

Star City Council
Meeting Minutes
April 16, 2019

The regular meeting of the Star City Council was held at 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 amend the Agenda tabling the Final Plat for Trident Ridge Subdivision to May 7 and moving 5-d to 5-a for the Milligan Property Rezone, Keyes seconded the motion. All ayes: motion carried.

Consent Agenda: Chadwick moved to approve the Consent Agenda consisting of: Regular Meeting Minutes of March 19, 2019, Final Plat for Silkwood Subdivision, Liquor Licenses for Bi Mart, El Mariachi Loco, Westside Pizza and Star Mercantile and the Arbor Day Proclamation, Keyes seconded the motion. Nielsen asked if we understand the reason for tabling the Trident Ridge Final Plat. The Mayor stated that we didn't get the staff report out in time. All ayes: motion carried.

Old/New Business:

Public Hearing: Milligan Property Rezone – Mayor Bell explained the process for the public hearing. The Mayor will open the public hearing and ask the Applicant to speak, once the Applicant has completed his statement, Council will be able to ask questions of the Applicant. The Mayor will then ask if there are any questions of staff and then move to public testimony which will be limited to three minutes. Once public testimony is complete, the Applicant will be asked to rebut any testimony. Once the rebuttal is complete the Mayor will close the public hearing and the Council will deliberate and a decision will be made. The Mayor asked Council if they had any ex parte contact or conflicts of interest to disclose; hearing none, the Applicant was asked to speak.

Applicant: Doug Milligan, 12111 W. Band Drive, Star, stated his request is to rezone two parcels of property at Pinewood Lakes from Residential (R2) to Commercial (C1). They purchased the one parcel in 2007 and opened the pre-school under a conditional use permit, they are looking to rezone to commercial for the pre-school. The south parcel that is also zoned Residential (R2), they have an interested party in another commercial use and would also like it rezoned to Commercial (C1). These parcels were part of a larger five-acre commercial parcel and should have been zoned commercial, but with the down turn of the market in 2008 it was not rezoned. This is his request and the Comp Plan says it is residential and commercial. At one time someone talked about putting fourplexes on the other property, but they did not want to have residential across from the pre-school. They do have an interested buyer to develop the other property and want it to fit in with the subdivision.

Chadwick stated that staff is recommending a joint parking agreement with the new buyer, is that something Milligan will be doing so there are no parking issues. Milligan stated they plan to do that but have not finalized plans yet, they will work with Nickel on it.

Keyes stated that Milligan mentioned he has a potential buyer, is there a concept plan or what is the buyer thinking they want to do with it and why are you doing the rezoning and not the buyer. Milligan stated that they were planning to rezone it whether the new buyer wanted it or not as they want the pre-school rezoned so it was good timing to do it all at the same time. The buyer is working on construction plan drawings, but he is not sure where he is at with those but thinks they are close. Milligan has spoken with

them about the design of the building and it is supposed to be close to a 3,000 sq. foot building. There is definitely adequate parking for the building and it fits in to what they want for the property and for what they want to do with it and that is why Milligan is rezoning it. Keyes stated that Milligan is making several comments tonight that if you sell to another party it would not necessarily fit unless you enter into a development agreement. Keyes asked if they would be willing to enter into a development agreement that would include the building being a one-story building. Milligan stated they are there and want to protect the community. They are part of the community and they don't want to upset the neighbors.

Public Input: Gary Mark, 12272 W. Bridger Bay Way, Star, stated that he is the one most affected by this as his house is next to the property and he firmly supports this and is fully aware of what's potentially going in there. If nothing else, it will help block his view of the monstrosity of a building that he has to look at now. These were supposed to be townhouses, but the one on the end looks like a barn, but we are not here to talk about those. He just wanted to add that as the person most affected by this, he supports this.

Dan Frasier, 12219 W. Bridger Bay Drive, Star, stated that he and his wife are also affected by this as they live directly across the street. Where the day care is located, they are already affected by cars that pull up mid-morning and sit with their cars idling. They are not opposed but want it to be esthetically pleasant and the building materials are the same as the other buildings as they are residential and that the building is a one-story building, they don't want a two-story building and no bright neon sign right there in front. They are also concerned about the lighting. They are not opposed to this as long as it is esthetically pleasing, and it fits in with the rest of the community.

Applicant Rebuttal: Kerry Milligan, 1211 W. Band Drive, Star, stated they will work with potential buyers and the building will fit in with the neighborhood. They do not want to upset the neighborhood. They will do their best and want to protect the neighborhood, that's why they bought the property.

Staff: Nickel stated that if Council wants a development agreement, he will work with the Applicant and bring it back to Council.

Keyes stated he wants the development agreement to include two conditions, that the new building be limited to a one-story building, to have HOA architectural review and that it follows the HOA guidelines, the Pinewood Lakes HOA.

The Mayor closed the public hearing and moved to deliberations.

Chadwick moved to table this per staff's recommendation to May 7, 2019. Yorgason stated that this development agreement has to go through the formal public hearing process and they may need to move it to May 21 for noticing purposes. Chadwick amended his motion to table the rezone, file number RZ-19-01 for the Milligan's so that work can be done on a development agreement to May 21 with conditions discussed, Keyes seconded the motion. All ayes: motion carried.

Public Hearing: Star RV Resort – The Mayor stated this application has been continued for the Star RV Resort. To give a real brief explanation, the public hearing has been closed, there will be no public input, it is simply for deliberations by the Council only. The application was tabled for two weeks and the Applicant is here for any questions Council may have. Again, the public hearing was closed, and we will not be taking any public testimony.

Keyes stated that he would like to disclose some ex parte contact that has occurred since the last time we had this conversation. He had coffee with a Mr. Brian Holmes and he had asked that they not discuss the RV Park although he clearly wanted to discuss that. We spoke in general about a lot of things, at one point he asked me why the Council doesn't take into account the number of people that testify against a

project. I responded to him that we are a republic not a democracy, the people voting are the ones here, not the ones there. I told him that during the public hearing I listen for persuasive arguments, based in relevant facts and not opinions. Told him that the ten people that testified against and the four people that were in favor represent only a small number of the 11,000 people in Star and that what is important to him is the content of the testimony not the numbers. Additionally, I had a Jan Parfiet send me a private message about this and another public hearing that we already had. Again, speaking about the RV Resort, basically she was disappointed about the stereo typing of campers and how they were characterized as rapists, criminals, trash, drug dealers, etc., she counted herself as a camper. She basically went on to make other comments but was not opposed to this. Keyes stated that he did want to disclose that. He believes that everyone else has received the same emails he did. If any of the Council want to see this letter, he would be happy to pass it around.

The Mayor stated that anything that was sent to us after the public hearing was closed is not part of the deliberations or consideration.

Chris Yorgason, Legal Counsel stated he wanted to clarify or reaffirm this, that your decision is based on information heard during the public process and not from information received afterwards. He would caution Council members about what they say for the clarity of the record, he knows everyone received various forms of communications regarding this application that would not be used by the Council or should not be used by the Council since the public hearing was closed for consideration and deliberation. Keyes stated that he would agree with that characterization.

The Mayor stated that unless someone else has something to disclose we would continue with our deliberations.

Nielsen stated he thinks our Attorney's comment {cannot hear talking} He did not engage in anything he would deem to be as ex parte contact. He did respond to a couple emails that were sent not based on the contents, but rather just the fact that he received their email and no new information could be entered into the record or considered. One of the emails he received was from somebody he knows fairly well, so he did respond to it in a little more detail as to the fact that any decision he makes will be based on the law on how he interprets it and went into a little more detail about those things. One email he received, or that we all received from a Ms. Renae Tiner, she characterized some of the comments he made during deliberation at our meeting two weeks ago, she seemed to interpret the comment I made about something being similar to an Airbnb, and that I was comparing this entire application to an Airbnb, so he read his response to her into the record. Nielsen stated that while he cannot comment on an active application outside the public hearing process or receive new information, he does want to clarify that her characterization about his comments about Airbnb are out of context, he used that comparison specifically as an illustration of residential versus commercial activity in response to a very specific statement made by another Council member. In no way does he see this application to be similar to an Airbnb.

Chadwick stated he thinks we all received numerous emails and he forwarded all of them to Yorgason basically to respond to them because he knows we can't respond.

Hershey stated as for him, anything he got was received by everyone, he didn't receive any private correspondence.

Chadwick stated he has been looking at the code extensively on this and he feels that based on the code the way he interprets it, 8-1-B-1 where it tells him that on annexing and rezoning part of our required findings is that the map amendment complies with the regulations outlined in the proposed district, specifically the purpose statement. The purpose statement really stands out to him. The purpose statement on rural transitional states, the purpose of the rural transitional district, as part of the residential districts, is to provide for transition of agricultural land no longer used for extensive agricultural purposes

into low density residential uses that provide for a rural lifestyle. The maximum gross density allowed is one residential dwelling unit per two acres. He hangs his hat on the dwelling side. The definition we have on dwelling in our code is basically a residence, a residence where people stay and live. When he looks at this an RV Park is recreation, a recreational vehicle and it does not apply to an RT zone, therefore he is not in favor to applying this and approving this application to be placed in an RT zone that's not intended for that type of use, it was intended for a use specifically to dwellings for one house per two acres as the code states. If we look at our zoning districts, the mixed-use district is really the only district that this would really fall into or apply to. The mixed-use district actually combines itself as a purpose as recreational uses and other uses. This is a business either way you look at it as these folks are coming in and out, they are paying to utilize these lots and so therefore it does not fall into a residential dwelling unit. So therefore, he will not be voting yes on this based on his interpretation of the code tonight.

