



STAR CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho

Tuesday, August 3, 2021

7:00 PM

Agenda Item 1) CALL TO ORDER – Mayor Chadwick called the meeting to order at 7:00pm

Agenda Item 2) INVOCATION – Joe Carson with the Interfaith Group led the invocation.

Agenda Item 3) ROLL CALL – Present; Mayor Chadwick, Council President Hershey, Council Members Keyes, and Nielsen. Council Member Salmonsens attended the meeting remotely. City Staff; City Attorney Chris Yorgason, City Clerk/Treasurer Jacob Qualls, City Planner Shawn Nickel, Public Information Officer Dana Partridge, Star Police Chief Jake Vogt

Mayor Chadwick went off agenda to allow Police Chief Vogt to introduce Star's new persons crime detective, Ashley Turner. Detective Turner came from Ada County Sheriff's Office and specializes in Domestic Violence crimes.

Agenda Item 4) CONSENT AGENDA – Qualls advised the Council May 4, 2021, meeting minutes were not available.

- Keyes moved to approve the consent agenda consisting of items 4A. Approval of Claims Provided & Previously Approved: July 16 – July 26, 2021, and 4B. July 20, 2021, Meeting Minutes. Hershey seconded the amended motion. Voice vote indicated all Council Members signifying aye. Motion carried.

Agenda Item 5) PUBLIC HEARINGS & ACTION ITEMS –

PUBLIC HEARING - Canyon County Highway District #4 Impact Ordinance was postponed to August 17, 2021

PUBLIC HEARING - Budget Presentation Fiscal Year 2021/2022

Chadwick explained that the council would not be voting on the budget until the August 17th City Council meeting and the time for public comment would remain open until August 13, 2021. He read a welcome address discussing the challenges the city faced during the past year with the COVID pandemic. He spoke about the issues he sees with property tax valuations and how residential is bearing the brunt of taxes and we need more commercial businesses to balance this. He explained the Council believes growth should pay for growth and has initiated a first of its kind proportionate share agreements with Idaho Transportation Department. Chadwick gave a PowerPoint presentation detailing the city's revenue, expenses, impact fees, proportionate share income, savings, and property taxes. He presented the City remains fiscally conservative with zero debt and robust savings.

Chadwick called for a recess at 8:01 p.m.

Chadwick called the meeting back to order at 8:10 p.m.



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Public Testimony:

Reid Blackburn 934 N. Crews Avenue, Star

Mr. Blackburn expressed full support of Council for a full time for Mayor and salary that goes with it. Blackburn stated he has worked with Chadwick on a city project and commended his work ethic and the long hours he puts in as Mayor.

Dan Michaels 12080 Foxhaven Street, Star

Mr. Michaels stated he appreciates the current Council being fiscally responsible and believes statistical data should be reviewed before determining government salaries. He quoted several other Idaho city mayor salaries and believed the suggested full-time salary is too high and exhibits poor leadership and irresponsibility with taxpayer money.

Nielsen asked Michaels what the correlation is between population and salary. Michaels recited the salaries of various Idaho mayors. Nielsen said using the values quoted, the R Squared derived is not statistically meaningful, showing there is little correlation. Michaels agreed that there is very little correlation between the two. Nielsen suggested a better correlation would be to look at job duties similar to a position like a mayor in the private sector. He stated he believed a suggested salary is 50% of what would be paid in private sector. Nielsen asked Michaels to provide data that provides a statistical correlation between salary and population. Michaels agreed to submit this to the City Clerk before the next budget meeting.

Ashley Freeman 12339 W. Foxhaven, Star

Mrs. Freeman stated she has the same concerns as Dan Michaels. She suggested the Council needs to also look at the number of employees managed by each Idaho Mayor. She provided number of employees of various cities and suggested the city needs to hire more employees instead of increasing the salary of the mayor. She stated she thinks it is difficult to remove an elected official in the event of illegal activity or corruption and also believes existing employees should get raises before increasing salary of the mayor.

