



CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho
Tuesday, December 05, 2023 at 7:00 PM

1. CALL TO ORDER –

Mayor Chadwick called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

2. INVOCATION –

Pastor Tim Nay of LifeSpring Church offered the Invocation.

3. ROLL CALL

ELECTED OFFICIALS: Mayor Trevor Chadwick and Council Members Kevan Wheelock, Jennifer Salmonsens and Kevin Nielsen were present. Council President David Hershey was absent/excused.

OTHER ELECTED OFFICIALS: Ada County Sheriff Matt Clifford

STAFF: City Clerk – Treasurer Jacob Qualls, City Planner & Zoning Administrator Shawn Nickel, Assistant Planner & Code Enforcement Official Ryan Field, Public Information Officer Dana Partridge, City Engineer Ryan Morgan, Assistant City Engineer Tim Clark, Information Technology Director Shane Dale, Star Police Chief Zach Hessing, Deputy Lonnie Neill, Star Fire Chief Greg Timinsky, Star Deputy Fire Chief Victor Islas, and City Attorney Chris Yorgason were present.

4. PRESENTATIONS

A. Operations Grateful Hearts Check Presentation

Mayor Chadwick, Council Member Salmonsens, and members of Star's Parks, Art, & Beautification Committee presented WendyJo Ackley from Operation Grateful Hearts (OGH) with a check for \$1300. Chadwick explained the proceeds were from Star's Veteran Banner Project, noting fifty-two banners were purchased. He said Operation Grateful Hearts helps veterans in several different ways and asked Ms. Ackley to speak about them.

Ms. Ackley explained OGH is a 100% volunteer organization which supports our U.S. military and veteran families in times of need, and is designed to help pick up where government benefits end. The organization helps with essentials like utility bills, car repairs, helping veterans come out of homelessness, warm clothes, and food. Chadwick asked Ackley to share the Operation Grateful Hearts website in case citizens would like to donate to this cause. The website URL is at: www.operationgratefulhearts.us.

B. Middleton / Star Fire Protection District Chief Presentation

Fire Chief Greg Timinsky provided a Fall briefing report on the Mid/Star Fire Protection District, comprised of two months of data, from 9/1/2023 to 11/27/2023. Timinsky explained the various call types and noted the statistic is currently up to 1,426 calls as of this morning, which is not depicted on the current presented report.

Timinsky said since the Highway 44 project has been completed, the number of calls where Eagle had to respond in Star has dropped drastically and Star has been able to respond.

Timinsky stated the Fire District received two RFQ's (request for quotes) for the new station in Star and will be interviewing firms. For Station 54 in Middleton, Timinsky said plans are now near complete and the process will start soon.

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Mayor Chadwick encouraged everyone to change their fire alarm batteries. If alarms are located too high up to safely reach, citizens can call the Fire Station and a member of the department can come help.

C. Star Police Chief Presentation

Chief Hessing introduced Deputy Lonnie Neill, noting Neill has been with the City of Star for just over a month. Hessing said Neill has a welcoming personality and is very community oriented. Neill started with the Ada County Sheriff's Office in 2008 working in the Ada County Jail facility and was then selected as a Patrol Deputy and has most recently served as an Acting Field Commander Field Training Officer and Court Training Officer. Members of the City Council welcomed Deputy Neill to the City of Star.

Hessing utilized a slide presentation to review the October 2023 Police report, noting there were 15 person crimes, 11 property crimes, and 10 society crimes. When viewing the police statistics on an annual basis, the number of person crimes is down for the year as compared to the previous October. Code Three response was 1:49 minutes with an average of two minutes, which comes in well below the police department's goal time, and the city has four proactive calls for each reactive call.

Hessing closed by reminding citizens to lock vehicle doors and home doors.

Council Member Salmonsens asked for clarification on mental holds. Hessing said a Special Crisis Intervention Team comprised of two deputies and two clinicians respond to suicidal calls in deputy/clinician pairings. The clinician works to find out what exactly is wrong, and the team can place the person on a mental hold if it is determined they could potentially be a danger to themselves or others and, if needed, take them to a hospital by ambulance.

Council Member Nielsen asked Chief Hessing to provide an update on the Sheriff's office holiday collection program. Hessing said Star Police has partnered this holiday season with both Star Recreation and Star Fire to help some identified families in Star who are struggling. He asked citizens to please donate, and mentioned hygiene items, toys, and wish list items could be dropped off at the Police Department. Hessing said the Police conference room was full of items for this project, and Star Recreation has been a fantastic supporter of the program.