Nielsen asked how Chadwick ignores the part of the code that says this is an allowed use. Chadwick stated that it is not an allowed use, it is a conditional use and he does not interpret the conditional use as an allowed use. When he looks at the required findings on here, when it tells me I need to specifically look at the purpose statement. To him that trumps anything else. That purpose statement tells me exactly what the purpose of that zone is supposed to be and in our code it clearly states that it is for dwelling, it's not for anything else but the dwelling and that is where he is hanging his decision on tonight. The RT zone is not intended to be used for a vehicle like this. So therefore, that is where he is at with that.

Keyes stated he wants to apologize to his colleges the other night, the meeting went pretty late, and I should have supported the motion on the table, the motion to table it which he didn't. He was tired, and emotions were running high and he didn't follow his own counsel to be thoughtful. But having said that, in the event the Council does vote to support this, he does have several items that he would want added to the development agreement that would mitigate many of the concerns that he heard that night. Those items are on 2-4-4 which was the item in the development agreement regarding background checks, that we would add a 2-4-4.1 that says guests that live on the premise may be exempt from the requirement. He would like to add four new sections. He would like to add 2.4.7 that tiny houses shall not be allowed to park or stay in the facility, tiny houses as a term defined by State Code; 2.4.8 park models shall be limited to no more than three; 2.4.9 once a 28 day stay has been reached the RVs must depart from the facility for fourteen calendar days and not return; 2.4.10 that law enforcement and other City compliance staff shall be allowed to inspect the facility including logs and other guest documents to ensure compliance with this agreement. There was a lot of public testimony about sex offenders and others, he did go on the Ada County Sheriff's web site and saw that today there are three registered sex offenders within one mile of the property and nine within three miles of the school most specifically. He did just want to clarify that he had raised some concerns about the spot zoning in November but that was under a different application under a different section of our ordinances and he does not believe that the spot zoning applies to the application the way it is presented under this section of the ordinance. He did note that none of the neighbors directly surrounding or touching the park if you will, were opposed to this project. There was one neighbor that did ask for some road improvements, but the applicant had already agreed to do. He thinks Star in general would benefit from an RV Park, but like many people he is not a huge fan of where it is located.

Nielsen stated he showed up at the last public hearing planning to vote no. He felt there were several compelling arguments made by the applicant and their witnesses specifically regarding the most common concern or objection he heard on this of people with nefarious intent to harm children at the school. That coupled with the fact that we don't know who is going to be there and we can't make a judgement based on that with any certainty. He feels with the interpretation of the code, he disagrees with Councilman Chadwick because it is a conditional use and it is an approved use for the RT zone and that is in the code for a specific purpose so that we can place specific conditions around the application such that it can become palatable and acceptable use within our City. As far as the location goes, it is adjacent to a state highway, he thinks it is probably a decent location, *(interruption from the audience – both the Mayor and*

Councilman Nielsen stated that the audience doesn't get to speak). He thinks the economic impact to our community is probably beneficial and as the liaison for the Economic Development Committee, and a member of a team that put an economic strategic plan in place, RV Parks is one of those options that are on that plan. It could be used to promote economic activity within the City. We have an applicant here, a long time Star resident whose family has been in this business for a long time. To him where the code is able to be interpreted, and in a couple different ways, obviously Councilman Chadwick and himself have demonstrated that, he is going for a base fundamental rights of the properties and he remains in favor of this application based on the applicant's rights of the property and believes that is the hallmark of constitution in the State of Idaho and outside of that he cannot find a reason to deny this.

Hershey stated that he has pondered on this an awful lot and is still stuck on it's a business, he could not spell it out with all the plusses he saw. He believes the background checks are great, the school said they have no problem with it and the Chief of Police said he was good. He likes everything he saw but cannot get over the fact that he still thinks this is a business and that is his only hang-up. Without going into a long speech, because we covered an awful lot of it Councilman Chadwick, that's where he is stuck. He feels it is a business. Everything else, it's one of the few times he's actually very happy and he thinks the amendments that you've added would buffer a lot more as well, but he still thinks it's a business.

Nielsen stated that it is a business. Can you elaborate on what that means to you? Hershey stated that because it doesn't seem like a residence because you have to leave in 28 days – you have to. No other business he knows, you have to leave in 28 days and you can't come back for a while. That to him it says it's a business. Nielsen stated that if it is – Hershey stated that we can deliberate on this all day, he has been on this for two weeks and that is still where he is and that's where he is staying for now.

Chadwick stated that we are not taking away a fundamental right, they have a right to a zone that's R3 and that is already there. That right is established, and that right is not being taken away. They are asking for what even they indicated in the application is a downgrade to an RT. To him, that right is not being denied of an individual for the use of their properties. Nielsen stated that he is not looking at it as a denial of a right, he is looking at it as there is a right that exists to apply for a new zone, and within this zone this is an allowed use that with conditions placed upon it conceptually it can be acceptable and he is finding it acceptable. Chadwick stated that he understands, that is the beauty of our system we have the freedom to disagree. Right? And that's the way it is, and you have your thoughts on it and I have my thoughts on how I interpret the code and what RT truly means. He completely understands Nielsen's side and in his mind he feels this is where it should be.

Keyes stated to Councilman Hershey's comment, he gave testimony last time that he wasn't really certain that this was easily defined as a commercial or residential use. He is a geek and created a spreadsheet to figure out what it was most like, was it more like residential or commercial and unfortunately it failed him. He does continue to look at the Comprehensive Plan and the reason that definition was so important to him was because if this is a commercial area he thinks this is in conflict with our commercial plan, our Comprehensive Plan and the conditional use statute and the ordinance says that it could be in compliance with our plan, he struggled with this last time. He believes Councilman Hershey's argument is interesting. He would also like to hear more about the policy side of downzone to RT that Councilman Chadwick brought up. We talked about policy, land use policy. Chadwick apologized and stated that he brought up what our code says. Keyes asked Chadwick to read it again. Chadwick stated his interpretation – yes. The map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement. So, then the purpose statement on 8-3B1 says the purpose of the rural transitional district, as part of the residential districts, is to provide for transition of agricultural land no longer used for extensive agricultural purposes into low density residential uses that provide for a rural lifestyle. The maximum gross density allowed is one residential dwelling unit per two acres. That is the purpose statement. So that is how Chadwick is interpreting this it does not fall within that proposed purpose statement as it says in our code.

Keyes stated additionally, he would like to ask staff, Mr. Nickel you made a recommendation of approval and Keyes is wondering if you can give your interpretation of how you believe the conditional use process fits in this that would justify a recommendation of approval.

Nickel stated that the way staff looked at code, the uses are listed within the principally permitted, conditional use, accessory or prohibited. In this case, this use along with other commercial uses are allowed in the RT zone through the conditional use process. So, one of the things staff uses to interpret when they review an application and provide direction to the Council is if those findings can be made. It is your interpretation, as to if there are enough conditions that can be placed on this application to protect public safety and welfare to meet the findings of the application.

Keyes asked if Nickel can give us an example of other uses that might be conditionally allowed in an RT zone. Uses that may be similar to what we are considering or even some other things that may be adjacent to it. Nielsen stated like the bed and breakfast. Nickel stated Arts, entertainment, recreation facility are conditional uses, campground, RV Park, cemetery, contractor's yard, day care, education institutions both public and private, fabrication shop, feed lot, food stand, commercial greenhouse, commercial kennel, manufacturing plant, mining, nursery garden center and farm supply, retirement homes, shooting ranges, outdoor storage, cell towers, vet clinics, wineries and cell towers those are all conditionally permitted within the RT zone and then you've got a number of principal permitted uses like turf farms, stables, utilities, parks both public and private and others. Keyes thanked Nickel.

Nielsen stated that he again is looking at this code much more broadly and believes those conditional uses absolutely are allowed. He believes that any conditional use permit, if we take the very strict interpretation that Councilman Chadwick provided and in any other zone probably should not be made either. If we are going to stick with what exactly the purpose statement is for the zone we would probably find that interpretation causes way too much conflict with what is presented as conditional uses within the zoning designations. Nielsen moved to approve RZ-19-02, DA-19-01 including the amendments proposed by Councilman Keyes and CU-19-03.

The Mayor said there was a motion, is there a second. No second, the motion dies.

Chadwick moved to deny RZ-19-02 to rezone, DA-19-01 the development agreement and CU-19-03 the conditional use permit based on his comments and interpretation of the code of how he read and understands it, Hershey seconded the motion.

Keyes stated that when we had last meeting he struggled with this being a commercial or a residential use and he is more persuaded by the statement that Mr. Chadwick has regarding the downzoning to an RT and the intent of that. He will support the denial of the application.

The Mayor stated this is a hard decision for everybody and he understands that. He would Council to know that if you are moving towards denial, he would like you to know you do what you need to provide the applicant a way to make their application successful, that's something we need to do by code. Chadwick stated that we can deny based on what our code says, there is no way it can fall in under that. The Mayor stated that we have to provide for an answer for them to move forward. They may not choose to do that, but if that's the decision of the Council that is our obligation to make sure they understand why and how that works.

The Mayor stated we have a motion and a second. All those in favor – Hershey, Keyes, Chadwick – ayes; Nielsen – nay: motion carried, the application was denied.

