

City of Star
Council Meeting Minutes
November 19, 2019

The regular meeting of the Star City Council was held on November 19, 2019 at 7:00 pm at the Star City Hall, 10769 W. State Street, Star, Idaho. Mayor Chad Bell called the meeting to order at 7:00 pm and all stood for the Pledge of Allegiance.

Roll Call: Councilmen David Hershey, Michael Keyes, Trevor Chadwick and Kevin Nielsen were all present.

Approval of the Agenda: Chadwick moved to approve the agenda, Keyes seconded the motion. All ayes: motion carried.

Consent Agenda: Chadwick moved to approve the Consent Agenda consisting of: Claims against the City for October 2019, Liquor License for Beer Guy Saloon, Final Plat for Moon Valley Subdivision Phase 1, Time Extensions for Sample Subdivision and Reunion Subdivision #2, Nielsen seconded the motion. All ayes: motion carried.

Old/New Business:

Public Hearing – Barrell Creek Subdivision Easement Vacation: The Mayor explained the public hearing process, starting with a presentation by the applicant or representative, Council may then ask questions, followed by a staff report, then public testimony which will be limited to three minutes, and then applicant's rebuttal. The Mayor will then close the public hearing for Council deliberations. The Mayor asked Council if they had any ex-parte contact or conflicts of interest. Chadwick stated he lives in the Stevens Springs Subdivision but this proposal does not affect his property directly. The Mayor declared the public hearing open and asked the applicant to come forward.

Applicant – Becky Yzaguirre, 462 E. Shore Drive, Eagle, Idaho, stated they are asking to have an irrigation easement vacated. She pointed out the location of the easement on the map on the screen. The easement is currently on portions of Stevens Springs Subdivision and Streamview Subdivision. They are asking to have the easement vacated of all utilities and irrigation.

Public Input: Gene Jensen, 701 N. Ramey Creek Avenue, Star, Idaho, showed on the slide where his property is located and stated the easement is directly across from his property. Jensen read his letter dated November 12, 2019 into the record (copy attached) and stated this was a good deal for the developer but for him a house will be build twenty feet closer to him and he considers this a loss. Jensen requested the easement remain as laid out on the plat as approved in April 2014.

Rebuttal: Yzaguirre explained they will not be building next to him, there is a canal between Jensen's property and the easement property.

Nielsen asked if the plat will change with this application. Yzaguirre stated nothing on the plat will change. Nielsen asked if staff, Shawn Nickel, had anything to add. Nickel stated he had gone back and looked at the finding and qualifications for vacations. He noted the Council needed to look at the requirements for consideration and noted the four points: application to comply with the framework of Star's Comprehensive Plan; the vacation does not create any landlocked property; the vacation does not

restrict access to any parcel; and the vacation does not reduce the quality of public services to any parcel.

The Mayor closed the public hearing and moved to deliberations.

Hershey stated he is conflicted as Mr. Jensen had looked at the plat and made his decision to purchase based on that. When looking at the criteria he stated he could not make this change fit. Hershey asked what the distance is between the properties. Nielsen stated he estimated there would be sixty to seventy feet between them and Nickel concurred that was a good guess. Hershey noted he was willing to consider as the fence lines were not abutting each property, there is space between them and some buffering.

Chadwick stated when he looks at the four factors, he felt the application complies, and as all the utilities agree to vacate he felt the easement was no longer necessary, and that they should approve.

Nelsen moved to approve application VAC-19-01 – Vacation of Easements for Barrell Creek Subdivision, Chadwick seconded the motion. All ayes: motion carried.

Public Hearing – Blackbird Subdivision – Short Plat: The Mayor explained the public hearing process would be the same as the previous public hearing. The Mayor asked Council if they had any ex-parte contact or conflicts of interest; hearing none the Mayor declared the public hearing open.

Applicant – Dalton Black, 4636 N. High Prairie Place, Star, Idaho, stated he is essentially seeking a lot split at 11139 W. Frost Street, but since the property has previously been split it required a short plat. He is looking to split the lot to build an additional home on the property and stated there is an existing home on the lot.

Public Input: Vicki Miller, 11086 W. Frost Street, Star, Idaho, stated her property is adjacent to this property and she has concerns. When she looks at the plat it appears each side is only two and a half feet, there is not parking, and there is a house less than five feet away. She asked if they will be required to put in a sidewalk. As a property owner with one acre she is concerned with fire safety. Miller spoke with a realtor and was informed this would decrease her property value. The surrounding homeowners want to maintain a rural atmosphere, and this does away with that. It will also rob the privacy of the neighbors.

