



CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho
Tuesday, November 15, 2022 at 7:00 PM

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

Mayor Chadwick called the meeting to order at 7pm and introduced Girl Scout Troop 675. Members of the troop led the Pledge of Allegiance, and Mayor Chadwick welcomed students from Middleton High School who were attending in conjunction with their Government class.

2. **INVOCATION** –

Pastor David Ax of Calvary Star Church offered the invocation.

3. **ROLL CALL**

Elected officials present : Council President David Hershey, Mayor Trevor Chadwick, and Council Members Jennifer Salmonsén, Kevan Wheelock, and Kevin Nielsen.

Staff present: City Engineer Ryan Morgan, Assistant City Planner Ryan Field, City Planner/Zoning Administrator Shawn Nickel, City Clerk-Treasurer Jacob Qualls, Public Information Officer Dana Partridge, Police Chief Zach Hessing and Chris Yorgason (via remote).

4. **PRESENTATIONS & REPORTS**

A. **Star Police Report (October 2022) - Chief Hessing**

Chief Hessing introduced two new deputies from the Star Police Department. Hessing started with Detective Damien Rodriguez, explaining that Detective Jonathan Steele was recently promoted to Sergeant, which created the vacancy. Detective Rodriguez will fill the role of property crimes detective. Detective Rodriguez previously served in the U.S. Army National Guard and has a bachelor's degree in Criminal Justice from Southern Oregon University. Hessing stated that Rodriguez has excellent experience with patrol, gang/narcotics investigation, and as a field training officer.

Hessing next noted that back in October, the City of Star created another position for sergeant and thanked the Council for their support. He introduced Sergeant Travis DeBie. Hessing introduced DeBie as the City of Star's newest Patrol Sergeant. DeBie was born in Southern California and moved to Idaho at the age of seven, going on to attend Twin Falls High School. DeBie holds an A.A. degree in Criminal Justice from the College of Southern Idaho and a Bachelor's degree in Multi-Disciplinary Studies from Boise State University. DeBie worked in juvenile detention, general crimes, and as a narcotics detective. He most recently worked as a major crimes detective in Kuna, and Hessing noted that he was excited to bring in DeBie's expertise.

Chief Hessing reviewed the police report for October 2022, with total crimes of 21, up a bit from September (at 17), and still in the projected range of between 16.1 and 18.2 crimes per thousand. Hessing clarified citizen calls for service vs. the proactive policing approach that Star Police utilizes. He said their goal is to have "3 to 1" (three proactive policing calls to one citizen call). He noted that the police have a new CAD System (a CAD system manages information that comes in from multiple response systems and provides

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aide to be able to better optimize dispatching responders). He further stated that there was an increase in juvenile activity, traffic stops dropped, and property calls increased a bit. Total arrests included two DUI's. He noted that Chinden and Star is a bad intersection for crashes. Hessing summarized that the departmental goal is to remain under four minutes from dispatch to response/arrival.

Council Member Wheelock noted that twelve property crimes appeared to be a large spike. Hessing provided additional clarification that there were three burglaries, two grand thefts, and two petty larcenies. He also noted a case of fraud and four vandalism cases. In the case of the burglaries, Hessing said the police think it is the same individual and they are proactively investigating the matter. Mayor Chadwick noted that RING and other similar home monitoring systems are very helpful to the deputies in helping solve neighborhood crimes.

B. Mayor's Walking Challenge Winners Announcement

Mayor Chadwick announced that the Blue Cross Foundation holds a contest every October. The foundation awards \$1,000.00 to cities to utilize for healthy living initiatives if their Mayor walks 150,000 steps. In turn, the City of Star held a contest where citizens could win a \$100.00 gift card if they walked 150,000 steps. Mayor Chadwick acknowledged Isabel Genovic, a Star resident who won \$100.00.

Council Members Hershey and Salmonsens both participated to help promote the contest; Mayor Chadwick noted that they were not eligible to win and thanked them for supporting the effort.

5. CONSENT AGENDA (ACTION ITEM)

Mayor Chadwick noted administrative corrections to the evening's Consent items with respect to conditions of approval as indicated in ***bold italics*** below.

