



## **STAR CITY COUNCIL REGULAR MEETING MINUTES**

City Hall - 10769 W State Street, Star, Idaho

Tuesday, August 17, 2021

7:00 PM

**Agenda Item 1) CALL TO ORDER** – Mayor Chadwick welcomed everyone and opened the meeting at 7:00pm.

**Agenda Item 2) INVOCATION** – Dustin Tessneer from the Interfaith Group led the invocation.

**Agenda Item 3) ROLL CALL** – Present were Mayor Chadwick, Council President David Hershey; Council Members; Michael Keyes, Jennifer Salmonsens and Kevin Nielsen. Staff present were City Attorney Chris Yorgason, Public Information Officer Dana Partridge, City Planner Shawn Nickel, Assistant City Planner Ryan Field and City Clerk Jacob Qualls.

### **Agenda Item 4) Public Comment**

Gary Smith – 258 S. Langer Lake Way, Star, Idaho

Mr. Smith brought up the weeds on the lot next to the elementary school and asked about code enforcement caring for that.

Code Enforcement Official Ryan Field was invited to the podium. He addressed that the empty lot on the south of the school had already had a letter sent to the landowner asking them to abate the problem. Councilman Keyes brought up that Mr. Smith was addressing the property to the north of the school. Ryan Field addressed that he has already talked to the developer, and they have the weed abatement scheduled with a contractor already. Councilman Nielsen and Councilwoman Salmonsens asked about the weeds along Floating Feather Road. Ryan Field addressed that this is irrigation district land and their responsibility to maintain, and he is working to get this addressed. Councilman Nielsen advised that sometimes, the HOA will own the property and the irrigation district will just have an easement to use, so the HOA is responsible for the maintenance.

Todd Lavell

Wanted to discuss one of the public hearings. Mayor Chadwick advised that was going to be tabled to another date.

Brian Stacksak

He had the same question as Mr. Lavell.

Chris Todd – 53 N. Plummer Road, Star, Idaho

Chris just came from a coach meeting from a Star Recreation league, and they are in need of coaches for football for the 10–13-year old's. They are looking at eliminating teams and kids from the program due to a lack of coaches. Chris wanted to drum up some interest and advised people to contact Ron Weston with Star Recreation if they are interested or have questions.

### **Agenda Item 5) Consent Agenda**

- Keyes made a motion to approve the consent agenda and read each item.

Item 5A – Approval or Claims Provided and Previously Approved, July 27-August 10, 2021



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Item 5B – City Council Meeting Minutes from May 4, 2021

Item 5C – Findings for Cranefield Subdivision – Revised

Item 5D – Final Plats for Canvasback Subdivision #1 (FP-21-14) and Trapper Ridge Subdivision #3 (FP-21-16)

Item 5E – Appointments of Sue Spear and Maria Anderson to the Parks, Arts & Beautification Committee

Shawn Nickel added clarification to the findings for Cranefield and read them into the record.

Page 4 – Under Subdivision and Street Names - Street Names will be approved by Ada County rather than Canyon County.

Page 15 – Item 5M – Annexation is in the best interest of the city, Council finds that the property is already rezoned. Request is reasonably necessary for the orderly development of the City.

- Keyes amended his motion to include Mr. Nickel's additions. Salmons seconded the motion. Voice vote of all members present signified aye. Motion carried.

### **Agenda Item 6) – PUBLIC HEARINGS & ACTION ITEMS**

#### **Agenda Item 6A) – Budget Hearing – Review written Comments – Close of Public Hearing**

Mayor Chadwick stated the public hearing on the budget was left open to collect written comments. Additional comments were posted on the website. Mayor Chadwick closed the public hearing and moved to Council deliberation.

Mayor Chadwick made an adjustment to the Police Budget \$1,518,780.41, a difference of \$59,000. Chadwick advised that the budget cannot be increased from the published amount of \$12,627,273.04. He proposed a decrease of \$45,549.59 for new software costs that can be partially paid for during this current budget year for Black Mountain and Muni Code software and \$14,250 from the general fund transfer.

