



CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho
Tuesday, December 21, 2021 at 7:00 PM

1. CALL TO ORDER – Welcome/Pledge of Allegiance

Mayor Chadwick called the meeting to order at 7:00pm 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

Mayor Trevor Chadwick, Council President David Hershey, Council Member Michael Keyes, Council Member Jennifer Salmonsens and Council Member Kevin Nielsen were present.

Also present were Council Member – Elect Kevan Wheelock, City Contract Attorney Chris Yorgason, City Planner Shawn Nickel, Assistant City Planner Ryan Field, City Clerk / Treasurer Jacob Qualls, Public Information Officer Dana Partridge, Deputy City Clerk Meredith Hudson and Star Police Chief Zach Hessing.

4. 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 Claims Provided & Previously Approved December 1 - 14, 2021
- B. Final Plats: **Cresta Del Sol Subdivision #3 (FP-21-25)**
- C. Final Plats: **Cresta Del Sol Subdivision #4 (FP-21-26)**
- D. Final Plats: **Cresta Del Sol Subdivision #5 (FP-21-27)**

Mayor Chadwick noted items 4B, 4C and 4D would be removed from the Consent Agenda.

- Council Member Keyes moved to amend the agenda to add an action item after the Executive Session and stated the good faith reason was the city was waiting on an agreement from the legal firm and the agreement would be forthcoming and time was of the essence on this item. Council Member Salmonsens seconded the motion. ROLL CALL VOTE: Hershey – aye, Keyes – aye, Salmonsens – aye and Nielsen – aye. Motion carried.

- Council Member Keyes moved to approve the existing Consent Agenda Items of Item 4A only. Council Member Nielsen seconded the motion. ROLL CALL VOTE: Hershey – aye, Keyes – aye, Salmonsens – aye and Nielsen – aye. Motion carried.

5. PRESENTATIONS:

A. Star Transportation Committee Pathways Presentation - John Tensen

Star Transportation Committee Chair John Tensen introduced the Committee Members who had been working on the Pathways. He stated he as well as Steve Greene, Chris Todd, Jon Turnipseed and Richard Girard had been working on the Pathways as a Subcommittee of the Transportation Committee.



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Tensen and Greene gave an overview of the pathway plan that included location, purpose, types, legal considerations, order of magnitude of construction costs, maintenance costs and possible funding sources and recommendations.

Greene asked for questions or direction from the Council.

Mayor Chadwick commended them on the great job they are doing, noting that it is all volunteer work. Chadwick asked if they had received a copy of the master license agreement from Eagle and agreed to adopt the map.

Council Member Keyes expressed thanks to the committee for their professionalism and expertise in the years he has worked with them and is also in support of the plan.

Council Member Nielsen asked about the miles and funding.

Council Member Salmonsens was able to provide more specific numbers about the Boise greenbelt, staff, volunteers and maintenance costs. She also provided numbers for Eagle's greenbelt and pathway funding. Council Member Hershey asked about a master plan and impact fees.

City Attorney Chris Yorgason mentioned since the city already has a park impact fee in place, the city could update to include pathways or have a separate specific fee and funds only going to pathways.

6. PUBLIC HEARINGS with ACTION ITEMS:

A. PUBLIC HEARING: Comprehensive Plan Amendment / South of the River Plan The City Council of the City of Star, Idaho, will hear comments from the public concerning the proposed amendments to the Comprehensive Plan, which will add a section called the South of the River Plan.

This hearing was a continuation from December 7, 2021. Mayor Chadwick discussed there had been some questions and concerns about the plan and it is his opinion the Council should continue the hearing to allow staff to get the information out to the landowners to give them an opportunity to review and comment. City Planner Shawn Nickel noted that staff would have it out tomorrow.