Public Hearing: Moon Valley Subdivision (continued) – The Mayor reviewed the public hearing procedures and ask Council if they had any ex parte contact or conflicts of interest. Chadwick stated that he had discussed this application with the Idaho Transportation Department regarding the road accesses only. The Mayor declared the public hearing open and asked the Applicant to speak.

Applicant: Mark Tate, 1087 W. River Street, Boise, stated he does have a power point presentation. The application is for the Moon Valley Subdivision they are calling “Riverstone”. The property is bound by Moon Valley Road on the north side of Highway 16, on the west side which includes part of the Boise River which extends to the north channel of the river. There are a couple hundred acres included and the green box in the middle which is not included as part of our development. That is separate ownership and is about twenty acres. He will address that a little bit later. Some of background on what we do, we are with the M3 Companies. They’ve been in business for ten years and have projects across the valley. They developed the Redhawk Ridge in Nampa, it is a golf course community, Lake Lowell is off at a distance there. He just wants to give Council an idea of the type of work they do in the valley. This project in Nampa includes 60 to 70 homes, these will be in the range of \$400,000, the average range in Nampa is in the low \$200,000. Far and away the nicest community in Canyon County. They developed the Foxtail project on Chinden, which included about 200 residential with a little bit of commercial on the front, the lots on the north sold for well over one million dollars and has a mixture of densities. It also has amenities like lakes. The Spur Wing Heights project which is currently in its last phase. It is about 160 units and is directly south of the project they are here to talk about today. This will be a high-end development. Just as Meridian has a tie in with Spur Wing for a social membership with the HOA, again a very high-end development in Meridian. The property was already annexed and already zoned prior to the construction of the Highway 16 project. You can see on the west side of the property they have a hodge-podge of zones, from light office, commercial and mixed use with a development agreement along with residential all mixed into this area. They are here today with an application with a development agreement and it would take mixed use across the entire property. Once issue that you get into with all these zones is you can end up with split zones. It can be a real problem in implementing the development, so they wanted to be a little more consistent across the board and that was staff’s recommendation and that makes everybody’s life easier. So, they are really not looking at a more intense use then what’s already in the area. There has been a fair amount of discussion about mixed use and what type of uses that entails. The team has been supportive of commercial uses as part of mixed use. This will probably go to Councilman Chadwick’s questions to ITD; an access to the area, what does access to the area look like. He knows the City has done a transportation study, ITD’s study, ACHD’s study, he gets different answers from each agency and each person that he talks to. What he knows today is the current plan for access to this area is to N. Palmer Lane and there is not currently a plan for a signal light at Short Road which is abutting the Church, just to the north of their property. Short Road does not extend to the north currently, Palmer Lane is a four-way intersection. There’s also a road called Hamlin which is on the north side of State Street but does not line up with anything on the south side of the street. ITD has also said that Hamlin is too close to Highway 16 and State Street future interchange there. He says all that as there are missing parts and pieces. They would like to work with all the interested parties while they’re working on this project to find the best solution for access. What he knows today, their project functions well with what’s out there and we have a preliminary plat that we are going to go through in a second. It is a single family residential that will work well, we have been to ACHD and they have approved the project, including the request for private streets in there. They have studied the intersection and found everything acceptable. Our area and our development agreement does contemplate mixed use areas primarily in that northwest area. The type of mixed uses will really depend heavily on what access looks like in that area, if we are not able to get better access, meaning a Short Road or another connection out to State Street, that lines up with Hamlin or something like that, the viability of the intense uses in that area is not strong. People are not going to drive all the way over to Palmer and then drive back to get over to the corner. There’s going to be better areas for more intense uses. They would like to work on it and they have held out that piece of the property which will accommodate those mixed uses and continue to work on them.

Tate stated this is the site plan for the actual preliminary plat. Discussion was held about mixed use and the requirement of two different types of development. Chadwick asked if commercial is part of the mixed use and if they have studied the access and what ITD has said. What Tate knows today is that ITD is saying there will be a signal at Palmer Lane, but not at Short Road. Palmer is to be a four way. They stated Hamlin is too close to the Highway 16 project. Tate wants to find the best solution. They do have a preliminary plat and single residential development that will work well and ACHD has approved this development. The development agreement does contemplate mixed uses and will depend on what access will look like in that area. If no connection can be made, then viability of intense commercial use will go away. People will not drive to Palmer and then come back to Highway 16 on Moon Valley Road. They will continue to work on it. The site plan was shown, the Preliminary Plat does not cover the entire property. The single family residential has a main access off Moon Valley Road. There is an existing lake and more ponds will be built. On the west side of the lake they will create a berm, there is an existing road on the west side of the lake as well. There will be an emergency access and a pathway to the lake, it was constructed as part of the Highway 16 project. There is plenty of space to drive under the bridge at Highway 16. There are other emergency accesses that go out to Moon Valley Road. The lake will have a dock and boat house. On the preliminary plat, the crossed hatched parcel is the future mixed-use area. It also reflects the twenty acres they do not own and shows the driveway and they do have an agreement with the private property owner and he will have access per the agreement. This property owner does not want to develop his property now. He does support this. The project does have a mixed density of lots. It has estates that are over an acre all the way to patio homes, it is not an age restricted neighborhood, but will probably end up as empty nesters. The overall density is 1.84 units per acre. It has 60 acres of open space. This is not a typical development and will be one of the nicest in Star and the Treasure Valley. Tate has met with the Fire Chief and he has reviewed the emergency accesses. There are a total access points of five roads. With regards to the common driveways or flag lots, they all meet Fire Code and have come to an arrangement that they have shared driveways. The Fire Chief is comfortable with these shared driveways as long as those homes are fire sprinkled. There will be signs with lit house numbers. The second request is different than code and it is for private streets. The Ada County Highway District has agreed to this because of the isolation of the project and they have a development agreement for the shared driveways. There are three adjacent properties to the east, a large estate and two that front Moon Valley Road and one that connects, and they will be stubbing utilities to all. The project is called "Riverstone" and they want it to be a gated community. The buyers they are going after are buyers like the ones at the Two Rivers Subdivision. The level of amenities allows for private streets. The waterfront and community center were shown there, there will be glass garage doors on the building and a full-scale gym. Different pictures were shown. A plaza was shown. The Beach Club concept plan was shown, they will have a testing program for the water in the lake to make sure it is safe for people to swim and paddleboard. All that will be available at the boathouse. Again, having that sort of amenity in the project is very reliant on having private streets. With a boathouse with kayaks and paddleboards, they would not be interested in having that level of amenities without having private streets.

Chadwick stated that he is involved with transportation. He believes Tate has talked to ITD about the southeast corner of Highway 44 and the talk of maybe doing a slip ramp at the intersection of Highway 44 and State. Can you talk about that a little bit and if that's something that can be done, if so will you do it to gain that access. Tate stated that he talked to a number of people at ITD and they all gave different answers on the viability of this depending on the person. The one that seems to be most knowledgeable was Caleb, who he believes the City has met with. What you are describing is a dual off ramp. He believes the full design of that intersection has a full off ramp and what you are describing would be a secondary offramp that would take you from Highway 16 onto Moon Valley Road. Tate and group are open to that, ITD's comments stated that if that is something you want to go ahead and design it and they will look at it and let them know when the group wants to build it. So, the viability of building an off ramp to a highway for that small amount of mixed-use property, it is really not viable for them to build it.

Looking at projects built on freeway off ramps, again, you're talking about mega commercial centers, talking about multi-million-dollar projects for road improvements, all those include Cabela's, Costco, Home Depot that sort of thing and given the amount of acreage in that area it just isn't viable in that area.

Chadwick asked what the cost was and if they did a cost analysis on that. Tate stated they didn't do it, as they know it would be at least seven figures and that's not something they would be able to do on their project. If the City wanted to do something like that, they are supportive of it. This is not something you could condition this project on, but they are holding out the property in that area if there is something that could be done. Tate believes it is a long-term possibility. Tate stated that ITD doesn't even have a configuration of that intersection let alone access for Hamlin or Short or anywhere else. Chadwick stated so to make a mixed-use area up there what are you looking to have done. Tate stated in his opinion the City should not pursue that as an option, the City needs to be working at the State level if that could be part of the design for that interchange. They are going to build it anyway at that point, it is a massive, massive project and adding it is just a small incremental part, if the City pursues that as a best option, the other options are on State Street. Currently, the only signal planned is at Palmer, which if that is the only signalized intersection you get really full access along there and Short goes to a right in and right out or something of that nature, then mixed use is probably going to be limited to mixes of uses with residential, probably some light office and support uses for residential. He is not talking retail or that sort of thing. If Short Lane could be signalized and lines up on the north side, that gets one step closer and they can start looking at more real mixed uses in that area. Even further west, which is Hamlin which doesn't line up on the south side, what he is hearing from ITD is that they are not interested in that being signalized. If it could be he is not against it. If Hamlin was to be signalized, he would strongly, strongly encourage the City to have it connect to the south. On the northside you could get some of those larger retailers, if that's what you want that is totally fine. But if you have Palmer be signalized that does not make it viable for mixed use in that area. Chadwick asked if ITD stated how much more right-of-way would have to be given up for the Highway 16 slip ramp? Tate stated that he has never built a freeway. Tate stated they did not but to decelerate from 65 mph is a huge radius and a huge amount of right-of-way, so you're potentially talking about starting the lane back at the bridge. Tate stated that is the problem, so holding out for such a small project it's probably nothing that can constitute that magnitude. But, to say that it is complicated, it is something that needs to be continually worked on. They would like to work with the City and any other interested parties in moving forward.