Council Member Wheelock inquired about traffic stops, wondering if the stop statistic came mostly from the new Problem Oriented Policing (POP) program. Chief Hessing replied yes, noting Deputy Cleveland is involved in the POP, and Deputy DeBie had over 102 traffic stops. Council Member Wheelock asked if it seemed to be impacting the challenges with drug transport through town; Hessing replied yes, people trafficking drugs now know not to go through Star.

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Mayor Chadwick said suicide was one of the biggest mental health challenges in our community, and Star Police go on several mental health calls a week. Chadwick encouraged fellow citizens to check on neighbors and youth.

5. CONSENT AGENDA (ACTION ITEM) **All matters listed within the Consent Agenda have been distributed to each member of the Star City Council for reading and study, they are considered to be routine and will be enacted by one motion of the Consent Agenda or placed on the Regular Agenda by request.*

- A. **Approval of Minutes:** October 17, 2023; August 1, 2023 & June 27, 2023 City Council Meeting Minutes
 - B. **Approval of Claims**
 - C. **Final Plat** - Fountain Park Subdivision Phase 1 (**FP-23-17**)
 - D. **Final Plat** - Maddenford Estates Subdivision Number 2 (**FP-23-15**)
 - E. **Final Plat** - Moon Valley Subdivision Phase 8 (**FP-23-18**)
 - F. **Findings of Fact / Conclusions of Law** - Falcon Storage (**FILE: CU-23-01**)
- Council Member Salmonsens moved to approve the Consent Agenda; Council Member Nielsen seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

6. PUBLIC HEARINGS with ACTION ITEMS:

- A. **Public Hearing - Milled Olive (CUP-23-06)** - The Applicant is requesting approval for a Conditional Use Permit for a mixed-commercial use to include a retail-store, wine & beer lounge, retail storage area, outdoor concessions, and event space. The property is located at 1133 S. Main Street in Star, Ada County, Idaho, and consists of 2.0 acres in a central business district (CBD) zoning designation. (**ACTION ITEM**)

Note: topic taken out of agenda order at 7:52 p.m.

Mayor Chadwick explained the rules for public participation in the hearing and asked the City Council if they had any ex parte communication to report. Hearing none, he opened the Public Hearing at 7:53 p.m.

City Planner and Zoning Administrator Shawn Nickel utilized a slide presentation to introduce the topic of a proposed Conditional Use Permit (CUP) for the Milled Olive. Nickel explained the application is in compliance and has met all requirements and has been reviewed against the Zoning Code and Comprehensive Plan.

Nickel referred Council Members to note two late exhibits from Star Fire and Ada County Highway District (ACHD). He pointed out such items as an allowance on the northern easement, proposed use by food trucks and a farmers' market, restroom facilities, and proposed additional landscaping. He said Staff recommends approval of the proposal.

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Applicant presentation:

Jessica Hagey of 12247 W. Pavo Street, Eagle, Idaho utilized a slide presentation to present the project on behalf of the applicant team. She said The Milled Olive owns two acres at Star Road and Main Street. The main building will be a 70,000-foot retail space with accessory buildings including 4,000 square foot storage for back stock and 2,000 square foot for wine storage. There will also be an outdoor entertainment space and 1,400 square foot storage area. The third space depicted in the lower southeast corner of the map includes a small commercial kitchen and additional space for four food trucks and a farmers market space. Per Hagey, the main building is on the first floor and the event space is on the second floor, with 3,000 square foot upstairs with smaller meeting rooms. The larger event space will hold about 50 people and is geared for smaller bridal showers, etc.

Hagey noted the exterior of the main building was designed to look like a barn had been converted into a commercial development, with spaces allocated for retail and a back-of-house kitchen. Hagey pointed out the elevation depicting the warehouse space, noting it was geared to blend in. The applicant stood for questions.

Council Member Nielsen inquired about the water tank. Hagey said it will be used for signage, with one sign placed at the corner of Main and Star and one towards the river. She verified it would be traditional signage, not LED.

Council Member Salmonsén asked about the 17 parking spaces would be out on Main Street. The applicant replied this was needed to have 51 spaces onsite and to accommodate overflow customers. Hagey explained it was a busy road area, and said they are working on issues of entry, fencing, and pedestrian access.

Mayor Chadwick referred to the Ada County Highway District (ACHD) report, pointing out a 36 foot right of way was allowed as well as on-street parking.

Council discussion focused on the concessions and event center. Hagey said she had submitted the wine bar plan and hours of operation would be 10:00 a.m. to 6:00 p.m. She clarified most of the event use would be after the main hours, and they would be able to allow access to the event space without the rest of the building needing to be open.

Angie McGetrick 12247 W. Pavo Street, Star, introduced herself as an applicant team member and said the concern about fencing the property was in terms of liability. She expressed concern about people trying to park in their lot to use the river area.