Public Testimony

John Bottles, with Mark Bottles Real Estate Services 839 S Bridgeway Place, Eagle ID

Mr. Bottles explained he represents Beacon Crossing LLC, who owns approximately 53 acres within the subarea plan on the bench at French Joplin, east of CanAda Road. He stated he appreciates the work that has been done and his clients are overall supportive of the plan but a newspaper article given to them recently was the first they had heard about the project. They asked the Council to table the adoption of the plan and allow more time for comments. A few of their requests where a park is being depicted on Beacon Crossing property be deleted from the map, the language be amended as it relates to the

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illustrations of the park and state that the vision plan is illustrative in nature and not prescriptive, and the illustrated vision should not be used in making decisions regarding the individual development submittals and suggested the Council have clarifying language stating there is flexibility.

Council Member Keyes clarified the plan was a guideline but since it is the intention to have park land, they should not be removed but a line can be added that it is conceptual and not assigned to any specific parcel.

Council Member Nielsen started a discussion regarding how best for the city to determine at what stage the parks should become a reality on the map, rather than an illustrated concept since homeowners were reluctant to have it on their property. Mr. Bottles stated he concerned because they had not known about and been involved in the project, it suddenly landed on their property in the illustration.

Mayor Chadwick asked whether Bottles could be prepared by January 4, 2022, if it was tabled to give them more time.

Emily Mueller 839 S Bridgeway Pl, Eagle ID

Mrs. Mueller represents Northern Landholdings who is scheduled to purchase approximately 50 acres on the Northwest corner of Highway 16 and Chinden. She expressed gratitude on behalf of her client and referenced a letter submitted earlier in the day stating neither Mr. Brandt nor her client were aware of the plan, or the park shown until the weekend. She requested more time to review it to come up with mutually acceptable language regarding captions being added to this plan for applications to be submitted with a more global look at the area rather than individually. She noted while working with Meridian there was a similar request made for plans to be illustrative concepts not intended for explicit adherence in specific individual development applications.

Council Member Keyes echoed Council Member Nielsen's question, if language is included for plans to not be used as actual plans, what value do they have? Mueller reiterated these should be illustrative plans relied on for approaching landowners for a general vision and as a first step for how to move forward in getting in front of development rather than applications coming in and there be no room to negotiate due to conflicting plans.

Keyes asked if Mueller was familiar with a future land use map and whether she felt park lands should not be included. Mueller stated they felt many of the park locations would not serve the rest of the city and they would prefer to be able to find locations they could agree to. Once more she asked to have more time to look at the map in order to do this.

Richard Romer 5400 W Lesina Way, Meridian, ID

Mr. Romer stated he is a landowner that owns property next to the park that has been in his family for 80 years. He had no awareness of the plans until John Bottles mentioned it to him as he did not receive any



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communication regarding the plans. Romer has thought about selling a 13-acre portion of the property or building on a portion of it but does not know what the map means and is seeking clarification.

Mayor Chadwick stated he also has questions about the map.

Mr. Romer requested an explanation on what bench means when it comes to development of the land, stating he is fully supportive of the plans but is concerned about fair value for those who will lose opportunities or land. Mayor Chadwick and Romer then briefly discussed the bench and the height of Romer's land before asking Jennifer Gardener, who was on the line from Logan Simpson, to define bench and open spaces. She asked they circle back to her so she could determine the open space requirements.

Mayor Chadwick and Romer continued discussing the land and Mayor Chadwick asked Jenn to also explain the difference between open bench space and designated park space.

Council Member Keyes asked Mayor Chadwick to describe what the city did for outreach and mailing. Mayor Chadwick explained a mailer was sent out and they verified all of them did go out. He proposed the City possibly send out another mailer to give everyone a chance to look at the map. Additional proposals were for online and in person workshops to talk about the area with conceptual maps.

Ryan Field, Assistant City Planner with the City of Star, confirmed the addresses the mail was sent to are the tax addresses and verified John and Emily's addresses as correct when he met with them. He explained a letter was sent to every landowner, additionally three stake holder meetings with just the landowners were held. Additionally, flyers were sent to every deliverable address, were placed in post offices, and were placed on the website. He apologized the notifications had not been received and was not sure how to address this going forward. It was noted the original list had 119 parcels versus 131 now, with the differences being created due to lot splits, subdivision annexations, and lands that change ownership. A letter will be ready by tomorrow to go out, and while it is imperative it is done right so everyone has an opportunity to provide feedback, at some point a decision must be made to move forward even if someone is missed.