Chadwick asked about the inside private streets, what are your street widths? Will you have streets according to the City of Star standards. The issues you have with private drives is if the association cannot afford to pay for those things, then what happens? That becomes a concern of his, if you accept the private drives they may have to be towards the City of Star's street width standards to make it work. Tate stated that all of their streets are designed to ACHD standards. Chadwick asked if Tate knows that ACHD and Star's are a little different, Star's are a little bit bigger. Tate stated they are designed to meet ACHD standards. The Mayor stated that the ACHD standards in the Star's city limits are wider. Tate stated they may be saying different things, their roads are to ACHD standards across the valley. The Mayor stated ACHD knows when they talk about Star they are two feet wider and they have accepted that when they build roads in Star, they are to our standards.

Keyes asked on the corner you want to retain the mixed-use on, what assurances do we have that you won't come back at some point in the future and say we couldn't figure out a way for the mixed-use to work so we want it all residential which would violate the intent of the mixed-use district. Tate stated that the mixed-use district does allow for varying intensities of residential and this does meet a residential threshold. We have estate and very high density residential that could be considered mixed-use per your code. He is not going to sit here and give you guarantees, he did tell you specifically if there is no improvement made to access this area then the current plan with a signal at Palmer and no other access to Moon Valley, then it is almost guaranteed that he will be back here asking for all residential in that area.

He is not trying to deceive you or shine you on, that is the reality of limited access to that area. It is just not viable unless you have good access.

Keyes stated that as you may or may not know, the City of Star has been working on pathways. Councilman Chadwick is working on that. There is also some desire for decades to have a green belt that goes from Lucky Peak eventually all the way to the Snake River. Keyes is curious if you have made any provisions to allow the greenbelt to continue along the river on this property? Tate referred to the site plan, starting on the west side coming down to the river, you can see a blue lake between the residential and the river so this is the pathway, driveway he was describing. You can see on the map the pathway they have planned that would go along the river. They don't control the property in the middle but have picked up the path here for the public to access along the river here. Tate was born and raised here and spent time on the Boise River, so he appreciates it just as much as anyone else. In this area beyond this point you end up in large residential, and never say never but, the likelihood of continuous access on the north bank of the river there is probably not very good. With the access along here, with the tie in with the other side of the river under Highway 16 there could be the potential for a river crossing in the future. Where there is very little development on the south side of the river that would be a good place to go to. Keyes stated that you would be willing to add an amendment to the development agreement for access not only to the river but to that path on the parcel you control? Tate stated they would. Keyes stated he also saw in the report from ITD that they were requesting mitigation on State Highway 44 for an eastbound turn lane onto Short. Can you speak to your plans for that? Tate stated that he could. They had a really confusing letter written in that two sentences contradicted each other, the long and short of it is they would like to see the decel lane built in their right-of-way. What it came down to was in our ACHD conditions, somewhere around our 170th residential unit, our traffic study states that we would have to build that. Keyes stated that something you're willing to do. Tate stated they were. Keyes stated that ACHD suggested that you have one part of your road on your entry way be an ACHD road, ACHD is requesting that you make it a private road as it serves no one but Riverstone. What are your thoughts on that. Tate stated they were open to that, they did have a boundary for transition from private to public road and they wanted it all the way out to Moon Valley Road and they are open to that.

Public Input: Gail Glasgow, 394 Procyon Place, Star, stated he wears two hats tonight, as an individual, he has a problem with ACHD requiring a sidewalk on a road that goes nowhere. Now, he'll put his other hat on as the President of the Pioneer Irrigation District in charge of the canal that runs along Moon Valley and through the development. He has much the same heartache of putting a sidewalk next to a canal. Where they want Moon Valley and then the sidewalk it will be on the edge of our town. As he read ACHD's report as for what they wanted for easements on their road they are infringing on our easement of the canal because we have a twenty-foot easement on each side our canal which infringes with the sidewalk. He talked with the attorney for the irrigation district, his only comment was the irrigation easement trumps ACHD's. Having the sidewalk there without any between that and an open canal – they are opposed to it.

Keyes asked if Glasgow could point out where the canal is. Glasgow stated that the canal runs along the north side of the property. The access road will be on the southside of the canal with Moon Valley on the north side.

Chadwick asked if it would be feasible to tile that section as well as part of the improvements of the road width, so it's not an open ditch? Glasgow stated you'd have to ask the developer as it is their money. Chadwick stated that as far as the irrigation district? Glasgow stated they would not be opposed to that but it is still infringing on the ditch company's easement. Glasgow stated that if they wanted to they could. Glasgow showed Council where the tiling of the ditch would end, but because of ACHD wanting a sidewalk there he thinks they would want them to tile to about there (shown on a map). They were going to redo the check because it sticks out, they were going to narrow up the check so they could put the sidewalk in. So that would be up to them if they wanted to continue to tile the ditch.

Nielsen asked if they were able to do that would that ease your concerns on that easement, is it something that can be negotiated. Glasgow stated that it would end all the heartache over the easement. The State law says that anytime an open canal or irrigation ditch is modified by pipe, the responsibility and maintenance of that pipe then it becomes the responsibility of whomever modified it. Yes, then that would eliminate all Glasgow's concerns about easements and such. Nielsen asked then maintenance would transfer to the HOA. Glasgow stated that creates another heart ache; how is the HOA going to come to understand that they need to take care of that. If a pipe breaks is the HOA going to have the funds available to fix that. If the irrigation district fixes it they will go in and dig it up, they will leave it as an open ditch. Glasgow is unaware of any mechanism that we can ensure they have those funds. The developer in good faith is going to put it in, but in twenty years from now what guarantee does the ditch company have.

Doug Plaisted, 7273 Moon Valley Road, Eagle, stated he lives on the east side of Moon Valley Road. He has a few concerns, honestly it will ruin a great view he's had for 21 years, but that will not sway to many people. He has read through it and spent a lot of time, he got his PHD in agriculture and traveled all over the country. He has seen a lot of floods recently and believes that half of this is on the 100-year flood plain. He doesn't know how responsible it is to build a project of this magnitude here. He has some questions about traffic and it is already hard to get out of there. A light at Palmer would be great, is that a requirement before they start putting houses in. Also, the whole commercial use thing, he can't see that. He agrees with Tate, he doesn't see people coming all the way around to Moon Valley from Palmer to go into some business. He doesn't know about streetlights with regard to light pollution or that sort of thing.

Sara Keyes, 338 S. Long Bay Way, Star, stated she has been part of a committee for the past two years and has been working to gather information from the community of what we want to see our community look like. We are right in the middle of our Comprehensive Plan and we are finally getting towards the end. Her concern is that we have started to form a committee, so we can get the greenbelt all the way from Star into Boise. So, it is nice that you point out that you have this pathway, but if I lived in that community, the residents in Heron are having a hard time with people walking behind their properties. They don't like us being back there, seriously they are mean to us. If I'm buying into a gated community and I've got the public walking behind by the river, it could be a problem for our residents. She thinks it is sad and unfortunate that in the last twenty years our City Council didn't protect that land along the river for its residents knowing that there is a greenbelt coming from Boise and connect our bike paths and pathways to Boise. So, it is really sad that our City Council didn't have the foresight, it was a different City Council. They are working on the map of the Comprehensive Plan to make our community better. She agrees about the streetlights, we don't want light pollution. We're not going to stop the development. Her concern is the developer mentioned about checking the water, that it has to pass safety checks for the swimming for the beachfront property. What is that. Does that amenity go away? Her biggest concern over the whole is mixed use. What is mixed use and what does it look like. You can build small businesses that the community will use; what does it look like. So, this is a great rendering for Star, but not something she would approve at this point at this time. Also, she believes you guys have an understanding with Heron River to allow that walkway behind there and it didn't happen. So, she thinks we need to get some things in writing, not just recorded but written. And please keep in mind we would like to connect Star to Boise.

Applicant Rebuttal - Mark Tate stated he will just try to run through the comments he heard starting with Mr. Glasgow's irrigation ditch. They are planning to tile from the property boundary to the entry to where they planned to day light it on Moon Valley Road. One of his concerns was would the HOA have the resources to continue to maintain the ditches. Given the level of execution of the amenities in this community, the CC&R's that would not be out of the realm to maintain them for the future. It is very common in almost all the projects across the valley, they all have a ditch that is tiled and the HOA winds up maintaining them in the long term. A question about tiling that ditch, it is a nice-looking ditch and

floats a lot of water, they want to leave it, but couldn't make the grades work on the other side or they would have tried to have it on that side as well. We think the running water along there looks nice. There would be some separation between the sidewalk and the ditch there. He doesn't have the exact number, but ACHD is comfortable with it. It is about \$75,000 to tile just that section of ditch, so if it is something the ditch company wants that bad then maybe they are willing to find a pipe and installation, they would be opened to that but otherwise they would rather keep it open for that section if possible. Regarding the question about the 100-year flood plain, that is correct, a portion of that property is in the 100-year flood plain. They are planning to follow code as it relates to the flood plain. He knows that Star is very familiar with that along the river. The question about streetlights, they will defer to Star, if the Council so chooses we could add to our variances a reduction in light. If that's something you want to do along the river, they would be open to that or limiting that to 25% or whatever the standard is. They are not necessarily trying to advocate for streetlights, he will leave that entirely up to the Council. Public access to the river, those are great questions by the Councilman regarding whether we would accept a condition for public access along that pathway, like he said he is willing to add that as a condition of approval here tonight and will accept it for that entire length, boundary up and down the river, the entire frontage there.