Mayor Chadwick suggested a crossing agreement during business hours, as long as it is acceptable to the Fire Department and ACHD.

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Council discussion moved on to the patio and outdoor space. McGetrick said there was a patio space for outdoor seating. With respect to the concession stand and food truck area, the building is planned to be seasonal-only and will have staff restrooms available.

Council Member Salmonsén expressed concern about fencing the entire perimeter, saying it reduces the warm inviting feeling in the area. She said she would like to see pedestrian access to the building to encourage walkers and bikers.

Chadwick remarked an open-style fence could help with both the applicant team's wish to have a fence and Salmonsén's request to preserve a community feeling.

McGetrick said the applicant team's concern is about liability and potential damage to the property. She said she was not opposed to an open fence with a gate but said for the part of the back side of the building which faces Star Road and has a patio area, but she would like to protect the items in the yard from view. She said it would be best for staff to be able to leave various retail items like yard art or gardening items outside and not have to bring it all inside at night.

Public Testimony:

Susan Avise, 210 South Main Street, Star, said South Main is part of the Dixon Subdivision, which is a residential subdivision. She said the approval of the Milled Olive would change the nature of the neighborhood, mentioning a church, two assisted living facilities, and the Star Senior Center. Avise said the project showed a lack of forethought. She expressed concern over potential issues of increased traffic, noise, and light. She said she worried about the project impacting the quality of life in the neighborhood.

Gary Avise, 210 South Main Street, Star, said his concern is the size of the facility and the disproportionate parking spaces across the street. He proposed reducing the size of the project to help balance parking needs.

Cheryl Cronk, 1015 South Main Street, Star, said she wanted to ensure lights in the parking lot would not shine in her house. Cronk also expressed worry over the outside lighting, especially any fixtures placed up high such as on the tanks or on the buildings. She asked the City Council to address concerns about safely crossing Star Road and the idea of the gate. She said if the property sells again in the future and these owners desire not to continue, neighbors would like to make sure the hours remain consistent. She said she is worried about the concession stand in terms of the distance of the garbage cans from the dumpster.

Heidi Priggee, 208 South Main Street, Star, said she understands this is going to be commercial, and noted it sets a precedent for the future. She said she was neutral, but had concerns about the lighting, security, and safety at night. She asked if some of the parking could be located on Star Road. Priggee remarked on the noise from another local business, The Beer Guys, saying it is out of control and

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expressing concern about potential noise from the Milled Olive. She said it is hard to have Commercial Use next to Residential Use, and asked about landscaping, berms, and fencing. Priggee expressed concern in case the current owners of the Milled Olive were to develop this land in the way proposed and then sell it sometime in the future.

Applicant rebuttal:

Applicant team member Jessica Hagey said the application currently has one more parking space than is required. She said the property has an irregular shape, and the applicant team tried to accommodate the nearby residential area by moving the building and making various mitigation efforts.

Hagey said the exterior lighting was designed in compliance with the dark sky ordinance. There would be some security lighting, but this would be on a timer and come on based on it being dark outside.

For pedestrian access, Hagey said they are working with ACHD. For trash access, she said the site plan has changed and the dumpster is centrally located.

For the lighted signs, Hagey said the lighting would face downward. She said they are working with the civil engineer on issues of storm water retainage, and they are looking at some underground mitigation. If Milled Olive was ever sold, Hagey said the only item which might be in question is the event space, because everything else is already an allowed use.

City Planner Nickel explained Staff's thoughts on the cross-access easement. The Staff recommendation is for three spaces to be considered for future access, but for the property to the north, they can maintain and have their fencing. Depending on what develops in the future, Nickel said they can look at access to the east, and parking would still be maintained. He said the security could still lock off the gate after hours, but this would also remove three parking spaces if the condition is approved.

Council Member Nielsen said one of his concerns was the potential for noise from the patio.

Mayor Chadwick cautioned if Council places conditions the property, then the property to the east will develop as Commercial Use. He asked for clarification on the hours.

Hagey responded the primary Milled Olive hours were Monday - Sunday 10:00 a.m.-6:00 p.m., with beer/wine allowed at the lounge from 10:00 a.m.-11:00 p.m. and a farmer's market on weekends (Friday, Saturday, and Sunday) from 9:00 a.m.-6:00 p.m. The concession stand would only be open during the summer.

Council discussion focused on various concerns on behalf of the neighbors. Council Member Nielsen observed for the summer months, the concessions area would be the same as the beer and wine area.

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Council Member Salmonsén spoke of the event center, expressing concern if the current applicant were ever to sell the property, the CUP would not transfer.