Nielsen asked again about correlation, specifically looking at number of staff versus salary. Nielsen stated in his opinion in comparison, Star is very low. Freeman believes that the city should have multiple director jobs with layers of management instead of paying a high salary for the mayor while city finances are good. Nielsen referred to Chadwick's presentation where goal for city is to maintain 1:1 ratio of reliable income to required expenses. Nielsen stated adding employees with salaries makes that goal difficult. Nielsen believes that increasing the salary of the mayor's position and increasing the role to full-time saves taxpayer money by not spending hundreds of thousands on additional employee salaries. Freeman believes some of the things Mayor Chadwick is doing should be done by city employees and not elected officials. She stated she feels this is not conducive to transparency.



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Theresa Tinsley 10459 Achillea, Star

Mrs. Tinsley stated she was concerned the budget did not include a code enforcement officer. The east entrance to the city is unsightly. Tinsley stated the Moyle property has trash and derelict buildings and Heron River Subdivision is overgrown with weeds along Highway 44. Chadwick said Moyle property is not within city limits and Heron River weeds are the responsibility of Idaho Transportation District (ITD). Chadwick stated the city has tried to get ITD to mow and continues to request clean up.

Tinsley asked about city's building inspector contract, more specifically if the contract is or should be put out to bid annually? Yorgason believe the contract is either annually renewed or perpetual until terminated. This is typical for most city contracts. Chadwick said the city is looking into process on possibly bringing it in house., but the challenge is having an additional employee salary during lulls in the building market. Tinsley thanked the Mayor and Council for their work on the budget and felt it was transparent and easy to follow. Chadwick said the city does have a code enforcer who is also the Assistant City Planner.

Jared Thompson 10229 W. Golden Rain Street, Star

Mr. Thompson stated he has lived in other Treasure valley cities and believes Star is the best. He believes now is the right time to make Mayor's position full-time and wonders if other cities should have done it sooner too. He stated this is a pivotal moment in Star's history and this Mayor and Council have done a fantastic job so far. Thompson stated he believes the current salary of \$40K for part-time should be equal to at least \$80K for a full-time mayor salary.

Christina Carlson 258 S. Alcove St., Star

Mrs. Carlson stated she was concerned with raising the salary of the mayor. She believed the Mayor Chadwick does a good job but questioned what would happen when he is no longer Mayor. She does not believe the mayor's salary should be based on the private sector and does not want a career politician to be Star's Mayor. She does want the mayor to be able to afford to live within the city so cost of living should be considered regardless of full or part time status. Carlson would like to see a fundamental formula and is concerned with the city accepting ARPA funds and the burden of any contingencies for accepting these funds. She questioned what happens to property tax rebates that cannot be delivered? Nielsen asked what she believed would be an acceptable salary. She suggested it should be based on \$2,500/month mortgage and \$2,000/month in expenses.

Denice Van Doren 11071 W. Frost Street, Star

Mrs. Van Doren has lived in Star for 21 years and attended several council meetings and budget hearings. Van Doren stated she likes the changes and progress that have taken place the past two years. She closed by stating she liked the mayor's budget presentation.



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City Clerk Jacob Qualls & City Attorney Chris Yorgason read several letters from the public:

- Steve Magdziak - Against Mayor salary increase
- Star Police Chief, Jake Vogt – In favor of full time Mayor
- Star Middleton Fire District Chief, Greg Timinsky – In favor of full time Mayor
- Dave & Beth Draybeck – in favor of full time Mayor
- Nick & Barbara Schultz – in favor of full time Mayor
- Kevan Wheelock – in favor of full time Mayor
- Scott Smith – in favor of full time Mayor
- Larry Osborn – in favor of full time Mayor
- Hans Hamilton – in favor of full time Mayor
- Judy Wheelock – in favor of full time Mayor
- Kirk Grindel – in favor of full time Mayor
- Tom Erlebach – in favor of full time Mayor
- Justin May – in favor of full time Mayor

After all letters were read, Chadwick said the City Council would not be deliberating or voting on the budget at this hearing, and the period for the public to provide written public comment would remain open until August 13, 2021. Council deliberation and a vote on the budget would occur at the August 17th meeting.

Chadwick called for a recess at 9:02 p.m.

Chadwick reconvened the meeting at 9:12 p.m.

ACTION ITEM: Reconsideration of Cranefield Subdivision

Nickel said the city had received a request for reconsideration of the Council's approval of the Cranefield Subdivision from Patrick J. Galloway, Petitioner, representing the Pinewood Lakes Community Association, Inc. Citing failure to require proper ingress and egress to and from the subdivision; failure to make proper plans for traffic impacts; and the failure to require an easement area as a buffer between the subdivision and the Pinewood Lakes community as reasons for the reconsideration. The petition also cited specific deficiencies in the findings of fact and conclusions of law.