Chadwick asked if Tate was agreeing to along Highway 16 as well. Tate stated that he was. Chadwick stated one of his questions is all the way up his property line are you willing to put a pathway in because part of the discussions we've had with ITD is when they do the Highway 44 widening is to continue that pathway from Eagle along the highway and connect it there and bring it north to that side of the river. If you'd put that pathway in there that would be fantastic as far as getting that process going. Tate stated that it actually already out there, it is a driveway that will be a pathway that will also make for emergency access. We would make it a condition for an emergency access and that would get people all the way in and out and it would stub over under the bridge. On the tiling part, Chadwick is for the development paying for the tiling and not anyone else because that goes back to the taxpayer regardless. He would prefer to see you tile that on the northside for safety. He knows it's open, they have Little League Baseball over at the church, it has always been a concern of theirs of having kids fall into that ditch. So, if it is along the sidewalk he would prefer to see that tiled all the way. You are already tiling on that section, \$70,000 according to your calculations is a lot price, right? To finish tiling that all along the way. He would like to condition that, that way we don't have any easement issues and we don't have any issues, except the HOA having to take care of it, Lord forbid if it ever collapsed.

The Mayor stated he would like Tate to explain to us the protection of the citizens of the City being stuck with the maintenance of the roads somewhere down the road. The reason we wrote an ordinance, a code stating that we don't allow private streets because there is always the danger down the road somewhere that all of the sudden the roads fall into disrepair and the private people who are supposed to be repairing them don't repair them and because it's inside our City and all of the sudden we have roads that aren't being repaired then the City has to take over and fix them. The Mayor stated that's the reason our code says no private streets.

Nielsen asked the Mayor if he could clarify if there is any possibility of the City becoming responsible for the roads. The Mayor stated that if you have roads that go into disrepair either ACHD will have to take them over or the City is going to have to step in somehow and do something. Nielsen stated the City does not have means and the Mayor stated no they don't. Nielsen stated that because we are part of Ada County, maybe that's a question for Council, but especially since ACHD has approved this. The Mayor asked Yorgason is there a scenario where the City would be on the hook for street repairs if they fell into disrepair. Yorgason stated that they would not necessarily be on the hook, there are a couple ways going forward. As Councilman Nielsen identified normally the roads are the responsibility of ACHD. If there is a scenario where Ada County refused the roads and the City felt there was public safety there could be a LID issued to fix the roads. Yorgason believes it's a slim chance ACHD would not take the roads back.

Nielsen asked if the Applicant avoids any ACHD impact fees by building private roads. Yorgason stated that impact fees are collected at the time of building permit. Nielsen stated so there would be very little reason for ACHD to not take these over. Yorgason stated that the impact fees could be spent somewhere else. By the time the roads need fixed the impact fees would be way beyond that. Yorgason stated he would find it hard to believe ACHD wouldn't take the roads back. Tate stated it would be in the CC&R's. They will be collecting fees for everything. Those fees don't get overlooked. This HOA will be heavily managed from a HOA Manager standpoint. This will have massive HOA dues. The roads would go back to ACHD first and they are the road authority and they are comfortable that the roads will be maintained to their level, otherwise ACHD would not be taking those back.

Nielsen would you be comfortable with putting something in the HOA bylaws that the minimum balance is maintained annually so the roads are maintained on a regular basis. Tate stated yes, something to the effect of ACHD or the CC&R's will mandate that adequate reserves for the purpose of street improvement and you would be able to review that language. Nielsen there is a recommended time for top coating and maintenance and we probably need to see something in the CC&R's. It is great that you are going to collect a boat load of HOA fees annually, but he's also spent several years on HOA Boards and he can see where the board can get together and spend a boat load of money on anything they want, especially when they need to get all their ponds to swim in and look we have all this cash over here or the ditch needs maintained, the roads will take a backseat to everything. Tate stated they would work with staff to review the CC&R language for roads and a proper maintenance plan.

Chadwick asked Yorgason if there was something like a guaranteed type of bond that we can put in place so that we can make sure there is something there in case something happens. Yorgason stated it is difficult to do due to the timeframe. Chadwick asked about a twenty-year bond or something like that. Yorgason stated that requiring the reserves is a way to insure it gets done. He is not sure of a bond product. Chadwick asked Tate if he could see this was a new thing. Tate stated he knows it is important from the Council's perspective. Tate wants to go back to the really isolated nature of this property, the connectivity is usually the reason for cities not wanting private streets. While it is new to Star, it is not new across the valley and other jurisdictions.

Keyes stated the way he has seen this done before is to undertake an analysis for reserve accounts. In fact, some states require it and look at time to replace and cost to replace and to figure out the future value of those things. Keyes would encourage Tate to provide a provision for that and set it up in the very beginning and include that your CC&Rs are reviewed every three years. Keyes knows that some states require annually or every two years. Keyes has a couple other questions, it sounds like you were agreeable to follow ACHD's condition to make that one public road private all the way out to Moon Valley. Tate stated they were. Keyes stated that talking about lighting would you be willing to add to the development agreement that you would follow best practices of the dark skies initiative. Tate stated that not knowing what best practices for dark skies lighting is, he is a little bit nervous to do that. He can tell Keyes that full standards have gone all over the board to led lights. He doesn't want to put himself in a bind where we are trying to meet code that isn't quite dark skies ordinance, but they can work towards that. Keyes stated that essentially keeping your street lighting down and restrict the fugitive lighting that leaves your property. Nielsen stated that indifference to your neighbors existing there, at least the homes adjacent to those properties having lights that are shielded down to avoid the intrusion onto other properties. (Someone else talking but cannot hear.) Tate stated that he thinks we are getting into a little architectural committee design. Nielsen asked if your CC&R's cover that and do it on the entire development. He thinks it is important where you currently have agricultural properties around you. Tate is open to that.

Keyes also discussed signing a blank check on the mixed-use area on the northwestern corner, would you be willing to amend the development agreement that when you bring forward a proposal for that would you be willing to follow our updated comprehensive plan and also our updated development code. Tate

stated that they have submitted the application with a conditional use permit, not knowing what is coming, he doesn't feel comfortable saying he will comply with something he hasn't seen in the future. Respectfully, he would like to keep it with the development agreement with the conditional use permit it would be an unknown quantity.

Chadwick stated so let's talk about this mixed-use thing a little bit too. He said Tate made a comment and he's heard the comment many times, that no one will want to drive down to Palmer to come back – the citizens of Star will drive seven miles to get to any place or any place to go, so if we had jobs in there and we made it a priority to get it done. This is an important corner, it is a vital corner. Our city is upside down with our residential versus our commercial projects and we are not viable yet for a tax base. So, we're taking a whole big section of this wanting to turn it into residential. That corner there, that little stub, he would like to see something done different with shops and boardwalks along that lake to make it attractive and make it someplace where people want to come. Tate stated that's why we pulled that area all the way back to the lake. Chadwick stated that so your idea is for that section to be mixed use or will it be open space. Tate stated that is part of the future mixed-use area that they have in their preliminary plat. It will wrap around the corner and go all the way up to Moon Valley Road. The visual presentation was reviewed. Tate stated he would like to see those uses too from a project standpoint. Commercial property is worth more and they have done all types of development, it is not out of their bailey wick to do that. They just don't have enough information on what would be viable there.

Nielsen stated there were some good ideas with light office, a retirement center or offices that people would drive to. Tate stated that keep in mind they can do some of that, but there is also property on the northside that would have a lot more visibility. Nielsen stated that what you're hearing from Council tonight is we are pretty intent on that developing as a commercial use. Nielsen stated he doesn't think Tate will find an agreement unless there is some sort of agreement about that area. He doesn't want to speak for the rest of the Council, he doesn't feel this is going to be ambiguous as residential because this won't be residential. Chadwick stated our comprehensive plan is out there on our website. He would encourage Tate to look at it and see what the plan is and all the discussion the community has had. He understands the access and we've been dealing with them for six months solid trying to get access, but he also understands the nature of our citizens and what we do to go seven miles in any direction – it's ridiculous, but that's what we do. Nielsen stated that you have to realize when other options come along things may change. Chadwick stated that it is a possibility, we want commercial no doubt about it, we need something there. There is no way we are going to turn it into residential. Council wants commercial, they won't allow residential there. Tate stated he hears what Chadwick is saying, he doesn't think he's ever seen a plat go towards more intensity, but if you remember the property is currently zoned a mixture of R2 and a smorgasbord of zoning. They have the property and development agreement that is what is in front of you that does not include the mixed-use area there, so they will have to have another application come in to do something with that mixed-use areas. Tate thinks that would be the appropriate time for discussion at that time. Chadwick stated that the red flag for us is when you say that area will be residential. Tate stated that he wants to be honest and hopes Council appreciates that he is not trying to shine you on, but what he knows is we have an incredibly nice project here tonight. One of the nicest developments in the Treasure Valley, they are excited about it and want to be part of Star. They have heard what staff said and have heard what Council said and they will have to be back before Council for this piece. Nielsen stated that he personally lost site of that. Tate stated that what they are really asking for tonight is the DA and Preliminary Plat.

Staff: Staff had nothing further to report.

The Mayor closed the public hearing and moved to deliberations.

Nielsen stated he appreciates the discussion we've had with the applicant and appreciates Councilman Keyes bringing forth the items for the development agreement and he is satisfied with the conditions or

the amendments they are proposing. He fully supports this pending any other conditions the Council may have.