Nickel suggested adopting the specific square footage proposed and adding conditions if the property and business were ever to sell, a new zoning certificate would be necessary, and all other requirements must be met. As such, the new business would not need a new CUP.

Council discussion moved to the five-foot sidewalk proposed by ACHD. As Main Street is an Arterial Road, Council noted the request for seven-foot sidewalks. The conclusion was the applicant and the City would have to work with ACHD in the future.

Mayor Chadwick closed the Public Hearing at 8:53 p.m.

Council deliberation:

Council Member Nielsen said he was generally supportive of the application, and Council's task was to ensure the decision made this evening matches with the City's ordinances and codes. Nielsen reminded Council the requested CUP is at their discretion. He said in his opinion, the application was in compliance with the Unified Development Code. He reiterated various conditions the Council discussed, including cross access, sidewalk width, and hours of operation. He expressed concern over noise potential.

Council Member Salmonsén said she agreed with Council Member Nielsen, and added they could also ask a few more conditions for Council to pursue what they want to have in the neighborhood. She said to trust the process.

- Council Member Salmonsén moved to approve the Milled Olive Conditional Use Permit (CUP-23-06) including the listed statements of condition from the Staff Report, along with the following additional conditions as discussed by Council: if the property is ever sold it would need to come back in front of the City Council for Zoning Code review, the hours of operation noted as being Monday - Sunday 10:00 a.m.-6:00 p.m., with beer/wine allowed at the lounge from 10:00 a.m.-11:00 p.m., and a farmer's market on weekends (Friday, Saturday, and Sunday) from 9:00 a.m.-6:00 p.m., a seven foot sidewalk to be installed along Star Road, cross-easements, a pedestrian gate on Main Street, with parking to be reduced to allow for gate access, drainage to be retained on site, keeping music inside, limiting the outdoor seating and dining areas, no amplified music until the neighboring commercial is in place, and lighting conditions should meet the Dark Sky Ordinance; Council Member Nielsen seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsén – aye; Nielsen – aye. Motion carried.

Mayor Chadwick called for a brief recess at 9:05 p.m. He reconvened the City Council meeting at 9:10 p.m.

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- B. **PUBLIC HEARING: Talega Village Subdivision (Files: AZ-22-11, RZ-22-03, CUP-22-05, DA-22-12, PP-22-15 & PR-22-08)** - The Applicant is requesting approval of an Annexation and Zoning (Residential R-10-DA), a Rezone (from R-1 & C-2 to Residential R-10-DA) a Development Agreement, a Conditional Use Permit for a proposed multifamily residential use (340 units), a Preliminary Plat for proposed residential and commercial uses consisting of 162 buildable lots (1 commercial lot, 1 multi-family lot, 65 single-family residential lots, 95 townhome lots and multiple common lots), and private streets. A residential density of 10 dwelling units per acre is proposed. The property is located at 58 N. Truman Place and 8370 W. Shultz Court in Star, Idaho. **TABLED FROM NOVEMBER 21, 2023 (ACTION ITEM)**

Mayor Chadwick noted the rules of the Public Hearing and asked Council Members if they had any ex parte communication. Hearing none, Chadwick opened the Public Hearing at 9:11 p.m.

City Planner Nickel gave a summary of the proposed project, noting zoning would be Residential R-10-DA and all application requirements have been met. He pointed out two late exhibits, one from Idaho Transportation Department and another from Star Fire.

Applicant presentation:

Denis Jordan, 2145 West Secluded Court, Kuna, ID presented on behalf of the applicant team. Mr. Jordan explained the Talega Village Subdivision is geared to be a commercial and mixed-use development located at the corner of Hwy 16 and Hwy 44. He noted the proposal was designed with Star's Comprehensive Plan in mind, it would align with the Council's vision for the area, including walkability and the ability to provide housing for many people.

Referencing Star's Comprehensive Plan, Jordan pointed out the map transition from Commercial to Higher-Density Residential to Compact Residential. He said the project will provide a buffer as it transitions to the north into the residential neighborhood at the top of the map. Phases one and four contain a commercial development.

Mayor Chadwick said traffic was a top concern, and he wanted to better understand the timed phasing of the buildout of the development.

Jason Ramsey, 823 Speck Avenue, Caldwell, said the team's intent is to build multifamily dwellings and if approved, they would begin pursuit of the project right away. He said the anticipated construction timeline would probably be two-and-a-half to three years to complete the 340 units. The applicants stood for questions.

Council Member Nielsen said he cares about the viability of the city. He said with 340 units at a \$2,300 per door revenue, he feels this provides a significant opportunity for the City to invest in needed infrastructure.