- A. **Approval of Minutes:** June 21, 2022
- B. **Approval of Claims Provided & Previously Approved:**
- C. **Findings of Fact / Conclusions of Law:** Madenford Estates Subdivision (**FILES AZ-22-06; DA-22-06 & PP-22-11**) – ***correction- remove the open fencing condition***
- D. **Findings of Fact / Conclusions of Law:** Junction Crossing Phase 2 (**FILES: PP-22-08 / DA-22-16**)
- E. **Final Plat:** Langtree Bungalows Phase 1 (**FILE: FP-22-19**) ***correction – add fiber conduit condition and Fire District approval for the common drive***
- F. **Final Plat:** Trident Ridge Phase 6 (**FILE: FP-22-24**) – ***correction – update conditions on park dedication***
- G. **Final Plat:** Canopi Estates Phase (**FILE: FP-22-21**) – ***correction -- add fiber conduit***
- H. **Final Plat:** Inspirado Phase 2 (**FILE: FP-22-22**)
- I. **Final Plat:** Rosti Farms Phase 6 (**FILE: FP-22-17**) – ***correction - added fiber conditions***
- J. **Final Plat:** Candau Estates Subdivision (Moyle Heights Subdivision) (**FILE: FP-22-23**) ***correction – added irrigation condition.***

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- Council Member Salmonsens moved to approve the Consent Agenda. Council Member Nielsen seconded the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Salmonsens – aye, Nielsen – aye. Motion carried.

6. 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 will 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. Tabled from November 7, 2022 - Ordinance 374-2022 - Barron Properties Rezone & Development Agreement: AN ORDINANCE REZONING CERTAIN REAL PROPERTY LOCATED IN THE CITY OF STAR, ADA COUNTY, IDAHO; MORE SPECIFICALLY LOCATED AT 342 S. CALHOUN PLACE, IN STAR, IDAHO (ADA COUNTY PARCELS S0416120900); THE PROPERTY IS OWNED BY BPS CALHOUN COMM LLC; ESTABLISHING THE ZONING CLASSIFICATION OF THE REZONED PROPERTY AS COMMERCIAL WITH A DEVELOPMENT AGREEMENT (C-2-DA) OF APPROXIMATELY 11.38 ACRES; DIRECTING THAT CERTIFIED COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; PROVIDING FOR RELATED MATTERS; AND PROVIDING FOR AN EFFECTIVE DATE. **(ACTION ITEM)**

Mayor Chadwick noted the applicant had notified the City at 6:00 p.m. that evening that they would like to have the item pulled due to some open questions about the development agreement. He asked City Attorney Yorgason whether Council needed to correctly table the hearing again or if it was acceptable to pull it from the agenda. Yorgason clarified that since it was not a development agreement, it is not required to table it to a specified date with respect to noticing/public hearings. Yorgason guided that the item could be either pulled from the agenda or it could be handled by motion; he expressed that a motion was best for minutes/public record purposes.

- Council Member Nielsen moved to remove Item 6A from the agenda; Council Member Hershey seconded the motion. ROLL CALL VOTE: Hershey – aye; Salmonsens – aye; Wheelock – aye; Nielsen – aye. Motion carried.

7. PUBLIC HEARINGS with ACTION ITEMS: (The Council may move to approve, approve with conditions, delay, deny or table the application(s) to a date certain in the future).

A. PUBLIC HEARING: Colt Heights Subdivision (FILES: PP-22-09 & PR-22-03) - The Applicant is seeking approval of a Preliminary Plat and Private Street for a proposed residential subdivision consisting of 5 residential lots and 2 common lots. The property is located on the north side of the existing Colt Place Subdivision in Star, Idaho, and consists of 10.96 acres with a proposed density of .46 dwelling units per acre. **(ACTION ITEM) - TABLE TO DECEMBER 6, 2022**



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- Council Member Salmonsens moved to table the public hearing to December 6, 2022 for the Colt Heights Subdivision. Council Member Nielsen seconded the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.
- B. **PUBLIC HEARING: Munger Creek Subdivision (FILES: AZ-22-09; DA-22-09 & PP-22-14)** - The Applicant is seeking approval of an Annexation and Zoning (R-4), a Development Agreement, and Preliminary Plat for a proposed residential subdivision consisting of 90 residential lots and 13 common lots. The property is located at 12101 W. Circle Bar Lane & 1821 N. Munger Lane in Star, Idaho, and consists of 25.19 acres with a proposed density of 3.57 dwelling units per acre. **(ACTION ITEM)**

Mayor Chadwick explained the rules of the public hearing. He asked the City Council if they had had any ex parte communication and hearing none, opened the public hearing at 7:27 p.m.