Hershey stated that his questions were answered by someone else. His one question can't be answered – what will cost more the mortgage or the HOA, this will not be a cheap place. He was against private roads and but he sees that you have a pretty hard barrier with the river. The fact that there will be a pathway, tiling that northside trench, he thinks is very important. He wishes there was a little more guarantee of commercial use. It does hit mixed use with density, he is overall supportive of conditions with the CC&R's have a stated reserve for the roads, tiling of canal, lighting initiative for the streetlights, connectivity to the greenbelt and the maintenance reserve for the roads. He is supportive of this project.

Chadwick asked if we are all good for private roads in Star as it is something new for the City and we are assured that the City will not in the future be stuck – he is still not convinced. He just wants to be convinced that we are not going to be stuck with a bill that are going to cost our taxpayers a lot of money to maintain those roads. The Mayor just wanted to clarify, there really is no way we can legally get stuck outside of voluntarily, there is no legality that it will be put on us. If we require those roads to be built to ACHD standards right up front and we also require the HOA has funds set aside, he thinks it is super remote chance that that would ever happen on this kind of development. We typically don't allow gated communities and we don't allow private roads because most developments, 99 out of 100, don't have the uniqueness of this. Others have the ability to connect on and on, but you've got Highway 16, Highway 44 and the river surrounding this on three sides of this property. We don't like to do things that set precedence because the next guy comes along says you gave private roads to those guys over in Moon Valley, but unless he's got the same circumstances or a piece of property that has no connectivity we're not setting precedence. He doesn't have the heartburn over the road that he would have normally. There are no guarantees because we don't know what the economy will do, he thinks if we do our due diligence and we put these things in the development agreement, he believes we will be quite safe. If someone isn't comfortable with something, lets make sure everyone is comfortable before we move forward.

Keyes stated the project looks gorgeous and an asset to Star and he is satisfied with the conditions of approval items the Applicant has agreed to add to the development agreement. It is a great project for Star and he is in favor of it.

Chadwick stated he is not against it by any means, he wants to make sure this road thing is right and that is his biggest concern. He thought he read something in the ACHD report about not our road widths and when we talk about putting it in the development agreement – he is trying to find it. Nickel stated that if you look at page 7 of the ACHD reports, it states that ACHD does not make any assurances for private roads which is a part of this application and will be accepted as public roads if such a request is made in the future. Substantial redesign and reconstruction costs may be necessary in order to qualify this road for public ownership and maintenance. What that means is if the roads are built to ACHD standards then you can put in the development agreement the maintenance and if it ever goes public then the gates would have to come down. Chadwick asked if it would be appropriate to put it in the development agreement and that they would be built to the City of Star's standards. When he reads above that it says that the City of Star approves the private roads and he knows they are talking about the front entrance, the Applicant is required to build the street section 20 to 24 feet wide and at least 30' into the site that's the paving of public streets, in his mind those streets will be 24 feet wide going throughout this development and that definitely is not to ACHD standards. If we approve such there is no way they will be able to redesign that. What are the rest of the road widths. He wants in the development agreement that it is the City of Star's standard road widths. Nickel stated that he believes that it was stated that it would be built to the City of Star's standards, not ACHD's. Hershey could not find that. Chadwick stated we go 36' in Star and we want this to be consistent with our roads.

Keyes spoke to the concerns that Councilman Chadwick has if the roads would be able to be taken over by ACHD without having to be rebuilt, as long as they are built to ACHD standards he thinks that meets their requirement. He also heard Counsel state that we could put an LID on the property. Chadwick is not in favor of having the roads to ACHD standards, this is the battle we had a couple years ago when they changed the dimensions of the roads and we said we want to maintain our roads at the width of 36', because you just can't drive down the road safely when they are narrower and people are parking on the streets. To him it is not feasible and not safe. Nielsen stated to Councilman Keyes point in this situation where we don't have a lot of connectivity for people going through this community, it is not as big of concern for him as it looks to be 33'. Chadwick asked if it will be 33' all the way. (undecipherable) Chadwick stated that if we're going to go with 33' then he is okay with 33'. Chadwick we don't allow those widths in a regular subdivision at all anywhere. Chadwick stated that if we put in for 33' throughout the whole thing then he is fine with it. He likes the project and it looks really good and it will have beautiful roads throughout.

Chadwick asked if we should table this so we can see the final development agreement. Nielsen is in favor of approving it tonight. Nickel stated that staff has all the requests and he can bring that back to Council with the Findings. Nielsen asked Nickel to read back the conditions. Nickel stated it is public access to greenbelt. Nielsen stated lets specify that it connects from Highway 44 to the Boise River. Nickel asked if you made a decision on the ditch. Chadwick stated they want to tile the ditch. Nickel stated then the HOA would maintain the tiling. Nickel the CC&R's would address road maintenance and down lighting for streetlights. Keyes stated that the CC&R's should more accurately have a reserve account for analysis with a three-year review cycle and the Riverwalk was to also allow access for public access. Nielsen stated that it was proper reserves and a maintenance plan. Nielsen asked Keyes if that review was part of annual or every three-year audit. Keyes stated there is a variety of ways to do it, there are an awful lot of tools on the internet that he found to be quite adequate. Nielsen stated just somebody has to do the review. Nickel asked about the width of the roads. Chadwick stated that it will be 33 feet. Nielsen the other part of the lighting was to screen the adjacent properties. Hershey moved to approve the Moon Valley Subdivision with the four stated conditions in the packet, plus the conditions as stated by Mr. Nickels, Nielsen seconded the motion. All ayes: motion carried.

Public Hearing: Iron Mountain Estates – The Mayor reviewed the public hearing process and asked Council for any ex parte contact or conflicts of interest. Keyes stated that at one time he had a financial interest in a piece of property near this development, but he no longer has an interest in that parcel. The Mayor opened the public hearing and asked the Applicant to speak.

Applicant: Jay Walker, AllTerra Consulting, 849 E. State Street, Eagle, stated he has appreciated working with Ward and Nickel and staff and appreciate their review of this project and application. He thanked Council for staying late and hearing our presentation. He represents Todd Campbell Construction. AllTerra Consulting seeks approval for annexation, zoning and preliminary plat of approximately 15.43 acres in order to provide 43 single family residential lots and six common lots within the City of Star. It is a density of 2.75 dwelling units per acre, that's less than the 2.84 dwelling units per acre that was approved recently just west of this. The project is located just east of Pollard Lane and south of Beacon Light and north of Floating Feather Road. The proposed annexation and zone to R3 and preliminary plat is consistent with the R3 development just to the north and west and complies with the City's Comp Plan official land use map, even the most recent update. As designed preliminarily it also complies with the City's statutory requirements of the UDC zoning and design requirements. An annexation application has been submitted to Star Sewer and Water District as well. Ada County Highway District conditions have been met and is consistent with the COMPASS population model. They have received and reviewed all agency responses including the West Ada School District. Iron Mountain Estates is again northeast of Floating Feather and Pollard Lane. The project fully residential and is across from the new Star Middle School, both east and southeast of it. The areas around Iron Mountain Estates are zoned residential and the application is consistent with the uses. This area is

experiencing growth. The 49 total lots are comprised of 43 single family residential and six common lots. Lot sizes range from the smallest at 9,114 sq. ft. and largest at 21,391 sq. ft. The development is slated to occur in two phases. The density is 2.75 consistent with the City R3 proposed zoning. Egress and ingress come both from Pollard Lane. This is aligned with the school access as well as the recent approved Iron Mountain Ridge main entry. There is a preconstruction meeting with ACHD tomorrow on that. They have complied with ACHD and Star Fire Protection District and they accept the Preliminary plat layout. Water and sewer will be stubbed to the property. Idaho Power does have capacity available along with the other utilities. Irrigation is provided by Farmers Union Ditch Company. Pressurized irrigation will be provided through a pump station and they will utilize that water for lots. The project is committed to landscape and amenities as shown on the plan according to City ordinance and staff reviewed the application along with ACHD and found it compliant. They had a successful neighborhood meeting on Thursday, December 20th with no opposition expressed in that meeting. So, here is preliminary plat, with the access again that aligns with Iron Mountain Ridge and then the secondary access is north of that also on Pollard Lane directly in alignment with the Star Middle School. The next slide provided the legal description and legal boundary of the property and parcel. The next slide they performed a comprehensive soil of phase 1 and advanced holes around the ten to twelve feet depth, no water table was encountered. The next slide is the preliminary plat on a larger scale meeting the Fire Department requirements on the cul-de-sac radius and also public right-of-way. It extends sewer and water stubs out to parcels directly to the north and south. There is also a stub street requested by ACHD to the north and to the east property. These are out parcels not under the control of the developer and there is no frontage on Floating Feather. The next slide showed how this will develop. Phasing this will make it more manageable for the developers. On the next slide, ACHD comments for the Iron Mountain Estates preliminary design. All roads are designed as required, 36 feet back-of-curb to back-of-curb. He would like to have an additional three feet, but that sounds like it is only for private roads. Again, the pressurized irrigation will be provided with a pump station. On one of the engineers review I will show you where the pump station is located it is in alignment with the gravity irrigation ditch. They will submit a sign permit as requested. Landscape will be done per UDC, they have common areas and a tot lot. They also demonstrate where cluster mail boxes will be located. They will be using six-foot solid vinyl fencing as depicted on that same landscape plan. There are no special setbacks requested. They have submitted the annexation to SSWD, they accepted it and provided us with conditions of that annexation and those conditions are being reviewed by the ownership team and he is sure that will be agreed too. The Star Fire District wants fire hydrants every 400 feet throughout the development or less which they have met. Plans show the property accesses and turnarounds. They have had several meetings and conversations with ACHD and they accept all the conditions but one and are working through that and Walker is willing to address. Preliminary design sheets were shown. All water and sewer are within the public right-of-way. It shows cul-de-sacs with radius as required and the accesses per ACHD. The next slide is the pump station, it is hard to see and that may be why the engineer asked us to let Council know the location. This is the source for the gravity irrigation.