There was a discussion regarding established processes within every county and city for scenarios like this with it being noted they can't be responsible for what happens after letters go to the post office. Additionally, they discussed whether the mailers could be delivered by the post office before it shuts down.

Council Member Hershey confirmed with Mayor Chadwick the land was annexed.

- Council Member Hershey moved to table Comprehensive Plan Update until the 4th of January City Council Meeting; Council Member Keyes seconded the motion. All members signified aye. Motion carried.



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B. PUBLIC HEARING: Architectural Overlay for Commercial Business District the City Council of the City of Star, Idaho, will hear comments from the public concerning the proposed Architectural Overlay for the Commercial Business District in the City of Star.

This is a continuation Public Hearing from December 7, 2021.

Mayor Chadwick asked Council Member Keyes to discuss the purpose and intent of the architectural overlay before the Public Hearing is re-opened.

Keyes stated these comments are directed to people here and online about the planning effort the City of Star has undergone for the past three or four years which applies architectural standards for the commercial district and land to be developed as commercial property, light industrial or something other than single family residential on both sides of Highway 44 to the Boise River on Star Road. He pointed out the architecture in these locations currently has no common theme, and this will apply standards so commercial areas will look more cohesive and intentional with their design. This will not impact existing owners unless they choose to remodel, and it will take a while for the impact to be felt, but in the long run this will benefit Star in terms of creating more appealing commercial areas.

Mayor Chadwick closed the public hearing to move on to deliberations.

Keyes mentioned the only item he wanted to talk about is the boundary map. He explained the City Council has only discussed the map boundaries regarding them being dynamic as the same standard is used for both this district and the South of the River plans. He wanted to discuss with the council if the written boundaries ending at the river, applying north of the river, should be extended to city limits on the eastern side. Language states as city limits move it automatically extends the district. He asks if they should adopt this east of Highway 16 to existing city limits, which he proposes they do.

There was a discussion as to whether this needed to be reopened and Mayor Chadwick reopened the public hearing at 8:26pm.

Chris Todd with First Service Group in Green Mountain Resources and Planning, 53 N Plummer Star, ID

Overall, Mr. Todd hasn't discussed the CDB architectural overlay with his clients but does know they are bringing some elements into the designs. As for several clients bringing in traditional office space, he can't say if they are as well. As this was to procure small and midsize businesses, he asked for feedback on whether this will be a detriment in the future for large businesses. He did note the zoning doesn't match for his clients and the CDB district but wanted to make sure they can keep moving forward.

Keyes clarified the intent of the new district is not for zoning but is about exterior architectural styles and landscaping, with no restrictions for height.

There was a discussion regarding signage with it being determined this should not prohibit any large logos

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on the side of buildings, with it being noted that even when a building is part of a brand it can be modified to align with what the city is working toward. The language describing boundaries was also discussed.

Jennifer Gardener with Logan Simpson then spoke, addressing the signs first, confirming the signage section is meant to build on what's already in the code. As long as the Unified Development Code allows it, it is allowed to be done as far as heights, location, and size with the guidelines intended to speak to style. As to the boundaries, there has always been a lot of discussion about where the boundaries are. It has always been intended to encompass the CBD land use area not the CBD zone district, which may have caused confusion.

There was a discussion regarding the difference between CBD land use area and the CBD zone district, with a desire for clarifications on extensions outside the CBD zoning district and if they are designated CBD land use or not. There were also concerns that a vote was missed as these extensions seemed to be new developments. City Planner Shawn Nickel gave his opinion, stating this is a proposed overlay district which is different than either zoning or district maps so the boundaries can be whatever they decide, whether that extends beyond the CBD or only includes part of it.

Salmonsens expressed concern over the depth of 750 feet on either side and there was a discussion about this resulting in Mayor Chadwick asking if they should remove Item A.