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Council discussion surrounded a letter (on file) from Mid/Star Fire which recommended tabling the proposal until a better traffic and access plan could be pursued.

Nielsen said he noticed he did not see a garage with the townhomes and asked for a representation of what the applicants proposed to build. Ramsey explained the elevations shown were of alley-load attached townhomes. He explained there is architectural variation with some rear- and some alley-load garage doors.

Council Member Salmonsén pointed out the frontage on the site plan, noting a couple of flag lots. She said it does not look like there are any alley load garages based on the map. The applicant replied the garage entrance is not lined up with the home, so the front of the home is interior to the common court.

Council Member Nielsen remarked on the timeless appeal of the Craftsman-style elevation. He said the elevations were well done and he hoped the applicant builds it.

Council Member Salmonsén spoke about the building phases, and expressed concern over the number of cars added to commute hours by the phases. She asked if it was an option to reverse the phasing and build the single-family housing first. Jason Ramsey said this was not an option with this developer.

Council discussion surrounded road safety, future density, and the need to protect the community members who are already living here through a measured phasing of the buildout. Council Member Nielsen referred to the Idaho Transportation Department report, and said the report shows the Traffic Impact Study (TIS) has not been concluded yet. He said a TIS was present in the packet, but it appeared not finalized/accepted.

Mayor Chadwick said people needed access to the Floating Feather and Palmer area.

Council discussion continued about the development phases and how to control traffic flow. Council Member Salmonsén observed Hamlin Road is a key access point. Mayor Chadwick suggested continuing with the hearing on another date, so the applicants could address the traffic concerns and return with a presentation. City Attorney Yorgason said Council can always continue for more information and he felt serious concerns were expressed.

Council Member Wheelock said he was curious about the road widths. He said the roads were narrower than he preferred, with the presence of town homes and multi-family with perhaps 50 homes in a row and only a 36-foot road width. He said the road seemed to be treated like a Collector Road.

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Council Member Nielsen said he spoke with the owner of the historic Grange Hall, which she inherited and owns but cannot access due to the land configuration. The Grange is privately owned and the owner would like to sell it. Council Member Salmonsens clarified the access to the Grange was from a cul de sac, but she felt there was not sufficient access to the site.

Council Member Salmonsens said she would like to see more amenities added, and asked the applicant team to address these when they return to Council.

Council discussion surrounded potential future commercial uses, guest parking, and resident parking. Consensus was access to Amazon Drive and the elimination of common drives needed to be discussed further. Salmonsens suggested there were two options, a public or private road. She asked the applicants to be prepared to speak about these topics when they came back.

Public testimony:

Chip Sitton, 105 N. Culver Creek, Star, said he served on the Star Historical Committee. He said the Grange Hall property was a 70 by 30 foot structure which was remodeled by the current property owner as a destination for receptions and weddings. Per Sitton, the historic building had good bones and could easily be moved. Sitton said over the course of several conversations, it was clear the development value was in the property of the land, not in the Grange Hall itself. He said he would like to open a discussion with the developer to see if they could get it moved to a suitable location and make a fair market value offer to the developer for the structure. Sitton said the Grange Hall is a treasure for the community and he hopes to establish it as a museum for Star.

Applicant rebuttal:

Jason Ramsey expressed willingness to work with Staff and the City and said he appreciated all the feedback. He said he wants to make it right, whether the topic is building phases, traffic, or other aspects of the project.

Council deliberations:

Council Member Salmonsens said she was uncomfortable with the annexation as proposed, and preferred to continue the matter to a future date. Mayor Chadwick said he agreed, and it was a lot of aspects to consider in a single package.

Council Member Wheelock said he had questions about the multifamily dwellings and would like to table the matter this evening.

Council asked Deputy Fire Chief Islas to remark. Islas said for the land use portion, the Fire department was okay with annexation. He said the future problem was how to simultaneously respond and evacuate safely. Islas said, if this project was ultimately built, Station 55 would be designated as the primary station but there is no connection to the north for emergency service. Islas said the product is great, but the Fire Department will need to find a way to respond to the development.

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Council Member Nielsen said he would be supportive of moving on the annexation and rezone.

Mayor Chadwick recommended tying the development agreement to the ordinance and suggested waiting.

- Council Member Nielsen moved to leave the Public Hearing open and continue it to the Council Meeting date of January 16, 2024. Council Member Nielsen amended the motion as follows: to leave the Public Hearing open and continue the topic to the Council Meeting date of January 16, 2024 with the directive the applicant should work with Staff to address all concerns brought up during this meeting and directed Staff to provide Council notice in the event things would not be ready for January 16th; Council Member Salmonsens seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

The Public Hearing was continued to January 16, 2024 and held open at 10:20 p.m.