There is a flood zone associated with this and we have done a flood analysis using Karl Gephardt. He is known in the Valley for much of his work with FEMA remapping the Boise River Basin and he has completed that as of October 19. The process addressed the comments of the engineer, there is flood mapping in A Zone with a 1% chance of flood zone in the 100-year. With that detailed study with that base flood elevation based off of the Big Gulch Water Shed of those dimensions of four-square miles with 419 bfs with that one percent. An A zone map was established in 2003 in a flood insurance study again no hydrology study was done or FEMA mapping establishing a base flood elevation. The process is, we've completed the flood analysis, we developed the grading plan and the concept layout which we are here tonight to request City Council's approval of. If and when we get that approval we will then submit that grading plan to the City, to the Flood Administrator, Cathy Ward and work with her on that. Then we will do the necessary grading and filling of the site and then file a LOMR-F with FEMA and the City of Star and that will resolve. Through careful study how the LIDAR of 2015 and the 2018 survey they just did, the LIDAR boundary that Karl has been intimately involved in ____ the set up significantly and

they have maintained the development of the residential lots outside of that influence area. They can't contain the Big Gulch as demonstrated and as we are showing with that flood analysis report. They will establish the BFE with that study. They will definitely work hand-in-hand with Ward and FEMA to make sure we meet all their requirements. So, the next slide is the landscape plan and he mentioned they have a tot lot designation and a little playground area centrally located. In the development we have a cluster mailbox and we have a linear park for use of the residents. They also as a requirement and in discussion with the Farmers Union Canal Ditch Company and in discussion with ACHD have located a pathway on the east side of the Big Gulch Drain as conditioned by ACHD. In addition to an extruded curb separation of a pathway along the west side for avid bikers and commuters to enjoy. Both of those will provide safe commute for all pedestrian users. The next slide shows the details on the fencing, a tan colored privacy fence that will be located on the perimeter and internally as well, to be installed by developer/builder or homeowner. Plant schedule meets and also protects the vision triangle as required by ACHD and meets the code for the City of Star. The next slide is a typical house elevation, a product you will see in this development. He wanted to explain a little bit about the one condition we are ironing out with ACHD staff, it has been reviewed by the developers, they have agreed to it. This demonstrates that the water source of the Klondike point delivery that commences on Highway 16 north of the winery and tracks down to the golf course and that is the delivery source and he has verified the inches of water available for their parcel. The property does have surface water rights to which we will use to pressurize and distribute through a pressurized irrigation system. In Iron Mountain Estates is in a unique situation and one that was agreed upon when the school was built, they knew about the expanse and longevity of the Big Gulch Drain and they didn't want to touch the rip rap as it is self-sufficient and maintains clean status because of the basalt rip rap throughout that channel length of the property. So, any widening that occurred happened on the west side and the Iron Mountain Ridge Development has dedicated a little more than eighteen feet on the west side to accommodate the full needed 54 feet required by ACHD for a collector road as is classified with Pollard Lane. One of the comments they forgot was at a meeting and was on a sketch in caring for this frontage of the Big Gulch Drain. In the condition it said we need to provide curb, gutter and sidewalk on this west side of the gulch and there was not the intention of doing that nor is there room to do that from the edge of pavement. What we agreed upon in that meeting in December was an extruded curb and a treatment of the run-off and a collection and conveyance process, but no vertical curb, gutter and sidewalk and that extruded curb would be placed five feet off of the edge of pavement on the west side of the Big Gulch Drain. So that is what is being slightly modified in the staff report. Back to the summary, and that's only a half section, the other half and the additional needed dedication all came from the right-of-way department of ACHD with Iron Mountain Ridge, it has been designed and approved. In summary the project is located in the developing area of Star, southeast of the new Star Middle School. It is consistent with the R3 zone with the property north and west, providing large lots, amenities, development of 43 residential lots, high quality family dwelling units, provides landscape and amenities, improves infrastructure on Pollard Lane and all utilities are available along with site access. Staff has determined the project is in compliance with Star City Code and he respectfully request approval of this preliminary plat, annexation and rezone.

Chadwick asked Walker to clarify or show him how children are going to get out to reach the school access wise. Across that ditch. Walker stated that we have two locations, both at the school and at Iron Mountain Ridge. Chadwick asked if they would both have sidewalks coming out. Walker stated they would have full crossings and sidewalks coming out. So, you'll have a five-foot concrete walk on the east side of the Gulch and you'll have a paved separated pathway by extruded curb on the west side of that ditch.

Public Input: Stewart Welton, 9500 W. Broken Lane, Star, stated that as you know we spoke earlier on our project today so some of the topics he wants to talk about is his concern is the safety of that road and the entrance of that subdivision. How the kids are going to get in and out of there and we want to make sure we have a nice development as well as the access. His concern as well is the width of that road, Pollard Road to the school and the path they may or may not be there for the kids.

Sharon Fahrner, 9150 W. Floating Feather Road, Star, stated that she lives at the southwest corner of this project. They have a 50' easement that goes across their property, it is marked as a proposed easement on their plat and she has not been able to find out what the intent of that use is on their property. They would like to know what their plan is.

David Worsley, 645 N. Star Road, Star, stated he owns the property that is directly east of this development and he wanted to make sure the City and ACHD provided them access to this property via whatever the requirements are going to be for future development. They don't want to be landlocked on that.

Applicant Rebuttal: Jay Walker, 849 E. State Street, Eagle, stated that Mr. Welton mentioned two paths, one on the east side of the Big Gulch of a five-foot concrete sidewalk that is required, and we have agreed to that with ACHD and the City. Then for the more avid cyclist, a separate five-foot path on the edge of the pavement which is paved. Connectivity for both of those approaches at the school or Iron Mountain Ridge are safe crossings. He doesn't know that the 50' easement is on the property at the corner, he wishes Ron Schreiner was here, as he could tell them. The easement was there prior to them purchasing the property, they don't know who the beneficiary is on that. They certainly don't need it, and it can be removed, Walker believes it was a farm access probably provided through her property for farm equipment. Walker stated that it can probably go away as soon as they have an additional access. An access will be provided to the property as required by ACHD. This will be in phase two. Walker respectfully request approval of their applications.

Chadwick asked about access points to the school, have you worked with the school district or talked with anyone about putting a crossing beacon there because this is going to be the start point of development on this side, the access is where there is a choke point and kids cross the street. He thinks this is something that should be put in as a crossing beacon to get those kids safely across Pollard. Walker stated they have received a letter today from the school and they are willing to do what is necessary to provide safe crossing there.

Nielsen asked Walker to please describe in a little more detail the access to Mr. Worsley's property. Walker stated that there is one, it is the Heart Creek access. There is a little bit of grade and the reason why it is located here on the north side of the property is because this is a softer grade and they can manipulate those grades and that appeased ACHD with a full public street access. Nielsen stated there is a limitation based on the grade over on the southern part of that property. Walker stated that was correct. Keyes asked if the grade then continues onto Mr. Worsley's property there? Walker stated he had not done a topography survey map on that property. Nielsen stated so as you were talking about that, he saw him over there shaking his head, so I'm curious as to what you think about his access, and he knows we are not in public hearing anymore. Nielsen would be most interested in making sure you are being a good neighbor and that we don't end up landlocking that piece of property. Nielsen is not sure what the shaking heads is about. Walker stated that he believes there is a Worsley Lane access off of Floating Feather he has in addition to this, so there wouldn't be a land locking of his property. Nielsen stated that his understanding is that there is not sufficient width on that to get access to that property. Walker stated this is the standard street section, the 36' from back-of-curb to back-of-curb and ACHD's requirement was to locate it somewhere on this easterly edge and that met the design and location of it at Heart Creek and provided the necessary separation from other off setting roads. They did not want a thorough fare going right into the Middle School. This created a little disjointed access to that property, so we don't have a full access going into the school at high speed. There were a number of reasons ACHD thought this was a good idea and our discussions and the grade certainly are the other reasons for that. Not that there isn't grade here, there is grade and is certainly a softer grade per the topo map than any location to the south of that along Mr. Worsley's frontage. Walker believes it will work the best, he has a lot of topography going on site. There are holes, motorcycle dips and there is a big effort of grading that will

have to be done on this property in order to develop it in any manner. Walker believes this is the best, the way it is presented in their professional opinion.

Hershey asked if there will be a sidewalk on the east side of Pollard. Walker stated there is a paved pathway separated by an extruded curb and on the east side, but then on the west side of the Big Gulch Drain there is a concrete sidewalk that extends north and south of the full frontage of the property from access point to access point.

Staff: Nickel asked Walker to point out the lot and block of the tot lot, he could not find it on the landscape map. Walker stated that it is in the middle of the common lot, it is a long linear park. They were undecided as to where to put this on north or south of the access road. It is within this common lot of the linear park. Chadwick asked how much open space they had. Walker stated that the open space is 5.8 acres and 5.6%, meeting the ordinance of 5% or more. Chadwick asked which parts are open spaces. Walker showed it on the map. Chadwick stated that he cannot see red and asked Walker to point to the areas.

