from this project. She was at the neighborhood meeting and Randy Wall did listen to some concerns. Aspects of the project she liked are the park and sports field behind the homes, but she disliked the density. At the neighborhood meeting she stated Wall did not talk about businesses in block 3. Instead, he had said the parcel next to the highway would be the back of buildings with parking. She also asked what would be going in lots 15 and 16 in block 3. Mayor Chadwick stated it depends on what commercial person comes in to build but those details will be determined by the commercial user at a later time.

Crohn asked for input regarding lights at commercial sites and what 'dark sky' means as the lights from Albertsons are very bright. She is concerned about the brightness of the lights at this project. Mayor Chadwick said he would take a drive by Albertsons to see how bright the lights are.

Against, Not Speaking

Carson Taylor, Mel and Lisa Jackson, Shelly Richards

Public Testimony, Uncommitted

Sandy Smith - 23033 N. Blessinger Road, Star ID

Sandy Smith stated she did not know anything about the neighborhood meeting. They were not informed of it due to not living within the 300-foot notification area. She stated this notification area is unrealistic as it still impacts their neighborhood despite them being further way. The mass quantity of subdivisions is not a lifestyle they are used to, and she knows three people, who are at least a half a mile away on Linder and Chinden, who have had wells go dry due to Spur Wing's water being turned on.



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Smith asked how the homes being put in will affect the water table in the area. Additionally, she expressed concerns about traffic and frustration with ITD, ACHD, and CHD4 not addressing or doing anything about Highway 44. She asked how she could stay informed about subdivisions and property developments.

Mayor Chadwick stated the best way is to go to the City of Star website, click on council meetings and see what is coming up. He said neighborhood meetings are not on the website, just public hearings. Neighborhood meetings occur prior to applications being submitted.

Smith reiterated again people who do not live within the 300-foot notification area are being impacted. Notably, with commercial there are lights that stay on all night, delivery trucks, and trailers delivering at night or in the morning. This impacts people outside the 300-foot notification area. She asked the council to consider the people already living there and their quality of life.

Mayor Chadwick addressed Smith's question regarding ITD and Highway 44. He stated ITD has been trying to get Highway 44 funded for 18 years. Additionally, the City of Middleton had an environmental assessment, which was needed before the City of Middleton could get funding. That assessment was completed in August, but the City of Middleton got rid of their downtown bypass plan which created a delay because now, another assessment will be necessary. It will be another ten years before they will be able to fund anything from CanAda to Highway 84 because of this.

There was a discussion regarding Canyon Highway District 4 working on impact fees and improving intersections along Highway 44 and on side roads such as Blessinger Road and Kingsbury and whether there would be signal lights at Blessinger Road and CanAda Road. At the time, there was no confirmation if there would be.

Ralph Burkey - 2300 Blessinger Road, Star ID

Ralph Burkey agreed with Council Member Keyes regarding codes; if you have a code, you should follow it. He asked who someone in Canyon County could tell if they had been annexed into the City of Star. Mayor Chadwick said the city has not forced anyone to annex into the city. If someone were to look at their property tax bill they could tell if they were within city limits. If the bill indicated a property owner was paying City of Star property taxes, their property would be within the city limits. Burkey then asked how the property, which is near the protected wetlands, will affect the birds of prey, fish, and bugs.

Delbert Ellwood - 6926 Highway 44, Star ID

Delbert Ellwood stated he appreciated what the Mayor and City Council do with their planning. Around 2000, he checked with ITD and was told the road would be widened someday, stating it was in the plan but not in the budget. Ellwood noted Randy Wall did listen to concerns at the neighborhood meeting but doesn't like the project having gone from four fourplexes to 20 townhomes considering the road won't be widened soon and traffic will be an issue. He asked how the live-work units will work and if it will be a good thing.



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Mayor Chadwick stated live-work units are new to Star and there are some being built but none have been completed yet. Mayor Chadwick thinks they are a good opportunity for those individuals who want to work from home and have their own storefront, like a small office or insurance agent.

Ellwood thanked him and continued, expressing a concern over traffic and whether his well would be impacted. Mayor Chadwick stated it would have no impact, as Star Sewer and Water has their own wells for city water. He then went on to talk more about the depth of the city wells and aquifers, telling Ellwood he would be happy to discuss this more with him at length if he were to set up an appointment.