- C. **PUBLIC HEARING - Starpointe Subdivision Phase 2 (AZ-23-03, DA-21-09 MOD, PP-23-02, PR-23-02 & PP-21-10)** - The Applicant is requesting approval of an Annexation and Zoning (R-4), a Development Agreement Modification, a Preliminary Plat for a proposed residential subdivision consisting of 12 residential lots and 2 common lots, a private street and an amendment to the original Starpointe Subdivision Preliminary Plat. The property is located at 6777 and 6825 N. Star Road in Star, Idaho, and consists of 3.08 acres with a proposed density of 3.08 dwelling units per acre. **(Previously Noticed for October 3, 2023 / Requesting Postponement to January 16, 2024) (ACTION ITEM)**
- Council Member Nielsen moved to postpone the Public Hearing for Starpointe Subdivision Phase 2 (AZ-23-03, DA-21-09 MOD, PP-23-02, PR-23-02 & PP-21-10) to January 16, 2024; Council Member Salmonsens seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.
- D. **PUBLIC HEARING: STAR CITY COUNCIL / STAR FIRE PROTECTION DISTRICT (CAPITAL IMPROVEMENT PLAN & DEVELOPMENT IMPACT FEE STUDY)**- To receive comments regarding the City Council's intent to consider adoption of the *Capital Improvement Plan and Development Impact Fee Study* submitted to Star Fire Protection District dated August 23, 2023 (the "Star Capital Improvements Plan") for the purpose of:
- * Entering into an amended intergovernmental agreement by and between the City of Star and the Star Fire Protection District for the collection and expenditure of development impact fees for the Fire District's systems improvements as identified in the Capital Improvements Plan.

Note: item taken out of agenda order at 7:28 p.m.

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Mayor Chadwick announced Items 6.D., 6.E., 6.F., and 6.G. were all Public Hearings with action items which pertained to the Star Fire Protection District Impact Fees. Chadwick explained there would be one presentation for all four hearings, so the four topics would all be taken at the same time.

Mayor Chadwick opened the Public Hearing at 7:28 p.m. and introduced Carl Maneeny.

Carl Maneeny, 999 West Main Street, Boise, said he was present to review the Star Fire Protection Impact Fee Update. He said Impact Fee Studies have to be updated every five years to bring the plan consistent with their Capital Improvement Plan. They are one-time fees which allow for new growth to pay to offset their new demand on infrastructure and are coming into popularity because of growth and limitations of legislative actions.

Maneeny said impact fees provide a nexus between the fee payer and the needed benefit; fees are designed to proportionately go through the Capital Improvement Plan to help provide new stations and new engines. He said there are different demands on fire protection, and this proposal is only looking at new cost and infrastructure. The fees proposed were recommended by the Fire Board and an Advisory Committee and now are being brought before Star City Council as the next step in the process.

Maneeny explained Star Fire's boundaries are set so impact fees can be determined. He explained it is a plan-based approach and said the board looks at ten-year growth needs. He showed a five-to-ten year plan graphic, explaining how a new station was outfitted, then the need to collect for ten-year equipment. He noted the fees cannot be used for replacement items.

Mayor Chadwick asked to verify when the new fee would go into effect. Maneeny verified it would go into effect thirty days after approval. Council Members asked various questions about the impact fees and the difference between retail and other types of development.

Public testimony:

None was offered.

Mayor Chadwick closed the Public Hearing at 7:45 p.m.

Council deliberations:

Council Member Nielsen said he feels the Council wants to make sure growth pays for itself, and he is supportive of the recommendation.

- Council Member Nielsen moved to approve the Impact Fees to the maximum amount in all their levels and adopt the Capital Improvement Plan and Impact Fee Study and update City of Star's Municipal Code; Council Member Salmonsén seconded the motion. **ROLL CALL VOTE:** Wheelock – aye, Salmonsén – aye; Nielsen – aye. Motion carried.