Denice VanDoren, 11071 W. Frost Street, Star, Idaho, stated she also lives close to this project and feels opposite of Miller's comments. She noted the neighbors had remodeled the existing house and have kept its integrity. She feels the house will stay in character with the neighborhood. She stated she feels there will be more than a two-and-a-half-foot setback and it does have a forty-five-foot frontage. VanDoren asked the council to review the staff report and as a neighbor hopes they will approve.

From the audience, Ingo Stroup stated he agrees with his wife's (Denice VanDoren) comments.

Rebuttal: Black gave assurances that they will meet the setbacks. The home will be thirty-two feet in width and the lot is forty-five feet; it will have a two-car garage. He plans to build the house in a farmhouse style.

The Mayor closed the public hearing and moved to deliberations.

Chadwick stated in looking at the short plat and for clarification there is parking in front. He is in favor of approving.

Keyes stated when he looks at the findings to consider he feels the project is in line and will develop in character with the neighborhood. When looking at the comprehensive plan designation, which is compact residential, this is consistent with that. Keyes asked if the City will require a sidewalk along the whole property or just across the one parcel. Shawn Nickel, City Planner, stated the City does not require a sidewalk in the downtown area.

Keyes moved to approve application SP-19-01 Short Plat for the Black Diamond Subdivision with the conditions of approval in the staff report, Hershey seconded the motion. All ayes: motion carried.

Public Hearing – Ordinance No. 300 Flood Ordinance Amendment: Mayor Bell explained they have to keep our ordinances in line with FEMA and this ordinance will put ours in line with theirs. The Mayor opened the public hearing and explained by bringing our ordinance in line with FEMA it will allow our citizens to get flood insurance.

Nielsen asked if they could get in cliff notes what is changing. The Mayor explained they are changing who the administrator will be, changing the wording for freeboard, in Article 4 changing the administrator from City Planner to City Clerk, changing start of construction from 180 days to one year and changing permit shall expire from 180 days to one year, Section C 3.a ii is deleted, and fill is prohibited in the floodway. These changes will bring our ordinance in line with their ordinance.

Public Input: No public testimony was given.

The Mayor closed the public hearing and moved to deliberations.

Keyes moved that pursuant to Idaho Code Section 50-902 the rule requiring an Ordinance to be read on three different days, with one reading to be in full, be dispensed with and that Ordinance No. 300 be considered after reading once by title only, Hershey seconded the motion. Roll Call: Hershey – aye, Keyes – aye, Chadwick – aye, Nielsen – aye: motion carried.

Chadwick moved to approve Ordinance No. 300, Flood Ordinance Amendment, an Ordinance of the City of Star, Idaho, amending Ordinance No. 286 as amended by Ordinance No. 295; adding participation criteria for flood insurance disaster relief; changing the designation of flood plain permit timeframes; changing the designation of a flood plain administrator; deleting a building under construction elevation permit; changing the required bottom of flood openings and replacing special flood hazard area with floodway under requirements; and providing for an effective date, Nielsen seconded the motion. All ayes: motion carried.

Resolution No. 2019-11 Valley Regional Transit Agreement - Nielsen moved to approve Resolution No. 2019-11, a Resolution of the City of Star, Idaho approving the 2019-2020 Cooperative Agreement between the City of Star and Valley Regional Transit for annual dues and a service contribution in the amount of \$4,727.00; authorizing the Mayor to execute such approval on behalf of the City; and providing for an effective date, Chadwick seconded the motion. All ayes: motion carried.

Discussion/Decision on Medical Coverage for City – The Mayor stated this is a discussion item regarding medical coverage for the City. They had before them information from the City's current carrier and from Idaho Independent Intergovernmental Authority (iiiA). Keyes stated he asked to have placed on the agenda to have the City consider more options. The iiiA policy was recommended to him by Chief Timinsky and they have also discussed joining other agencies or cities for possible group rates. Chadwick asked if they knew the timeframe for pricing once applications were submitted. Keyes noted too much time may have already passed but maybe they could pursue for the future benefit package. Hershey stated he was concerned with the cost to the employees; he doesn't mind seeing the City pay more to help the employees. He would entertain pursuing different options. Keyes stated he would like to pursue gathering information. The Mayor stated they will pursue having employee's fill out the application. Keyes also encouraged pursuing the option of going in with Boise for possible larger group rates. The Mayor reminded the Council once the City gives up its current plan, the City could never go back to it; it is a grandfather policy. Nielsen stated he would like to see a side by side comparison of each option. Chadwick stated he had received that comparison this morning from Mike Davies. Mayor Bell stated he will have staff check it out.