Council Member Hershey had a question about the city boundaries on the east and west side. There was a discussion regarding boundaries and what would happen if they extended beyond the city limits, including if small changes could possibly cause issues with others. Overall, there was concern about making sure people have a chance to review it, while making sure there were architectural standards in place.

Mayor Chadwick closed the public hearing at 8:48pm to move on to deliberations.

Nielsen proposed they stay with the architectural overlay as applied to CBD and any desire to extend beyond that can be done at a different time.

Mayor Chadwick confirmed the removal of Item A, Article G.

- Council Member Nielsen moved to adopt this plan limiting its boundary to existing central district business and removing Item A, 3G1A from the code; Council Member Keyes seconded the motion. All members signified aye. Motion carried.

It was determined the zoning district standards update needed to be adopted by ordinance.

- Council Member Nielsen moved to suspend the rules requiring three separate readings on three separate days and read by title only once; Council Member Keyes seconded the motion. ROLL CALL VOTE: Hershey – aye, Keyes – aye, Salmonsens – aye, and Nielsen – aye. Motion carried.



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- Council Member Nielsen moved to adopt Architectural Overlay Commercial Business District Ordinance Zoning Standards and read the title; Council Member Keyes seconded the motion. ROLL CALL VOTE: Hershey – aye, Keyes – aye, Nielsen – aye, Salmonsens – aye. Motion carried.

C. **PUBLIC HEARING on the Unified Development Code Updates & Additions:** The City Council of the City of Star will hear comments from the public concerning the proposed Amendments to the Unified Development Code, Updating Title 8, Chapter 1 through Chapter 8: Updates to include Administrative and Regulatory Processes, Application Criteria, Implementation, Purposes, Definitions, Applicability, Zoning District Standards and Regulations, Specific Use Standards, Subdivision Regulations, Planned Unit Developments, Design and Development Standards for Signs, Bicycle Parking, Landscape and Buffer Area Standards, Lighting and Street Light Standards, Sidewalk Standards Update; and Establishment of Design Review and Development Standards of a Horizontal Apartment / Build to Rent Ordinance; Establishment of City Impact Ordinance.

Mayor Chadwick opened the hearing at 8:52pm.

City Planner Shawn Nickel summarized updates and discussed the red lined items in the Universal Development Code before the council.

Page 1 – Duties and Authority

There was a discussion regarding adding: interpretation of vagueness shall be bias toward the citizens of Star and not developer preferences. It was stated doing this would give administrators a tool to push back against developers who want their interpretation of vagueness to be used. City Attorney Chris Yorgason gave input stating he didn't feel the additions were necessary and felt "E" could be done away with entirely as staff should already be prioritizing the interest of the city/citizens and the definitions of certain terms within it were too vague. It was determined "E" would be removed.

Page 5 – Update

Updates included adding Canyon Highway District 4, discussing sign removal fines, and updating the public hearing process. There was no discussion.

Page 11 – Reposting Costs

There was no discussion aside from proposing minor grammatical alterations to the text.

Page 14 – Zoning Certificate for Horizontal/Build to Rent

There was no discussion as this would be brought up later and could be discussed then.



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Page 20 – Updates

Updates clarifying definitions of when streetlights need to be in place and energized prior to building permits being issued upon request from the fire department to enable them to find locations more easily. There was no discussion.

Page 26 – Updates

Updates adding Canyon Highway District 4. There was no discussion.

Page 32 – Build to Rent Definition

There was a discussion regarding concerns that nonprofessional owners of multiple homes intended for rental only may be able to bypass the code by stating they are not professionally managed, and that using common ownership would be the key to preventing this. It was determined the text should be altered to state, "of single-family residences offered for rental only by a common owner, including single family detached homes and townhouses."

Page 34 – Commercial Definition – Built to Rent

There was a discussion regarding potential conflicts in residential land uses being used for commercial purposes. More time was needed to define horizontal apartments and it was determined the Council would come back to this.

Page 40 – Horizontal Apartments Definition

There was a discussion regarding the definition of horizontal apartments which resulted in the definition being determined to be the same as build to rent.