Uncommitted, Not Speaking

Cheryl and Ed Chaney

Rebuttal

Randy Wall with Professional Engineering Services - 5636 N. Portsmouth Avenue, Boise ID

The backage road is intended to separate the medium density residential and the commercial corridor. The industrial commercial corridor is between the backage road and Highway 44, while the medium density residential is to the north. Regarding density, he explained they are still within the R5 designation. As for water sources, the project will hook into Star Municipal Water in accordance with city standards. The irrigation water will be maintained in accordance with state law. Lastly, he pointed out they have reduced the proposed townhomes by three units.

A discussion took place regarding options on how to move forward with the road issues. Shawn Nickel stated they could add conditions to the development agreement and the Planned Unit Development to table it until they hear from CHD4.

Wall explained about the frontage road. As ITD works on the corridor they will be taking away access points so its important to have the backage road provided to the Ellwood and Jackson properties as access points. At some point it will curve up before it hits Blessinger Road so it can meet the offsets required by the CHD4 and ITD.

Mayor Chadwick closed the public hearing at 10:22pm and moved on to deliberations.

Council Member Neilsen acknowledged Mark Crohn was correct about the project not having a geographic constraint and thanked him for calling that out. He stated the application does follow the Comprehensive Plan, and this exact design has been anticipated all along. He was also in favor of putting a condition of approval regarding CHD4 agreeing with the plan outlined in the Planned Unite Development and a Development Agreement allowing for a smaller radius, feeling it was an acceptable risk.

Council Member Salmonsens stated she would extend the condition for the inner rectangle being approved as private if Canyon County Highway District 4 does not agree to it becoming public. Nielsen agreed, but Council DP/DS/jmq



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Member Keyes stated he would prefer it remain public even if it required a redesign. He would also like a three-way agreement between the applicant, the City of Star and CHD4.

- Council Member Keyes moved to approve the application with a condition in the Development Agreement for the applicant to gain approval of all streets proposed as public streets and the agreement be a three-way one between Canyon Highway District 4, the City of Star, and the applicant.

Council Member Nielsen asked if he would consider allowing the alternative idea Council Member Salmonsens mentioned regarding the street being accepted as private, if an agreement was not possible. Council Member Keyes stated he would rather rehear and contemplate again. There was not a second to the motion and the motion failed.

Mayor Chadwick asked City Attorney Chris Yorgason if there could be another motion. Yorgason said there could be.

- Council Member Nielsen moved to approve the application and requested the applicant approach CHD4 to obtain an agreement to accept the road as a public road with the City of Star's guidance and if that is not possible, they would accept it as a private road as long as Remington and Rooster Hollow remain public. The motion was amended to include the following conditions of approval: to revisit the open space of the sports field if the 24-hour percolation of water and basin levels made it so turf could not be used in place of wetland grass, a conditional of approval for the covenants, conditions, and restrictions of the HOA specifying in the architectural guidelines that homes in the front and back do not have fugitive lighting. Council Member Salmonsens seconded the motion; Voice vote indicated all members signified aye. Motion carried.

D. PUBLIC HEARING – Milestone Ranch Subdivision Annexation, Rezone, Development Agreement and Preliminary Plat (AZ-21-10/RZ-21-06/DA-21-15/PP-21-14)

There was a 5-minute recess with the Council reconvening at 10:40pm.

Mayor Chadwick asked the Council Members if they've had any ex parte contact. All members confirmed they had none.

Applicant

Becky McKay with Engineering Solutions - 1029 N Rosario, Meridian ID

Becky McKay representing Toll Southwest and their request for annexation and zoning of 10.6 acres to R5 with a Development Agreement and rezoning of 59.87 acres from MU to R5DA. They are proposing 240 single family residential lots, 44 duplex patio home lots, and 33 common lots on 67 acres in the Milestone Ranch Subdivision.



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The project will be located on the west of Highway 16, just north of Floating Feather Rd, abutting the River Birch Gold Course on the north, and Highway 16 on the east. It will also be near West Ada School District property, along with approximately 19.9 acres of access property acquired from the school district. The proposed density is 4.25 dwelling units per acre, which is below the designation in the Comprehensive Plan for compact residential. Along Highway 16 they have allocated 150 feet from the center line for future widening of the Highway 16 corridor, along with a landscape buffer along the State Highway.

The primary access will be from Floating Feather Road. They have a collector roadway that is more than 660 feet from that intersection. There are two stub streets to the west, public streets, and a stub to the north with a pedestrian pathway acting as a landscape buffer that could become a public street in the future.

