

**CITY COUNCIL REGULAR MEETING AGENDA**City Hall - 10769 W State Street, Star, Idaho
Tuesday, December 05, 2023 at 7:00 PM

PUBLIC NOTICE: THIS MEETING IS RECORDED AND PLACED IN AN ONLINE FORMAT. PERSONS MAY EITHER VIEW OR LISTEN TO VIDEO / AUDIO OF THIS MEETING UNTIL SUCH TIME THE RECORDING IS DESTROYED UNDER THE CITY'S RETENTION POLICY.

1. **CALL TO ORDER** – Welcome/Pledge of Allegiance
2. **INVOCATION** – Pastor Tim Nay, LifeSpring Church
3. **ROLL CALL**
4. **PRESENTATIONS**
 - A. **Operations Grateful Hearts Check Presentation**
 - B. **Middleton / Star Fire Protection District Chief Presentation** - Fire Chief Timinsky Report
 - C. **Star Police Chief Presentation** - Police Chief Hessing Police Report & Introduction of Deputy Lonnie Neill
Ada County Sheriff Clifford - Sheriff Clifford would like to address the Citizens and City Council
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**)
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)**
 - 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 du/acres 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)**
 - 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)**
 - D. **PUBLIC HEARING: STAR CITY COUNCIL / STAR FIRE PROTECTION DISTRICT (CAPITAL IMPROVEMENT PLAN & DEVELOPMNET 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.

Any person needing special accommodation to participate in the above noticed meeting should contact the City Clerk's Office at 208-286-7247, at least 24 hours in advance of the meeting date.

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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)**
- 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.
- 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.
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)**
- 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)**
- 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)**
- 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)**
- 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)**



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- 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)**
 - 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)**
 - H. **Sweeper Purchase** - Approve Purchase of Sweeper in the amount of \$21,692.65 under Sourcewell Government Contract (031121-ACO Pricing) **(ACTION ITEM)**
 - 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)**
 - 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)**
8. **ADJOURNMENT**



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The meeting can be viewed via a link posted to the City of Star website at staridaho.org. Information on how to participate in a public hearing remotely will be posted to staridaho.org under the meeting information. The public is always welcomed to submit comments in writing.

Land Use Public Hearing Process

Public signs up to speak at the public hearing

Mayor Opens the Public Hearing

Mayor asks council if there is any Ex Parte Contact

Applicant has up to **20 minutes** to present their project

Council can ask the applicant questions and staff questions

Public Testimony (**3 minutes per person**)

1. Those for the project speak
2. Those against the project speak
3. Those who are neither for or against but wish to speak to the project
4. Council may ask the individual speaking follow-up questions that does not count towards their 3 minutes

Applicant rebuttal (**10 minutes**)

Council can ask the applicant and staff questions

Mayor closes the public hearing

Council deliberates

Motion is made to approve, approve with conditions, deny or table the application to a date certain in the future

Thank you for coming to the Star City Council meeting, public involvement is fantastic and helps in shaping our city for the future. As this is a public hearing, there will be no cheering, clapping, jeering or speaking out during the hearing. Only the person at the podium has the floor to speak during their allotted time. If someone does speak out, cheer, claps, etc. they will be asked to leave the hearing and or escorted out of the hearing. We want to keep these hearings civil so everyone can be heard.

Thank you for your participation.

Mayor Trevor Chadwick