Page 41 – Large Scale Definition

There was a discussion regarding where large scale is used in terms of commercially.

Page 43 – Management Company Definition

There was a discussion regarding whether there is conflict with the Homeowners Association (HOA) code, with a change needed to exclude HOAs. It was also discussed whether a definition about management company needed to be determined now. More time was needed to discuss this at length.

Page 44 – Multi-Family Definitions

Additions were made to the definitions of multi-family developments and multi-family dwellings. There was a discussion on whether this would solve the definition problem with build to rent or horizontal apartments, due to it simplifying the rest of the paragraphs. There was also more discussion about definitions for duplexes and multiplexes. It was determined this would need to be discussed further after looking at codes.

Page 58 – PLACE HOLDER FOR RC River Center Zoning District

There was no discussion.



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Page 62 – Horizontal Apartments/Build to Rent Land Use Designation

There was no discussion.

Page 66 – Setbacks/Waivers

There was a discussion regarding the safety challenges with setbacks smaller than 7 feet as well as whether other smaller setbacks would work, along with accessory structures. It was determined there would be a 10 foot minimum in R4-R5, which is desired by the fire department, and that for R6-R12 it would be 7 foot. It was also noted if there are too many buildings of a certain height, they will need to buy a ladder truck. Waivers were done away with.

A five-minute recess was taken at 9:47pm.

At 9:53pm the meeting was called back to order.

Mayor Chadwick suggested the City Council table this until January 4th to continue the process as there a lot more items to get through. It was determined one more item needed to be discussed.

Page 67 – Spite Strip Definition Revised

There was a favorable discussion regarding a possible amendment to put people on notice for spite strips, many of which were approved before Star was even a city, to say existing spite strips are subject to imminent domain by the City of Star if they were result in blocking of services or development including but not limited to sewer, water, streets, or utilities. It was determined it doesn't necessarily need to be done but it may be beneficial to notify people.

Page 70 – Transitional Lots

There was a brief discussion regarding 2 tables that were initially discussed a year ago concerning transitional lots adjacent to special transitional overlay districts. Along with this, there was also a brief discussion on minimum pool sizes. It was determined this would need further discussion.

- Council Member Nielsen moved to end this public hearing taking no action and that we take these things under consideration in future workshop and future public hearings; Council Member Salmonsens seconded the motion. All members signified aye. Motion carried.

There was clarification a workshop would be done and then this would be republished for a new public hearing. It was also noted letters would be accepted to be included with the workshops, and there will be a grandfather clause for subdivisions recently approved under the old code.



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D. PUBLIC HEARING: Amazon Falls Development Agreement Modification (DA-21-26 MOD) The City Council of the City of Star, Idaho will hear comments from the public concerning the Amazon Falls Development Phase #3 Development Agreement Modification.

Mayor Chadwick opened the public hearing at 10:01pm and asked the Council Members if they've had any ex parte contact. All members confirmed they had none.

Chris Todd, Green Mountain Resources and Planning, 53 N Plummer Star, ID

Mr. Todd discussed Junction Crossing and working with clients on rebranding Amazon Falls, discussing the various phases, including current construction schedules and estimated finish dates. He, his company, and clients are in contract with large companies that would like to build and relocate to Junction Crossing. Mr. Todd stated he has signed a Non-Disclosure Agreement (NDA) and cannot confirm or deny who the companies are but would like to discuss allowing certain uses such as an increasing the height limit to 58 feet, and then a reduction of the parking requirement.

He discussed the specifications for various brand destination stores and the goals desired floor by floor, with the upper floors intended for business and staff while the lower floors are for retail, restaurant and / or entertainment uses, for the company considering the space. Specifically, this company would like to have a restaurant and bar with an entertainment area. He referenced brand destination stores being very popular and can bring in tourists. The building would be 3 stories at 54 to 58 feet in height. Todd explained while it does seem large for Star, it would be good for the area in terms of commercial growth and progress, stating it would not be hazardous for any other buildings.

