



CITY COUNCIL REGULAR MEETING NOTES

City Hall - 10769 W State Street, Star, Idaho
Tuesday, July 16, 2024 at 7:00 PM

1. **CALL TO ORDER** – Welcome/Pledge of Allegiance

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

2. **INVOCATION** – Pastor Tim Nay, LifeSpring Church

Pastor Tim Nay offered the invocation.

3. **ROLL CALL**

Elected Officials: Mayor Trevor Chadwick, Council President David Hershey, Council Member Kevan Wheelock, Council Member Jennifer Salmonsens, Council Member Kevin Neilsen

STAFF: City Attorney Chris Yorgason, City Clerk/Treasurer Jacob Qualls, City Planner/Zoning Administrator Shawn Nickel, Assistant City Planner/Code Enforcement Official Ryan Field, City Engineer Ryan Morgan, Public Information Officer Dana Partridge, Police Chief Zack Hessing, Fire Chief Greg Timinsky, Deputy Chief/Fire Marshall Victor Islas

4. **PRESENTATIONS / REPORTS / UPDATES**

A. **PRESENTATION - Valley Regional Transit (VRT)** - Executive Director Elaine Clegg

Elaine Clegg offered a presentation on the budget request and services offered by VRT. She discussed staffing, routes, their fleet of vehicles and estimated there were around 3,000 riders in Star in the last year. Beyond Access is a program for older adults and persons with disability that provides door to door pre-booked service. Ride2Wellness is a program funded by the health care sector to help people get to health care appointments. The budget request for Star is \$18,996 for the Fiscal Year 2024/2025; of this request the General Assessment is \$11,812 and a special assessment of \$7,184.

Mayor Chadwick asked about the Rides to Wellness; Clegg explained the medical provider schedules the rides for the patients.

B. **REPORT - Law Enforcement - Police** Chief Zach Hessing

Chief Hessing offered his monthly report. He explained all the drug crimes came from marijuana and not from other drugs. Response times increased mainly due to the growth in the area.

C. **REPORT - Star Fire** - Fire Chief Greg Timinsky

Chief Timinsky offered his monthly report. He explained the call volume has been increasing over the last three years. A total of 869 calls with 638 being in the Star response area.

Mayor Chadwick asked how they handled the Star Road closure. Fire Chief Timinsky explained there were few calls, and they were able to get through in an emergency and in a few cases they could call Middleton to get to the 20/26 area.



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D. UPDATE - Garnet Subdivision Complaints - Ryan Field

Ryan Field reviewed weed abatement on this property. He is pleased and saw the area last evening. The junk is gone, and the weeds and tall grass have been removed. The property owner met all the conditions set forth by the Council and no further action needs to be taken.

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 Claims:

- Council Member Salmonsén moved to approve the claims, Council Member Wheelock seconded the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Salmonsén – aye.; Neilsen – aye. Motion carried.

6. PUBLIC HEARINGS with ACTION ITEMS:

A. PUBLIC HEARING: Amazon Villa Subdivision (FILE # PP-24-02) - The Applicant is requesting approval of a Preliminary Plat (PP-24-02) for a proposed townhome development subdivision consisting of 94 single-family residential lots and one common lot for a total of 95 lots. The property is located at 7800 W Coyote Flats Lane in Star, Ada County, Idaho, and consists of 6.52 acres. **(ACTION ITEM)**

Mayor Chadwick reviewed hearing rules. He opened the public hearing at 7:27 pm and asked if there was any ex parte contact; none was reported.

Planning & Zoning Administrator Shawn Nickel gave a staff report for Amazon Villas Subdivision, the applicant is requesting 94 single family residential townhome lots and one common lot with 6.52 acres. The council previously approved an annexation with zoning and development agreement. The applicant has met the requirements of the application process. There is a late exhibit from Star Fire District dated July 10, 2024. Staff is recommending approval with conditions.

Applicant Representative Jay Walker, with David Evans Associates made the Preliminary Plat request representing Taylor Cook of RainTree Investment Corporation. He explained the plat previously approved; the request is similar with the original plat being converted to individual lots for single family townhomes. The density remains the same. All access is from private streets that have been approved. He said that there are no environmental concerns and this fits with existing uses of high density residential. Mr. Walker discussed storm water drainage, common area, lighting and amenities. He provided conceptual building elevations.

Council Member Wheelock stated that the previous plat looked like there was better parking, he isn't seeing parking for guests for some of the lots and emergency access. Mr. Walker explained there are individual parking spaces on each of the lots. Taylor Cook explained the original plat had guest parking, so the guest parking has not changed and with the new plat each unit will have two car garages rather than one car that had been included on the original plat. The new plat includes more overall parking.