Keyes asked for an explanation of the increase in the total budget from last year. Chadwick said the largest reason was the increase in building fees and an increase in sales tax revenue from the State versus prior year. Keyes also added that a large portion is the pass-through fees that we collect for other agencies. We also have transfers from savings for park improvements, proportionate share projects and over \$2M in ARPA funds from the Federal Government.

- Keyes made a motion to approve the 2021 / 2022 budget as presented. Nielsen seconded the motion. Voice vote of all members present signified aye. Motion carried.

#### **Agenda Item 6Bi) – Canyon Highway District 4 Presentation**

##### **Chris Hopper with Canyon Highway District 4**

Chris Hopper reviewed a slide deck that was previously presented to the City Council to review the process and math behind creating the Mid-Star Service Area CIP, and the proposed Canyon Highway District 4 Impact Fee



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Schedule. Hopper explained that the proposed fee is more than the current Ada County Fee because trip lengths and vehicle miles travelled are greater in Canyon County versus Ada County. The Mid Star area will use service level D as an acceptable level. Ada County uses service level E. Canyon County expects to see a much higher increase in population than Ada County over the next 20 years. Canyon County also has less traffic mitigated intersections as most are controlled with stop signs. Projects will be funded and prioritized in concert with the City of Star and the Highway District. One key difference of this program versus Ada County, fees collected in Star will stay in Star and be used for improvements in Star.

### **Agenda Item 6Bii) – PUBLIC HEARING**

#### Mr. Scott Smith

Signed up to speak, was not present when this public hearing was opened.

Mayor Chadwick opened the hearing to those in attendance.

#### Joanna Harbison – 11557 W. Meadow Breeze

Her concern was widening the bridge and how to get in and out of the City. She was confused and thought the public hearing signs that she saw along 20-26 were for the road improvements and not for subdivisions. Chadwick advised her to come testify at the Ada County public hearing for the road improvements when that happens, probably in the next 10 years. Keyes said his recent conversation with ACHD indicated that Highway 16 improvements to Interstate 84 were to be completed by 2025.

Chris Hopper did not have a rebuttal. Mayor Chadwick closed the public hearing.

### **Council Deliberation**

Keyes thanked Mr. Hopper for his work on this and made a motion to read the ordinance, by title only. Hershey seconded the motion. Voice vote by all members present signified aye. Motion carried.

Mr. Jacob Qualls, City Clerk read the title of the ordinance for the first time.

**Agenda Item 6C) – Public Hearing** Stargazer Subdivision Annexation and Zoning, Development Agreement and Preliminary Plat (AZ-21-04/DA-21-06/PP-21-01) – **Previously Tabled from July 20, 2021**

**TABLED INDEFINITELY**

**Agenda Item 6D) – Public Hearing** – Inspirado Subdivision Annexation and Zoning, Development Agreement, Planned Unit Development and Preliminary Plat (AZ-21-09/DA-21-11/PUD-21-01/PP-21-12)

**TABLED INDEFINITELY**

**Agenda Item 6E) – Public Hearing** – Starpointe Subdivision Annexation and Zoning, Development Agreement and Preliminary Plat (AZ-21-07/DA-21-09/PP-21-10)

**TABLED INDEFINITELY**



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**Agenda Item 6F) – Public Hearing – Oaklawn Subdivision Annexation and Zoning, Development Agreement and Preliminary Plat (AZ-21-08/DA-21-10/PP-21-11)**

**TABLED INDEFINITELY**

Shawn Nickel spoke to items C, D, E and F. Each of these projects are dependent on a pathway for annexation. City Attorney Yorgason is concerned that by hearing a potential development that does not currently have a direct pathway it could give the indication that annexation would be approved automatically, which is not necessarily the case. Yorgason spoke with the legal representation of the developer and they agreed that these agenda items should be pulled from the agenda until traffic reports were finalized and submitted to the City.