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- E. **PUBLIC HEARING: STAR CITY COUNCIL / STAR FIRE PROTECTION DISTRICT (UPDATED / NEW DEVELOPMENT IMPACT FEES)** - To receive comments regarding the City of Star City Council's intent to make a decision to impose the below described new development impact fees. **New Fee Summary:** The Fire District Board of Commissioners intend to establish the following new Fire District Development Impact Fees within the boundaries of the City of Star all of which lie within the boundaries of the Star Fire Protection District: **(AS ATTACHED)**
- Council Member Nielsen moved to approve the impact fees at the maximum amount in all their levels and adopt the Capital Improvement Plan and Impact Fee Study and update City of Star's Municipal Code; Council Member Salmonsens seconded the motion. **ROLL CALL VOTE:** Wheelock – aye, Salmonsens – aye; Nielsen – aye. Motion carried.
- F. **PUBLIC HEARING: STAR CITY COUNCIL / STAR FIRE PROTECTION DISTRICT (COMPREHENSIVE PLAN)** - To receive comments regarding the City of Star City Council's intent to make a decision to make the following amendments to the City's Comprehensive Plan:
- * Comprehensive Plan component **Public Services, Facilities, and Utilities** by amending section 11.2.2 Public Safety/Fire Protection Comprehensive Plan by referencing the Star Fire Protection District Development Impact Fee Ordinance and intergovernmental agreement; and by the addition to the Comprehensive Plan as Appendix A the *Capital Improvement Plan and Development Impact Fee Study* submitted to: Star Fire Protection District dated August 23, 2023.
 - Council Member Nielsen moved to approve the impact fees at the maximum amount in all their levels and adopt the Capital Improvement Plan and Impact Fee Study and update City of Star's Municipal Code; Council Member Salmonsens seconded the motion. **ROLL CALL VOTE:** Wheelock – aye, Salmonsens – aye; Nielsen – aye. Motion carried.
- G. **PUBLIC HEARING: STAR CITY COUNCIL / STAR FIRE PROTECTION DISTRICT (AMENDING CITY CODE)** - To receive comments regarding the City of Star City Council's intent to make a decision to amend the Star City Code as follows:
- * Replacing Exhibit B on file in the City as referenced in Star City Code § 7-3A-2 Definitions "Intergovernmental Agreement"; and
 - * Amending Section 3, Article A of Chapter 3 of Title 7 by the addition of the impact fees schedule.
 - * Amending Section 16, Article A of Chapter 3 of Title 7 regarding the City of Star/Star Fire Protection District Joint Development Impact Fee Advisory Standing Committee membership and nomination.
 - Council Member Nielsen moved to approve the impact fees at the maximum amount in all their levels and adopt the Capital Improvement Plan and Impact Fee Study and update City of Star's Municipal Code; Council Member Salmonsens seconded the motion. **ROLL CALL VOTE:** Wheelock – aye, Salmonsens – aye; Nielsen – aye. Motion carried.

**CITY COUNCIL REGULAR MEETING MINUTES**

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7. **ACTION ITEMS:**(The Council at its option may suspend the rules requiring three separate readings on three separate days for ordinances on the agenda for approval. This may be by a single motion to suspend the rules under Idaho Code 50-902; second of the motion; ROLL CALL VOTE; Title of the Ordinance is read aloud; motion to approve; second of the motion: ROLL CALL VOTE.)
- A. **Request to adopt Resolution 2023-006** of The City Council of the City of Star for the purpose of approving the Capital Improvement Plan and Development Impact Fee Study submitted to Star Fire Protection District August 23, 2023; Directing the City Clerk; and Setting an Effective Date. **(ACTION ITEM)**
- Council Member Salmonsens moved to approve Resolution 2023-006 of The City Council of the City of Star for the purpose of approving the Capital Improvement Plan and Development Impact Fee Study submitted to Star Fire Protection District August 23, 2023; Directing the City Clerk; and Setting an Effective Date; Council Member Wheelock seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.
- B. **Request to adopt Resolution 2023-007** of The City Council Of City of Star For the purpose of entering into the *City of Star/Star Fire Protection District First Amended and Reformed Intergovernmental Agreement and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements* by and between the City of Star and the Star Fire Protection District for the collection and expending of development impact fees for the Fire District’s systems improvements as identified in the Capital Improvements Plan. **(ACTION ITEM)**
- Council Member Nielsen moved to approve Resolution 2023-007 of The City Council Of City of Star For the purpose of entering into the *City of Star/Star Fire Protection District First Amended and Reformed Intergovernmental Agreement and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements* by and between the City of Star and the Star Fire Protection District for the collection and expending of development impact fees for the Fire District’s systems improvements as identified in the Capital Improvements Plan; Council Member Wheelock seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.
- C. **Request to adopt Resolution 2023-008** of The City Council of the City of Star Amending the *City of Star Comprehensive Plan* by:
- * amending the Comprehensive Plan component *Public Services, Facilities, and Utilities* by amending section 11.2.2 *Public Safety/Fire Protection Comprehensive Plan* by referencing the Star Fire Protection District Development Impact Fee Ordinance and intergovernmental agreement; and by the addition to the Comprehensive Plan as Appendix A the Capital Improvement Plan and Development Impact Fee Study submitted to: Star Fire Protection District dated August 23, 2023. **(ACTION ITEM)**