Mr. Todd discussed phase 4 indicating it will tie into what they are currently doing, discussed square footage, number of floors, and intentions for spaces in the building. Todd explained the desire for a reduction in parking in 25% due to the downstairs floors being a destination retail store and restaurant open for lunch, dinner, and weekends. As the consumers would be visiting in the evenings and weekends, there would be no overlap of needed parking with the workers on the upper floors. He stated having these two buildings come in will be cost effective, the buildings will be harmonious with each other through design and architecture, while also expressing excitement about bringing commercial growth to the area.

Council Member Nielsen requested the floor to discuss a potential for ex parte contact. Nielsen explained when this contact started, he did not realize what it was for but now needs to disclose he does. He had a conversation with the applicant or its partners in early November and did receive some merchandise to test. He stated he can recuse himself or return merchandise if necessary.



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City Attorney Chris Yorgason questioned Nielsen and verified neither he nor any of his relatives have a financial interest in the company and the merchandise was given before they knew he was a Council Member. He also verified Nielsen did not feel bias. Nielsen did note he had told some people about this prior to his knowledge of the application, including the Mayor but did not discuss with any other Council Members.

Yorgason determined because there was no financial interest, bias, or discussion about the actual application, he saw no reason Nielson would need to recuse.

Council Member Nielsen asked for input from the other Council Members, and all replied they were comfortable with him not being recused.

There was a discussion regarding the height ordinance and lack of ladder firetruck in Star with it being noted the ladder truck in Eagle would be able to service the area if needed. In addition, the reduction in parking spaces was discussed along with the location of the sign on the property.

Keyes further had questions about the indoor shooting range, whether it will be open to the public, and what floor it will be on. Todd explained it will be open to the public and was included as it has been part of discussions and they are still determining if it can be included as part of the lower floors.

Council Member Salmonsens referenced the uses for bar, tavern, lounge, drinking establishment and expressed concern about the church across the street and whether it is further than 300 ft. Todd confirmed the opening to the establishment can be placed 300 ft away on the north or north-west side of the building and they can also obtain a waiver but doesn't believe they have to. Mayor Chadwick also mentioned the highway being a barrier between the two, which has been taken into consideration.

Linda Wojcik, 3484 N Tansy Place Star, ID

Mrs. Wojcik expressed concern about the application being an entertainment venue, and questioned what is the anticipated number of people coming in for events, because if there is also a restaurant, bar, shooting range, and people possibly working late, where would the overflow parking go?

Todd thanked Wojcik, confirming there will be a restaurant and bar but in terms for entertainment it would be more of the restaurant having live music rather than a concert. He reiterated the uses will make it so there will be enough parking spaces in the evening and weekends to accommodate patrons. Mr. Todd also noted phase 4 will have a large amount of parking, which could become overflow parking in the future.

Mayor Chadwick closed the public hearing at 10:38 pm.

Keyes expressed concern about the height of the building but stated if the Fire Chief is comfortable with it, he will not oppose it.



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- Council Member Keyes moved to approve the second amendment to the Amazon Falls mixed use development agreement; Council President Hershey seconded the motion. Council Member Keyes amended his motion to include the 25% reduction in parking and the height variance to 58 ft. Council Member Hershey seconded the amended motion.

Mayor Chadwick asked if there was any further discussion.

Council Member Nielsen referenced the applicant stating the applicant could likely get 15-17 more parking spaces and asked if the council is interested in asking him to take that step. They discussed the reduction and spaces.

- Council Member Nielsen amended his motion to include the 25% reduction plus an additional 10 on top of that and that the applicant will work with the adjoining property on a cross parking agreement; Council Member Hershey seconded the amended motion. All members signified aye. Motion carried.

7. ACTION ITEMS:

A. **Air Quality Board Appointment** - David Bivins

- Council Member Salmonsens moved to approve David Bivins to the Air Quality Board, Council Member Keyes seconded the motion. ROLL CALL VOTE: Hershey – aye, Keyes – aye, Salmonsens – aye and Nielsen – aye. Motion carried.