The development is targeted toward people 55 and older in what is called "active adult." All of the public streets will have detached sidewalks with eight-foot landscape buffers. Sewer and water are available from the west. An annexation has been submitted to Star Sewer and Water District. A Traffic Impact Study (TIS) was performed. After a review of the TIS, ITD and ACHD wanted to leave the intersection at Old Floating Feather Road and Highway 16 with a right in, right out, left in only. ACHD also has requested the applicant provide \$18,000 for a future cul-de-sac there so when they terminate Old Floating Feather Rd at this location the money is already available. ACHD has also required curb, gutters, and sidewalks along the frontage road, and to widen it so they can downgrade Floating Feather Road to a collector standard.

The amenities for this development include a total of 10.75 acres of open space. 10.63 acres of what is considered usable. The central common area will be 2.44 acres, and there will be an \$8 million facility which will include a clubhouse with fitness center, indoor swimming pool, outdoor swimming pool, locker rooms, gathering room, catering kitchen, workspace, pocket offices, conference room, an indoor beverage area, and outdoor beverage area. Outside, there will also be plazas, picnic gazebos, game areas, covered patios, sitting areas, four pickleball courts, two pocket parks, pathways, and a dog park.

There will only be single-story homes with two-car garages, though some wider lots may have three-car garages, utilizing different architectural and craftsman styles. They are asking for 10-foot rear setbacks. The front setback would remain the standard 20 foot from back of walk to the face of garage. There will be 35 feet of landscaping along Floating Feather Road, and 50 feet of landscaping along Highway 16.

The applicant is requesting early building permits for the clubhouse and their model homes. They will meet the fire department requirements of having fire flow, temporary street signs, and weathering surfaces.

Mayor Chadwick asked about secondary access. The applicant explained the 19.9 acres West Ada School District sold to the applicant goes to Pollard Lane. They have a rough concept of this 19.9 acres showing extensions of public streets to the west connecting to Pollard Lane. Deputy Fire Chief, Victor Islas reviewed the plan and said it would be acceptable. Mayor Chadwick asked if it would be a paved road. The applicant said



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there would be a minimum 20-foot gravel all weather surface to provide temporary interim vehicle access, then as they develop the property to the west, the roads will be extensions of public streets.

Mayor Chadwick asked if there would be a permanent road to Pollard Lane. The applicant stated yes. Mayor Chadwick asked for confirmation of two accesses points off the property. The applicant stated yes, there will be a collector that comes in and two access roads going west. They noted ACHD has accepted this as a public alley where these are alley loads. There are four private alleys and landscaping that separated the alley from adjoining lots.

Council Member Salmonsens asked if they were going to change the alleys to be private per ACHD recommendations. The applicant affirmed there will be four private alleys and one public, and they relabeled and revised their preliminary plat which was sent over to Shawn Nickel and Ryan Morgan.

There was a discussion about pedestrian pathways and Council Member Salmonsens asked whether the request for the five-foot sidewalks to be increased to seven-foot along the collector roads, including Floating Feather, the interior road, and the main entry would be acceptable. McKay stated it would.

Next there was a discussion about emergency services and plans for the future. Mayor Chadwick stated there is a plan for a fire station on Floating Feather, which will be right around the corner from this property. The construction will likely begin before the end of the year.

Council Member Keyes prompted a discussion regarding traffic currently on Floating Feather, and how much traffic is anticipated to decrease if there is no longer connectivity to Highway 16. He asked if there were any concerns about Old Floating Feather being the primary entrance when it doesn't meet City of Star standards. This included discussions about widening the road and putting in sidewalks on collector roads. Keyes was most concerned with there being no sidewalk gaps. It was mentioned ACHD has a special fund which concentrates on what they call 'safe routes to schools' intended to bridge gaps and install sidewalks, acquire additional rights-of-way and do widening to make it safer for people to bike and walk. Additionally, there was a discussion about talking with owners of neighboring properties about helping with these issues.

Council Member Salmonsens inquired about age restrictions for the 55 and older community. During the discussion it was explained it's illegal to restrict the age limit, but it can certainly be marketed toward encouraging a specific age group to buy within the community.

McKay confirmed she would agree to a condition being put in the Development Agreement concerning the street connection having potential to be a public street.

Mayor Chadwick closed the public hearing at 11:14pm and moved on to deliberation.



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- Council Member Nielsen moved to approve the application with set conditions as stated by staff including Council Member Salmonsén's request to have five-foot sidewalks increased to seven feet wide. Council Member Keyes seconded the motion; Voice vote indicated all members signified aye. Motion carried.

Mayor Chadwick adjourned the meeting at 11:15pm.

8. ADJOURNMENT

Trevor A. Chadwick, Mayor

ATTEST: _____
Jacob M. Qualls, City Clerk / Treasurer