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- Council Member Salmonsens moved to approve Resolution 2023-008 of The City Council of the City of Star Amending the *City of Star Comprehensive Plan* by: amending the Comprehensive Plan component *Public Services, Facilities, and Utilities* by amending section 11.2.2 *Public Safety/Fire Protection Comprehensive Plan* by referencing the Star Fire Protection District Development Impact Fee Ordinance and intergovernmental agreement; and by the addition to the Comprehensive Plan as Appendix A the Capital Improvement Plan and Development Impact Fee Study submitted to: Star Fire Protection District dated August 23, 2023 ; Council Member Wheelock seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.
- D. **Request Adoption Ordinance: 396-2023** AN ORDINANCE AMENDING SECTION 2 OF ARTICLE A OF CHAPTER 3 TITLE 7 OF THE STAR CITY CODE BY MAKING A TECHNICAL CORRECTION TO THE DEFINITIONS; AND PROVIDING AN EFFECTIVE DATE AND PUBLICATION. **(ACTION ITEM)**
- Council Member Nielsen moved to suspend the rules under Idaho Code 50-902 requiring three separate readings on three separate dates and introduce Ordinance 396-2023 in a single motion with the title read aloud only once adopt Council Member Wheelock seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.
 - Council Member Nielsen read the title of Ordinance 398-2023 aloud and moved to approve; Council Member Wheelock seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.
- E. **Request Adoption Ordinance 397-2023: AN ORDINANCE AMENDING SECTION 3 OF ARTICLE A OF CHAPTER 3 TITLE 7 OF THE STAR CITY CODE BY MAKING A TECHNICAL CORRECTION AND BY THE ADDITION OF STAR FIRE PROTECTION DISTRICT IMPACT FEE SCHEDULE; AND PROVIDING AN EFFECTIVE DATE AND PUBLICATION. (ACTION ITEM)**
- Council Member Nielsen moved to suspend the rules under Idaho Code 50-902 requiring three separate readings on three separate dates and introduce Ordinance 397-2023 in a single motion with the title read out loud; Council Member Wheelock seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.
 - Council Member Nielsen read the title of Ordinance 397-2023 aloud and moved to approve; Council Member Wheelock seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.
- F. **Request Adoption Ordinance: 398-2023** AN ORDINANCE AMENDING SECTION 16 OF ARTICLE A OF CHAPTER 3 TITLE 7 OF THE STAR CITY CODE BY THE ADDITION OF STAR FIRE PROTECTION DISTRICT IMPACT FEE SCHEDULE; AND PROVIDING AN EFFECTIVE DATE AND PUBLICATION. **(ACTION ITEM)**
- Council Member Nielsen moved to suspend the rules under Idaho Code 50-902 and introduce Ordinance 398-2023 in a single motion with the title read out loud once; Council Member Wheelock seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.



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- Council Member Nielsen read the title of Ordinance 398-2023 aloud and moved to approve it; Council Member Wheelock seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

 - G. **FY 2022/2023 Audit Engagement Approval** - Approval of Engaging Zwygart John & Associates PLLC for the Fiscal Year Ending 9/30/2023 Audit (**ACTION ITEM**)
 - Council Member Salmonsens moved to approve the Audit Engagement Agreement for the Fiscal Year Ending 9/30/2023; Council Member Wheelock seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

 - H. **Sweeper Purchase** - Approve Purchase of Sweeper in the amount of \$21,692.65 under Sourcewell Government Contract (031121-ACO Pricing (**ACTION ITEM**)
 - Council Member Wheelock moved to approve the sweeper purchase in the amount of \$21,692.65; Council Member Nielsen seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

 - I. **Maintenance Vehicle Purchase** - Approve Purchase of Used Maintenance Truck (Ford F250 VIN # 1FTBF2B64KED47454) in the amount of \$27,100.00 from Star Sewer and Water District (**ACTION ITEM**)
 - Council Member Wheelock moved to approve the purchase of the 2019 Ford F250 VIN # 1FTBF2B64KED47454 maintenance vehicle in the amount of \$27,100.00; Council Member Nielsen seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

 - J. **Resolution 2023-009 Asset Disposal (B&G)** - A resolution of the City of Star, Idaho within Ada and Canyon Counties, certain City Owned personal property declaring them surplus and disposing in certain manners. (**ACTION ITEM**)
 - Council Member Nielsen moved to approve Resolution 2023-009 declaring certain City Owned personal property surplus and disposing of them in certain manners; Council Member Salmonsens seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.
8. **ADJOURNMENT**
Mayor Chadwick adjourned the meeting at 10:35 p.m.

Trevor A Chadwick, Mayor

ATTEST: _____
Jacob M Qualls, City Clerk / Treasurer