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Council Member Neilsen recalls discussion about parking during the previous hearing. He verified that street parking is not allowed, so the guest parking is outside of the designated areas. There will be signs posted indicating no parking, they are fire lanes only.

Council Member Salmonsens asked about setbacks in the development agreement. Mr. Walker stated they are zero lot line and ten feet on the rear for setback. Deputy Fire Chief Victor Islas stated that because this is a continuation of what they originally had with a different product he is ok with it.

No members of the public signed up to speak.

Mayor Chadwick closed the public hearing at 7:46 p.m.

- Council Member Neilsen stated that as he looks at this application, the only change is converting from multifamily to single family individual lots. He moves to approve the PP24-02 Amazon Villa Subdivision request with conditions set forth in staff report. Council Member Salmonsens second the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Salmonsens – aye.; Neilsen – aye. Motion carried.

- B. **PUBLIC HEARING: Lake Haven Estates (FILES: PP-24-02; PR-24-02 & FL-24-01)** - The Applicant is requesting approval of a Preliminary Plat for a proposed residential subdivision consisting of 30 residential lots and 7 common lots with private streets with security gates. The property is located on the east side of Bent Lane in Star, Ada County, Idaho, and consists of approximately 65.30 acres with a proposed density of 0.46 dwelling units per acre. **(ACTION ITEM)**

Mayor Chadwick read the rules and asked if there was any ex parte contact to report; none was reported. He opened the public hearing at 7:47 p.m.

Planning & Zoning Administrator Shawn Nickel reviewed Lake Haven Estates Preliminary Plat and Private Street. The applicant is asking for 30 residential lots, 7 common lots and private streets with security gates. Annexation and Zoning as well as Development Agreement was previously approved. There is a late exhibit from Star Fire dated 7/10/24. Items for consideration include private streets, waiver block length, and waiver of sidewalk on one side of the private street. Staff recommends approval with conditions.

Stephanie Hopkins, 5725 N Discovery Way in Boise presented for the applicant. Originally asking for about 65 acres, south of Hwy 44 and Bent Ln; properties to the west are already annexed and surrounded by agriculture land to the north. Proposing 37 with 30 buildable and one existing, they will transition from 1/3 acre lots and larger. Lots sizes range from 13000 to 380000 and average is just over an acre. Density, excluding the 18-acre section, is about 0.62 dwellings per acre. Request includes a private road with a 60 foot right of way on Koa Ln, Lake Haven Lane will be 49 foot right of way; proposing 5' sidewalk on both sides of Koa Lane and on just the east side of Lake Haven. Chateau Place is an entry to the subdivision with a twelve-foot island at the entrance. Mail will be outside of the gate. Roads will be designed and built to the Star and ACHD requirements but be private roadways. They are in agreement with Fire requirements. Amenities including a pickleball



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court, central pond, pathways along the canal with a connection to the central pond and over 10 acres of open space were discussed. Fencing will have open vision 4 to 6 feet in height along the back of buildable lots and along common lots that entering common area.

Tim Eck, 6357 Buena Vista Ln, Star spoke about the open space along River Ranch Lane and right now the back of the curb drops off about three feet, it will be graded up to the curb and be a benefit for the open space and for the view he thinks it is a great development and he looks forward to seeing it built.

Council Member Salmonsens stated that part of the application is in the flood plain, she asked if that area could be pointed out. Ms. Hawkins explained the location of the flood way and the flood plain in the southern portion near the river. The majority of the 30 parcels out not in the flood plain but they will be working with staff and FEMA to ensure the flood plain development application is completed.

City Engineer Ryan Morgan clarified that most of it is in the flood plain, very little in the flood way. Council Member Salmonsens stated that code says one home per one to two acres and only two or three will be impacted by this.

Council Member Salmonsens asked about the requirement to have four amenities. Ms. Hawkins said that staff is allowing what they have because there is so much open space, they are allowing three with the pickle ball court, pathways, central amenity pond for residents. Shawn Nickel stated that this meets intent of code and stated that the applicant could request a 50% reduction, but they haven't, so it exceed what they are required to do.

Chadwick closed the public hearing at 8:07 p.m.

Council Member Salmonsens discussed pathways along the river.

Council Member Hershey is supportive of the development and feels it is well thought out; he moved to approve the Lake Haven Estates PP24-02 and PR24-02 and FL24-01 with the conditions, and accepting the private streets with the gates, waiver of the block length and the waiver of the sidewalks as presented. Council Member Neilsen second the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Salmonsens – aye.; Neilsen – aye. Motion carried.