Applicant Presentation:

Wendy Sharif, 2760 Excursion Way, Meridian, introduced herself and explained that she was a planner with JB Engineers making the applicant presentation. Sharif explained that the applicant was applying for annexation with R4 zoning to limit density. She stated that the Comprehensive Plan designation is Neighborhood Residential, which allows for 3-5 units per acre. The project is proposed with 3.57 dwelling units per acre and is located at the Northeast intersection of Munger and Floating Feather. There are existing subdivisions to the North and to the East; she said both have different Comprehensive Plan descriptions and are slightly less dense and approved at Estate Urban.

Sharif stated that what she thinks are exactly the type of single-family residential homes Star is great at doing and what people need right now is detached single family homes. The average lot size of the project will be 6600, with 21% open space. Amenities would include a playground, picnic area, and gazebo. Another amenity would be a pedestrian pathway which would be stubbed to a future project. Sharif noted that the amenities were noted in the Staff Report, and that all would be included in the project. Using a map, she pointed out that the landscaping plan shows slightly larger lots at the perimeter of the subdivision, with landscaping along the sidewalks as a buffer. She stated that the developer will meet all conditions for setbacks and noted that they do not have any residential lots that are adjacent to the back of the other subdivision. Sharif summarized that the development team agrees with the conditions listed in the Staff Report and stood for questions.

Mayor Chadwick inquired about elevations and lot size. Sharif replied that they did not have elevations but would meet all setbacks.

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Public Testimony:

Murray Lodge, 12101 W. Circle Bar Lane, Star, identified that he was the landowner for the project. Mr. Lodge said that this has been over a year in development. He noted the project went through re-zoning and verified that it would be three to five units per acre. He said that everyone in the area understands Star is growing. He said this is keeping density closer to town and for the project.

Kathleen McCoy, 11844 N. Catamaran Way, Star, said that she was a board member of the Star Creek subdivision and said that the subject property as proposed does not match her neighborhood's density. She said that the properties that are along Catamaran Way are all ten thousand square feet or better, which is closer to a quarter acre lot size. She expressed concern over safety, noting multiple near-accidents at the intersection at the entrance at Catamaran Way. McCoy expressed concern of safety, for HOA expenses, and the density of the properties.

Council Member Hershey asked clarification as to the problematic intersection. Discussion ensued that it was at Floating Feather and Munger where all the Catamaran houses are now and the commuters from the lower density Fallen Brook subdivision tend to move through too fast.

Doug Barrow, 11972 Catamaran Way, Star, stated that he is an original homeowner there and that traffic has increased and is much worse due to the other developments as they have come in. He said he is often stuck behind the trucks working in the area. He said that when ninety or more houses are built with the growing traffic issues, it will be increasingly difficult for people. He said the lots are not consistent and are a quarter of an acre or more, and the proposed subdivision has lot sizes half of that size. He expressed concern about improving Floating Feather. He said he is not against development, just that it should be suitable and consistent with surrounding subdivisions.

Rhonda Boyce of 11819 N. Catamaran Way, Star, said she was present with neighbors. She said with the placement of the neighborhood, it will cause people to have to jet across the road to enter. She proposed that the road be offset somehow. Boyce said that she looked up Ada County traffic standards and thought of one of the electronic speed signs (mounted on trailer), but that when that goes away, speeding ensues again. She also expressed concerns over sidewalk development and timing as noted in the Staff Report, mentioning that there is an elderly couple that walks along that way.

Mayor Chadwick asked about the location and mentioned Plummer Road where the City was able to have a temporary pedestrian crossing put in, noting more and more pedestrians in the area.

David Bundy, 11900 N Catamaran Way, Star, expressed concern over safety. He said he lives just about at the center of Catamaran, and that the street is short with ten houses. He said he can hear vehicles coming and accelerating from Floating Feather. Bundy said that he cannot get from his house to the street fast enough to flag people and warn them to slow down, and that it should not be his responsibility. He

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expressed concern over an additional ninety houses in terms of traffic and the placement of the intersection. He said he supports the remarks of neighbors.

Applicant Rebuttal:

Wendy Sharif thanked the neighbors for coming and giving feedback. She addressed the ACHD staff report and said it was actually a requirement of ACHD to align with Catamaran on the other side of Munger. She said the applicant's proposal to construct a new local street Catamaran Way to intersect Munger Road across from the site meets District policy and should be approved as proposed with the alignment.