Staff has worked with special legal counsel for the city on the request for reconsideration. With regard to traffic issues, it is staff's conclusion the ACHD report and traffic impact study for this development were included as part of the staff report and is part of the administrative record. ACHD included site specific conditions of approval to address traffic impact and mitigation requirements.



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Regarding failure to require an easement area as a buffer, the City Council considered this during the public hearing and rendered its decision including cite specific conditions of approval addressing transitional mitigation required by the developer. Staff does believe the petitioner has raised a valid argument regarding deficiencies within the findings of facts as they specifically relate to Star City Code Sections 8-1B-1C and 8-6A-7 of the Unified Development Code for annexations and rezones and preliminary plats. Specific findings and conclusions to each section referenced above should have been included as part of the adopted findings. Therefore, staff recommends the City Council grant the request for reconsideration and make additions to the Findings of Fact that address the specific claims made by the petitioner regarding section 8-1B-1C and 8-6A-7 including but not limited to incorporating the staff report into the official decision of the Findings of Fact and Conclusions of Law. Staff recommends these findings be brought back to the council on August 17, 2021, for approval. If the council has concerns with this recommendation the alternatives are to deny the request for reconsideration outright or postpone the decision to consult with Special Legal Counsel in Executive Session on August 17, 2021.

Keyes noted that he is a part of the Pinewood Lakes Association but was not aware of this request for reconsideration and believes he can act on the decision fairly and not have to recuse himself. Yorgason said Keyes position on the matter was consistent with his participation on the original Cranefield Hearing. Hershey said he was also a Pinewood Lakes resident and was not made aware of this request and believes he does not need to recuse himself either. Nielsen asked if the HOA has standing to make the request for reconsideration if they did not provide public testimony at the original Public Hearing. Nickel said he discussed this with Special Counsel, and they struggled with an answer. Several residents of Pinewood Lakes testified at the hearing. Did they testify as private citizens or as part of the HOA? Nielsen asked if the answer then was "legally no, but technically yes". Nickel agreed.

- Nielsen moved to approve to reconsideration of the Cranefield Subdivision Hershey seconded the motion but said he had questions.

Hershey wants to know if the entire public hearing needs to be reopened. Nickel said if approved, it would only require staff to add to the Conclusions of Law and Findings of Fact and bring those back documents for adoption. It was concluded the Public Hearing would not be reopened.

Keyes asked if deficiencies in Findings of law could just be fixed without having to reconsider. Nickel said the City's Legal Counsel said it would be fine. Keyes would prefer to table the decision. Nielsen asked why. Keyes mentioned an email from Special Counsel which provided an opinion on the matter and would like to speak with Legal Counsel more before moving forward with a decision. Nielsen said he had not seen any email. Yorgason does not believe that Special Counsel will be able to provide any additional information. Hershey wants to know if staff feels they have enough information to correct the deficiencies. Nickel said he did. Salmonsens reviewed the email from Special Counsel and believes staff could add the information to the Findings of Fact and move forward without reconsideration.



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- Chadwick reminded the Council there was a motion and second to approve the reconsideration.
ROLL CALL VOTE: Hershey - aye, Salmonsens - aye, Nielsen – aye; Keyes – nay. Motion carried.

Keyes noted he was not opposed to the reconsideration, but only opposed to approving it without having additional time to consult with special counsel.

Agenda Item 6) DISCUSSION ITEMS:

Keyes discussed several resolutions that were in the draft phase. First resolution would form a citizen's committee to review mayor and council salaries during election years. Committee would provide recommendations to council. Second resolution would declare the city's intent to not mandate vaccinations for city employees or contractors. Keyes is also working on an ordinance to create an open container law in Star.

Salmonsens said the Parks, Art and Beautification Committee is busy updating the parks section in the Comprehensive Plan.

Agenda Item 7) ADJOURNMENT

Mayor Chadwick adjourned the meeting at 9:31 p.m.

/s/ Trevor A. Chadwick

/s/ Jacob M. Qualls

Trevor A Chadwick, Mayor

ATTEST: _____
Jacob M Qualls, City Clerk / Treasurer