B. **2021 Provisional Beer / Wine License Approval**: Albertsons

- Council Member Nielsen moved to approve the Albertsons Provisional Beer / Wine License. Hershey seconded the motion. All members signified aye. Motion carried.

C. **ACHD Temporary License Agreement** - Authorization for the City to Sign

Council Member Salmonsens stated the agreement with ACHD needs modified to indicate the appropriate location of Main and Highway 44 as the original draft agreement indicated the box wrap at Star Road and Highway 44 which had already been wrapped beautifully.

- Council Member Salmonsens moved to approve the Agreement and Authorize the Mayor to sign the agreement with the noted changes. Council Member Keyes seconded the motion. ROLL CALL VOTE: Hershey – aye, Keyes – aye, Salmonsens – aye and Nielsen – aye. Motion carried.

D. **Ordinance 348**: Stargazer Subdivision Annexation & Development Agreement Removed

E. **Ordinance 349**: Stardust Subdivision Rezone & Development Agreement Removed



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F. **Open Containers Ordinance** - An ordinance, amending Titles 4 and 6 of the Star City Code, adding Open Containers in Public Section; Modifying Park Regulations and Providing an Effective Date
Council Member Keyes received input from the Council previously and the Council sent the ordinance back to city staff with suggested changes.

Chief Hessing had visited with Council Member Keyes on the ordinances in place to get a sense of the state of the ordinances and the changes proposed.

Keyes stated from discussions previously he had found were public intoxication in the parking lots and the new ordinance would not allow open containers in public parking lots or sidewalks. The new draft allows open containers in city parks within the city to allow some open containers under certain conditions by permit.

- Keyes moved to introduce the ordinance amending the Alcoholic Beverage Container with changes suggested by the City Council. Council Member Hershey seconded. ROLL CALL VOTE: Hershey – aye, Keyes – aye, Salmonsens – aye and Nielsen – aye. Motion carried.
- Council Member Keyes moved to suspend the rules requiring three separate readings on three separate days and read by title only once; Council Member Hershey seconded the motion. ROLL CALL VOTE: Hershey – aye, Keyes – aye, Salmonsens – aye and Nielsen – aye. Motion carried.

Keyes read the title of the ordinance

- Council Member Keyes moved to approve the ordinance after this first reading; Council Member Hershey seconded the motion. ROLL CALL VOTE: Hershey – aye, Keyes – aye, Salmonsens – aye and Nielsen – nay. Motion carried

Council Member Nielsen stated he voted nay on the ordinance as he believes Star is very liberty minded and no one should have to ask for a permit to have an alcoholic beverage in the city parks.

G. **Canyon County / City of Star Area of Impact Agreement** - Approving the Canyon County Committee of Nine DRAFT Ordinance outlining the terms of the agreement

Council Member Keyes explained the Committee of Nine had recommended approving the Area of Impact and map created by the Committee of Nine. By the city approving the recommended Ordinance changes, Canyon County can move forward with the Area of Impact Implementation.

- Council member Keyes moved to approve the Canyon County suggested changes to the Star Area of Impact Ordinance and Committee of Nine Approved Star Area of Impact Map; Council Member Keyes seconded the motion. ROLL CALL VOTE: Hershey – aye, Keyes – aye, Salmonsens – aye and Nielsen – aye. Motion carried.



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8. Executive Session 74-206(f): To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

- Council Member Neilsen moved to go onto Executive Session under Idaho Code 74-206(f) to communicate with legal counsel for the public agency to discuss the legal ramifications for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. Council member Hershey seconded the motion. ROLL CALL VOTE: Hershey – aye, Keyes – aye, Salmonsens – aye and Nielsen – aye. Motion carried.

Mayor and Council entered Executive Session at 11:05 pm.

*** AMENDED AGENDA (December 21, 2021, 9:57am) ACTION ITEM: Authorization of certain actions after Executive Session**

No action taken.

9. ADJOURNMENT

Mayor Chadwick adjourned the meeting.

ATTEST: _____

Trevor A. Chadwick, Mayor

Jacob M. Qualls, City Clerk / Treasurer