Mayor Chadwick asked how the applicant would propose to remove a cut-off, or how it could be fixed. Chadwick and Sharif discussed traffic calming measures such as a construction island and the idea of going back to ACHD to discuss further so a solution can be determined.

Council Member Nielsen asked if Munger was being widened in order to have a center turn lane. It was noted that the developer as part of their ACHD condition would be required to pay a substantial sum into a roadway fund toward the development of improvements at Munger and for the bridge.

City Planner Nickel mentioned a cul de sac option and speed bumps as potential mitigation.

Sharif said the applicant would be happy to have discussion on this prior to having findings and provided a memo from ACHD. Council Member Nielsen mentioned a roundabout might be an option to consider.

Sharif mentioned higher density for the proposed project but that is in keeping with the comprehensive plan designation and that to the north is 150 feet between the northern boundary of the proposed subdivision and the southern boundary of the Craftsman Estates. She asked if Council had any other questions.

Mayor Chadwick reaffirmed that the applicant would be amendable to working with ACHD on mitigation for cross traffic (possibly even a cul de sac) and noted that this would be a condition of approval. Sharif noted that she didn't want to obligate her client to any improvements that are outside of their project and noted they were in the audience and asked them to comment.

Riley Burner, 1307 E. Lone Creek Drive, Star, said that ACHD had approved this road and the subdivision on the north and placed the full mitigation on his project and a couple hundred lots to the north. He said he felt some tension in terms of bearing the full cost of a cul de sac. He said he would like to see what can be done together.

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Council Member Salmonsens noted three common driveways and that she did not see a response from Star Fire District. Sharif said she spoke with the Fire District and will need to meet their conditions with respect to only allowing two homes per driveway. Council discussion ensued on corner knuckles for the extra lots.

Council Member Salmonsens inquired if fencing type had been determined yet; Sharif replied that it had not yet been decided. Fencing and the pathway to the south was discussed. Sharif said the applicant would meet City of Star standards on pathways. Discussion continued on stating a condition that a pathway along the canal will meet all standards and be open to the public.

Council discussion mentioned clarification on the landscaping plan and the tree berm.

Mayor Chadwick closed the public hearing at 8:12 p.m.

Council Deliberation:

Council Member Nielsen thanked the applicant and said the property is a well kept and beautiful part of Star. He said he loved to see the fields but recognizes property owners' rights to develop. He noted that setbacks are in compliance with City standards, that he appreciates the lower density. He thanked the public for providing comment. He said he supports the condition that ACHD be contacted to work toward solutions beyond the application. He summarized that the project met City standards.

Council Member Wheelock said he discussed the Catamaran issue with Chief Hessing and hopes that meeting with ACHD will help identify mitigation. He recommended the sidewalk corner knuckles. He noted the density is from a different, earlier comprehensive plan and said he is generally for the proposal.

Council Member Hershey said he was generally supportive of the proposed project. He said the setbacks and density were okay. He expressed approval of a crosswalk. Hershey asked if there was any way the project could come back in front of council, as he would like to see the traffic mitigation issues resolved.

Council Member Nielsen said another idea might be to change Catamaran into a private road and install bollards and prevent traffic entirely, however he noted that Council does not have jurisdiction and must rely on ACHD.

Council discussion surrounded good faith efforts and what could and could not appropriately be placed as a condition of approval for the project.

Council Member Salmonsens said she felt the project meets the intent of the comprehensive plan and that she supports it. She said she would like to see the common driveways removed.



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- Council Member Hershey moved to approve the Munger Creek Subdivision with the following conditions of approval: that it meets City of Star comprehensive plan, density, and with an opportunity for a meeting with ACHD, the City, and residents of the area to have good faith discussion on resolving traffic issues, to follow Star Middleton Fire District recommendations including specifically the common driveways, open fencing on the south side, ACHD conditions for a road trust addition of the pedestrian path, the pedestrian path must be open to the public and built to City standards. Council Member Wheelock seconded the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

C. **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 Hershey moved to proceed into executive session pursuant to 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 Wheelock seconded the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

The Star City Council moved into Executive Session at 8:35 p.m., along with City Attorney Chris Yorgason. Executive Session adjournment and returned back into Regular Session at 9:12 p.m.

ACTION ITEM - Actions after Executive Session

None noted.

8. ADJOURNMENT

Mayor Chadwick adjourned the meeting at 9:13 p.m.

_____/s/_____
Trevor A Chadwick, Mayor

ATTEST: ____/s/_____
Jacob M Qualls, City Clerk - Treasurer