- Keyes made a motion to table Items C, D, E and F indefinitely. Nielsen seconded the motion. Voice vote of all members present signified aye. Motion carried.

Mayor Chadwick noted that the public would be advised when these public hearings would be re-scheduled via public notice and property signs.

**Agenda Item 6G) – Grace Assisted Living - Annexation and Zoning, Development Agreement and Conditional Use Permit (AZ-21-13/DA-21-19/CUP-21-04) –TABLED TO SEPTEMBER 7, 2021**

- Keyes made a motion to table Grace Assisted Living (AZ-21-13/DA-21-19/CUP-21-04) to September 7, 2021. Hershey seconded the motion. Voice vote by all members present signified aye. Motion carried.

**Agenda Item 7) ACTION ITEMS**

**Agenda Item 7A) – Private Street – Bruce Borup (PR-21-10) TABLED TO AUGUST 24, 2021**

Shawn Nickel – City Code requires private road requests to come before the Council for approval, but not as a public hearing. Staff has prepared a report for Council to review. Keyes asked for a pathway easement along the property and the Lawrence Kennedy canal. Nickel said he did not believe that we can condition this type of application for an easement. Yorgason advised that we cannot do a development agreement on this application, but they can do a condition of approval. Keyes asked that this be tabled to next week in order to review with Mr. Borup.

- Keyes made a motion to table this application to August 24, 2021. Salmonsens seconded the motion. Voice vote of all members present signified aye. Motion carried. **Agenda Item 7B) – Ordinance 334 with Development Agreement – Sellwood Subdivision**

Councilman Nielsen made a motion to dispense with the rule requiring the ordinance to be read on three separate occasions and to only be read, by title only. Council President Hershey seconded the motion. Voice vote of all members present signified aye. Motion carried.



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Nielsen motioned to approve Ordinance 334 Sellwood Subdivision with Development Agreement and read the title of the ordinance. Council President Hershey seconded the motion. Roll call vote by all members present signified aye. Motion carried.

### **Agenda Item 7C) – Ordinance 342-2021 – Canyon Highway District 4 (CHD4) Transportation Impact Fee**

### **Agenda Item 7D) – Fiscal Year 2021 / 2022 Forgone Resolution 2021-03**

Mayor Chadwick explained what forgone is. The resolution waives the city's option to add the available 3% property tax increase to the forgone budget at a later time.

Keyes stated that this has been done, not just by this Council, but by previous Council's and by not taking the forgone, it provides the citizens of Star an approximately 50% tax break on property taxes.

- Salmonsens made a motion to approve Resolution 2021-03 – Fiscal Year 2021 / 2022 Forgone and read the title of the resolution. Nielsen seconded the motion. Voice vote by all members present signified aye. Motion carried.

### **Agenda Item 7E) – Fiscal Year 2021 / 2022 Budget Ordinance 343-2021**

- Keyes made a motion to dispense with the rules of reading the ordinance 3 separate times and have the ordinance read one time, by title only. Hershey seconded the motion. Salmonsens asked about the totals being blank in the resolution. Chadwick advised that those will be filled in based on the approvals given tonight. Voice vote by all members present signified aye. Motion carried.
- Keyes made a motion to approve Ordinance 343-2021. Fiscal Year 2021/2022 Budget and read the title of the ordinance. Salmonsens seconded the motion. Roll Call vote indicated aye by all members. Motion carried.

### **Agenda Item 7F) – Elected Official Salary Ordinance 339-2021**

- Keyes made a motion to dispense with the reading of the ordinance three separate times and to be read once, by title only. Hershey seconded the motion. Voice vote by all members present signified aye. Motion carried.
- Keyes made a motion to approve Ordinance 339-2021 Elected Official Salary and read the title of the ordinance. Salmonsens seconded the motion. Salmonsens read a prepared statement that expressed support for the Mayor's salary while acknowledging concerns of the community and using the comprehensive plan section 11.5Y that supports the expansion of City facilities and staff based upon projected growth. She reiterated the projected growth figures over the next 20 years and the need for a full time Mayor. Keyes agreed. Nielsen added that the Mayor is already working full time and the City has been getting the benefit of a full time Mayor for part time pay for the last 18 months and appreciated the Mayor's leadership. Hershey echoed the previous comments and that he wants a full time Mayor and if something happened in the future, the Council could address the salary and make appropriate adjustments. Roll call vote indicated all ayes. Motion carried.