- C. **PUBLIC HEARING:** Fire & Police Mitigation Fee Increase - The City Council and Mayor of the City of Star will hear public testimony regarding a fee increase in excess of 5% for Police and Fire Mitigation Fees. The increased proposed fee increase will be utilized to help offset House Bill 389 enacted during the 2021 Legislative Session. **(PUBLIC HEARING)**

Mayor Chadwick explained that the original mitigation fee was approved in 2022 for personnel. The challenge is for growth to pay for itself with regard to public safety. The mitigation fee increase is not supported by the Building Contractors Association (BCA) as increases create challenges for them. He had discussions with the BCA to help in getting changes to House Bill 389 that provided restrictions on levying on new construction value. Mayor Chadwick reviewed the current fee at \$1200 for Police and \$1120 for Fire and the proposed increase to \$3360 for Police and \$3600 for Fire.

Mayor Chadwick opened the public hearing at 8:16 p.m.

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Council Member Neilsen shared thoughts about the impacts of House Bill 389 as well as those who supported it or could have stood up against it and didn't which includes the BCA. He doesn't like the fees but believes that growth must pay for itself. Pressure needs to be applied to get the changes made. He shared thoughts on the fire station and the need for the city to stay current with services; there is a scenario where people do not want to pay more taxes, but without these fees the people will have to pay higher premiums on homeowners insurance and the fire district could be at risk, pay now or later, HB 389 punishes the citizens of Idaho and especially in those cities that are growing.

Mayor Chadwick stated there is a coalition working on a legislative solution, the issue is not unique to Star and is happening all over the state. Star is the only city in Idaho and completely understand and need to get legislation changed to make sure we can keep the necessary safety.

Chuck Lamb, 12236 W Lacerta asked about the fee proposals. Mayor Chadwick stated they are only in discussion mode.

Assistant Planner Ryan Field clarified that building permits slowing down is a unique equation, in the last three months 550 applications have been submitted and only 300 of them have been issued. There is still a significant number to be issued and slowdown in applications submitted and seeing normal numbers before influx. A development just kicked off north of Amazon Falls and another to build 340 apartments all at once. There still are a fair number of permits coming to in with an opportunity to issue those at the higher amount and let growth truly pay for itself.

The letter from the BCA was discussed. Council Member Salmonsens said that unfortunately this additional fee is going to get passed onto the home buyers, she isn't sure how first time homebuyers can buy homes, she couldn't move to Star today. She doesn't like to increase the fees, but as it has been stated our hands are tied. Our citizens want excellent service by fire and police. This is our only tool in order to provide the service and keep our community state. Hopefully the state will change their laws.

Mayor Chadwick said that the BCA is not supportive. It is going to take pressure on the state to make the change.

Council Member Wheelock read from the BCA letter and prepared to engage in acknowledge the problem.

Council Member Hershey discussed needs for first responders including personnel, equipment and technology. This is the only solution available.

Council Member Neilsen said the state requirement for funding the personnel for a fire station is that those funds come through property taxes or fees like this, the state has tied our hands in that funding. Another option is to leverage the public health and safety clause and issue a moratorium and shut down all building in Star which isn't healthy for anyone. The options are limited.

Mayor Chadwick closed the public hearing at 8:31 p.m.



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- Council Member Hershey moved to approve the resolution as noted with the rates as discussed at \$3,360 for Police and \$3,600 for Fire, Council Member Neilsen seconded the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Salmonsens – aye.; Neilsen – aye. Motion carried.

7. ACTION ITEMS:

- A. **Police & Fire Mitigation Fee Resolution # 015-2024** - A resolution of the city of star, Idaho within Ada and Canyon Counties, updating a policy for the continued issuance of mitigation fees for Star Police and Star Fire Personnel on Residential and multi-family building permits; explaining the reasons for the issuance of mitigation fees; encouraging other entities to repeal and replace or modify house bill 389 (2021) and providing an effective date. **(ACTION ITEM)**

The resolution was approved in the previous motion.

- B. **Golf Cart & Bike Purchase** - Approval of Golf Cart Purchase not to exceed \$10,000 and a ~~Backup Bike~~ ~~not to exceed \$3,500~~ from Eco Motors **(ACTION ITEM)**

Mayor Chadwick stated this is for the golf cart only the bike isn't part of this purchase.

Accessories for the cart was discussed.

- Council Member Hershey moved to approve this purchase not to exceed \$10,000, Council Member Neilsen seconded the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Salmonsens – aye.; Neilsen – aye. Motion carried.

8. ADJOURNMENT

Mayor Chadwick adjourned the meeting at 8:34 p.m.