The Mayor reopened the public hearing.

David Worsley stated that in phase 2 which would be providing access to our property, when is that going to be done and are you going to require all the sidewalks, streets and utilities to be put in before the build. The Mayor stated he doesn't know when they plan to do it and doesn't know if they know when they plan on doing it. The Mayor stated that the infrastructure for phase 2 does not technically have to be in before they build, but he will let Walker answer these questions.

Keyes asked Mr. Worsley about his concern about being land locked, can you describe the other access to the property? Worsley stated that what they have when they developed the three one acre lots we entered into an agreement which allowed us to have a private drive back to the two acres on the corner there, on the very bottom corner. They did not require the street standards and it needs to come in on Worsley Lane. {Undecipherable conversation}. Keyes stated that you actually own the property where that access is? Worsley stated that he does. Keyes, no I mean on the lower left corner where the current driveway is. Worsley stated that he does. {Undecipherable conversation}

Suzanne Canova, 4393 N. Pollard Lane, Star, stated she lives north of this project and has driven that road for about 30 years and that is a big nasty open ditch, with concrete in it and roots, she has only seen one car in it. There is absolutely no way for a kid to ride a bike on that road going north except for in the lane practically. You always have to be careful of bike riders, it just seems really vulnerable to her. You have that huge ditch for kids to be riding to and from school. It doesn't seem the 50' is enough and also she is not an architect, but those houses are packed in there and the common areas are thirty-foot strips? Does that seem like something you want? She is just questioning the way they are packed in there, but the ditch is her main concern, she has seen only one vehicle in the ditch but it doesn't seem safe. She would encourage everyone to drive it once and look at it.

Raeleen Welton, 9500 W. Broken Arrow Lane, Star, stated her concern is the same, we obviously live very close and there are a lot of bikers on that road and she thinks we discussed this with other developments going in. They are not opposed to development, they know it has to happen, but that ditch it is terrible and it sluffs off and goes clear into the asphalt when it does. People walk along there all the time, if there is not fencing, and if a kid rode a bike into the ditch it will be detrimental, there are a lot of rocks and boulders in there. If we can just address that a little more, she is concerned with getting the kids safely to school.

Applicant Rebuttal: Jay Walker stated that it doesn't seem like Worsley is land locked as he does have frontage off of Floating Feather in his understanding. He believes he sold the three lots on his property

and retained the road. They will certainly provide a stub according to conditions, they want to be neighborly and hopefully that answers that question. When the school district applied for a permit, it did recognize the Big Gulch was there and everything shifted as was required by us to shift to the west. ACHD owns part of that ditch and caring for the westerly edge of that is out of their jurisdiction. It is under ACHD's power and jurisdiction. As per conditions of ACHD, they are placing a buffer of a five-foot sidewalk within their frontage of their development that will be buffered by landscape and amenities as the Farmers Union Canal will allow.

Chadwick stated that he believes Mr. Worsley is concerned, from what he can gather is the little access road is not wide enough to meet the standards of 36' and so that's what his concern is about that stub up north. His question to Walker is there is no way to move that stub any further down because of the topo on that land correct? Walker stated that is correct and because of some of the desires of ACHD and his group, in their meetings to not create a straight shot and maintain the offset separation for other public right-of-ways.

The Mayor asked when will that phase be developed? Walker stated he had no idea the owner was to put upper 20's lower 30's in a phase. It is a matter of timing, not plans. Timing depends on the market.

Nielsen asked if the construction of the streets for phase two will go in first? Do you put all the streets and infrastructure in first? Walker stated probably not, it will go in with phase two.

Keyes stated he would like to pursue Mr. Worsley's concern a little more. The map that is up there now and the part that presents Mr. Worsley's and the three additional lots that front on Floating Feather, he does not see any access to Floating Feather. Keyes is wondering if in fact what he has is an easement and Keyes doesn't know what the conditions of that easement might be for developing that property, but it does not appear there is a right-of-way that he could have a second access. Walker stated that it sounds like when he decided to sell those three out parcels he arranged something with Ada County to develop a legal access to cover that, so he wasn't land locked. He doesn't know and has not researched the property in depth and doesn't know what his thinking was at the time he was creating this situation by selling those three lots and working with Ada County. It sounds like he's created something of a mitigation to that situation. He had no idea if and when this would get approved of this phase.

Nielsen stated the issue is the width of that lane. It is not sufficient width to provide access to a development that could be placed on the property. Keyes stated that it doesn't look like that on this map. Nielsen stated that he has known Mr. Worsley for many years and his property so the issue is the width of that lane and it is not acceptable and ACHD is not going to approve a road because it's not sufficient width for access into a development that's being placed on the property. Chadwick stated that it is understanding that he is working with the property owner to gain more access for the width of that road.

Chadwick asked Nickel if Worsley were to develop it do we have any issues with just one access point coming in from the west of it? If he cannot gain additional access with lanes. Nickel stated that it would be an issue for the Fire District. Nielsen stated that he doesn't think that can be a part of the consideration for this application. Chadwick stated he knows we can't but is there anyway to extend another lane in there and give two points of access into that property from their property. If there are truly 17 acres and you develop and you're shuffling every single one car through one hole, that's where he looks at it. A future stub road and to have two of them on that property to be able to access. Walker stated that it all depends on the use of his property at the time of his application, he is sure that will have to be vetted and that is why he is going to that property owner to whom he sold one of those out parcels to gain a little more property. Walker doesn't know if it is the onus of the property owner he represents to provide all these access points and diminish his preliminary plat at this point. Chadwick doesn't know if it's your onus either, but it is up to the Council to have it develop correctly and properly over the years. Once we approve something here and you build it – it's done. We don't have that access point any further at that

point. We can ask for another access point to that property like we've done with others. Walker stated that it sounds like he is working with one of the property owners that he sold to, some of that should have been vetted at the time in working with Ada County anticipating the sale. He was compensated for the three out parcels, maybe there's some finances there he can buy property further east as well to widen the deficiency there, he doesn't know. Walker stated that the application before you is a preliminary plat where we've met the requirements of ACHD, they asked for one stub – one to the north and one to the east and they provided both of those. He doesn't know that the owner would be willing to give up a lot in order to mitigate something made by the owner himself by selling off his property to other people. Walker has never seen that done. Chadwick stated that they have done it, you look at a postage stamp, we look at the entire picture. Chadwick stated that we have to make sure this is feasible all the way through, maybe that is the only solution. Walker stated that we don't know what is going to develop to the school's property or to the east. There is a lot of development potential on the other properties that are around it.

Chadwick asked if Walker had addressed the concerns from Mrs. Welton. Walker stated he did.

The Mayor closed the public hearing and moved to deliberations.

Nielsen stated he will just make a comment about the ditch, the Middle School, that was the first hearing he sat in on, that was also true for Councilman Chadwick and Councilman Hershey. Looking back on that it was an unfortunate circumstance for the City. The school said there was no way they could cover that ditch, as it turned out later no one asked the Army Corp of Engineers for permission to tile it. So, there is a missed opportunity there to get that ditch covered, to provide safer access and provide more width there for the road. Nielsen stated that if he is sitting on this Council when the school district comes back for the high school that will be a different story. He doesn't know that we can place that as a condition on this particular property because there's probably not financial means to have that done. It would be impossible from a business standpoint, but it is something that needs to be addressed. But no one asked the Corp. He is happy to see a sidewalk on a non-street side of that ditch and the landscaping over there and would be okay with his kids walking on that. He would probably not ride his bike on the other side of that just because if a car comes by that way and my option is going into the ditch because that is probably a death sentence. So, while he appreciates having that extra width there, it's certainly safer.

Chadwick believes that either the ditch needs to be covered or a railing put up along the ditch to prevent people from going in. As the properties develop they did provide the extra easement and the extra width on Pollard Lane. They are providing that and the sidewalk, so as things develop along there we'll see that whole thing shift. He believes that as things develop we will see that sidewalk go all the way down. He thinks that sometime in the future that may be done. It could be a whole different set of plans to get that ditch tiled. He completely understands the access on this but he does see that they are providing an access to that property, he just didn't know if there was a requirement to provide more than one access. So that's why he asked the question. Chadwick is not in favor of 20-foot strips of open space. He doesn't know how you really play in 20-foot strips in this open space if you are a child. He would like them to work with the school district for a beacon there on that roadway going to the school to provide safe crossing for all the children going to that school. He thinks that is important.

Hershey's first meeting went to 1:30 am in the morning and he didn't know what he was doing. He didn't know what he got himself into. Generally speaking if it meets the requirements, he would like to see the easement removed.

Keyes asked if we could make the removal of the easement a condition of approval. Keyes stated that he is also not wild about the amount and configuration of the open space and to him this is exactly why we need the Comp Plan done. Keyes stated that yes, it does meet our Code, but is this a practical area for

children to play in a twenty-foot wide strip. It is not what he would have wanted to grow up with. Having said that this is the code and the requirement that existed when this application came in.

Hershey moved to approve Iron Mountain Estates Subdivision with the 14 stated conditions of approval, to include the removal of the easement on the Fahrner's property, and to work with the school to put in a beacon crossing. Nielsen seconded the motion. All ayes: motion carried.

Reports:

Staff – No reports were given.

Council – No reports were given.

Mayor – No reports were given.

Adjourned: The Mayor adjourned the meeting at 10:33 pm.

Approved:

Charlten Bell, Mayor

Respectfully submitted:

Cathy Ward, City Clerk