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### **Agenda Item 7G) – Elected Official Salary Committee Creation Resolution 2021-04**

Keyes stated that we are big enough to create a group of citizens to review the Council and Mayor's salary.

- Keyes made a motion to approve Resolution 2021-04 Elected Official Salary Committee and read the entire resolution. Hershey seconded the motion. Salmonsens asked about item 4 on the ordinance. Keyes clarified that this referred to cost of living. She also wondered if a member of Staff should be on the committee as well. Keyes advised against this since staff reports directly to the Mayor. She also asked the Mayor if he had an evaluation process, he said yes. Voice vote by all members present signified aye. Motion carried.

### **Agenda Item 7H) – City of Star Employee / Contractor Resolution 2021-05**

- Nielsen made a motion to approve Resolution 2021-05, City of Star Employee / Contractor Resolution. Keyes seconded the motion.

Keyes clarified that this is not to tell employees or contractors to not get vaccinated, but to take responsibility for their own healthy care. Salmonsens asked why we would not word this just for Covid versus all vaccinations. She stated that schools require all children to be vaccinated as does the military. She agrees that all vaccinations should be a personal decision. She cannot support this as written. She asked about liability to the City and what would change if this is passed tonight. Chadwick said all employees and contractors can be assured that their job is not at risk based on their vaccination status.

Nielsen said this is an operational perspective and makes sense since so many entities in the country are mandating vaccination. Salmonsens asked if this was a political move. Chadwick said that it absolutely was political. Salmonsens would be more comfortable if this was directed specifically toward the Covid vaccine. She is concerned about the example we are setting as adults for our children and a potential double standard. Hershey said as a federal employee, he sees the negative impact of mandating a personal choice. This resolution does not state that we can implement procedures to help prevent the spread of a disease like masks, social distancing, etc. and he supports the resolution. Salmonsens asked Yorgason if the City has any liability if a member of the public gets Covid from a city employee. Yorgason stated the legislature has passed immunity and removed any liability from organizations that do not intentionally give someone Covid or were acting reckless through next June. Yorgason said in a lawsuit, it would be very difficult to trace the exact origin of Covid and the public wouldn't know who was or was not vaccinated at City Hall. Chadwick said that Star has one of the lowest infection rates in the valley.

- Voice vote by each member present, Hershey – aye. Keyes – aye. Nielsen – aye. Salmonsens – nay.

### **Agenda Item 8) – Discussion Items**

#### **Reports:**



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- Vogt: None
- Salmonsens: None
- Keyes: Nothing business related
- Hershey: Attended the fire meeting and the new trucks are very nice. The hunter's breakfast is still on for October 16, 2021.
- Nielsen: None
- Chadwick: Directed everyone to the mural on the senior center and we will be doing a ribbon cutting prior to the next Council meeting. Blake Park construction is coming along and the irrigation pump is still out, that is why the grass is so dry. The dog park is slated to open in November. The Mayor has been invited to work with the legislature on property taxes and how to better relieve property tax. He has also been invited to work with the Canyon County Mayors on HB 389. He also advised that the group of 9 meetings are ongoing, and this is to help develop the impact areas in Canyon County.
- Nickel: None
- Partridge: None

### **Agenda Item 7) ADJOURNMENT**

Mayor Chadwick adjourned the meeting at 8:51 pm.

\_\_\_\_\_  
Mayor Chadwick A Chadwick, Mayor

ATTEST: \_\_\_\_\_  
Jacob M Qualls, City Clerk / Treasurer