Discussion/Decision on PERSI – Mayor Bell explained they had previously talked about joining PERSI for employee retirement. Hershey stated he felt they should pursue with caution as one employee was already drawing from PERSI and two employees probably would not be working long enough to be vested. He asked what happens with the funds put in for employees and they're not vested and don't get it.

Keyes stated they have had two presentations and didn't feel they were jumping into anything. He stated he felt they should budget for it as there will be an increase in fees and they should look at the possibility to compensate employees for this. Keyes stated he didn't feel the City was competitive enough and would like the Council to do this; and if they need a transition plan, they need to start pursuing it.

Nielsen stated he felt salaries were in-line with area salaries. If they pursue, he stated he was in favor of a transition plan for those affected. He stated he felt the City offered a strong benefit package and didn't see where it was deficient.

Chadwick stated he thought they needed to move toward the PERSI plan as area cities are in the plan. He explained the five-year vesting goes with you wherever you go when you move to another job with PERSI. The money put in for those not vested goes into the PERSI pool for their program. Chadwick stated he was in favor of moving forward with PERSI; that they can come up with a plan for those retiring in the near future and that this will allow them to bring more talent to the City. Following discussion on how this affects elected officials it was pointed out elected officials are vested after five months, so Councilmen will not lose anything.

Mayor Bell noted the City's benefit package includes retirement, medical, dental, and vision. He didn't feel not offering PERSI has been an obstacle in hiring. He will speak with the three employees most greatly affected and see if they can create a plan, so they aren't negatively affected. Keyes pointed out they have access to an HR consultant for input.

Nickel was asked for his opinion and stated no current employee would come to Star if we don't have PERSI and they do. They wouldn't leave if they were close to being vested.

Nielsen pointed out both the City and the employees are required to contribute; and all employees are required to contribute. PERSI does require a big chunk coming out of each employee's paycheck.

Reports:

Council – Hershey stated he had met with the Fire Department and they are happy with the bond passing. They are planning on vacating Station 1 in the next six to eight months. He participated in Make Star Shine Day by raking up leaves.

Keyes stated he is back from a 4,500-mile road trip and now has no complaints with ACHD.

Chadwick had nothing to report.

Nielsen stated he, the Mayor, and Chadwick met with ACHD and drove around town. ACHD is working on the area at Floating Feather and Star Road that usually floods and have fixed the pothole at the cemetery. He too said he had a new respect for what ACHD does after spending a lot of time in foreign countries.

Mayor – The Mayor stated the bid before them from Neurilink to put in cameras and broadcast the meetings is for \$11,477.00. Following discussion, it was suggested to have Ernie Yenne, City IT Support, come and explain some items to them. Keyes suggested, based on Yenne's comments on the last page, to have Nielsen sit in on Yenne's meeting with Neurilink. As there were questions regarding archiving, they would like additional clarification for archiving the video. The Mayor stated the gentleman with Snac Shack who leases the concession stand at Hunters Creek wanted to put a hood in for fryers. He is asking whether he needs to pay for it or will the City as it will be a permanent fixture. He is looking to be open from March through November. The Mayor explained it would make the lease for the concession stand more valuable. Mayor Bell stated they are in the process of obtaining bids for playground equipment at Hunters Creek. The donated playground equipment has been removed and is in the process of being installed. He informed them 960 S. Main is now empty and he has allowed them to store some expensive equipment in the barn. Little is looking at repairs and fixing the roof. The Mayor asked them to consider offering the barn to the food bank temporarily as they raise funds to build. The Mayor invited everyone to the Christmas Tree Lighting on December 6, 2019 at 6:00 pm at City Hall. He will have Dana Partridge put it out on social media.

The Mayor adjourned the meeting at 8:40 pm

Approved:

Respectfully submitted:

Charlten Bell, Mayor

Kathleen Hutton, Deputy City Clerk