

**NOTUS PUBLIC HEARING
AND CITY COUNCIL MEETING MINUTES**

July 15, 2024 @ 7:00PM
at Notus Elementary Gym, 25257 Notus Road, Caldwell, ID 83607

1. Meeting Called to Order

Meeting was called to order at 7:25 pm by Mayor, David Porterfield.

2. Roll Call

Roll call was taken with the following results: council President, Steve Ahlborn, councilmen Devin Krasowski and Rob Hartsock, councilwoman, Lupita Connor, all present. Also, present Mayor David Porterfield, City Attorney, Bryan Norton and City Planner and Engineer, Antonio Conti.

3. Pledge of Allegiance

4. Amended Agenda Approval, Action Item

Mayor Porterfield asked for a motion to approve the amended agenda due to the meeting location change. The change was made because of the extreme heat and the School Principal graciously offered the air-conditioned gym. Ahlborn motioned to approve the amended agenda for the change in location. Krasowski seconded. Roll call was taken with the following results: Ahlborn; yes, Krasowski; yes, Connor; yes, Hartsock; yes. Motion carried.

5. Public Hearing to receive public comment regarding annexation and rezone of 34.23 acres and preliminary plat of 66.65 acres for Conway Ridge subdivision consisting of 197 lots overall with 169 single family residential detached homes, 22 common lots and 6 common driveway lots built out in 8 phases: Between Notus Road and Conway Road, south of Purple Sage Road and north of Kremmwood Heights Subdivision. Township 5N, Range 4W, Section 34 on parcels R3855501800 (Notus, Idaho), R3855501300, R1888600000, R1888601000, R3855501400 and R3855501200, (Canyon County, Idaho)

Mayor opened the public hearing and asks Council if there are any ExParte' communications to declare. Krasowski commented that he has seen the flyer that was delivered around town but see's that it is part of the public record (of written correspondence submitted). Mayor asked if the public hearing was correctly advertised. City Clerk responded that it was correctly advertised and published. City Planner, Antonio Conti, reviews the application submitted. Proposed density is under code requirement, according to our code with open space of approx. 20%. No response from Notus Parma Highway District, but none was required. Access is from 3 points on Notus Road and 1 from Conway Road. There is no connection between the north and south, due to Conway Gulch splitting the development. Sewer main on Notus Road with 27 connections assumed. Water main on Notus Road but there is a problem. Our secondary well is not operational and we are currently deficient by DEQ standards. Development Engineer is aware of this. Portion of the property is already in City limits. Staff finds the proposed project to be generally consistent with the City's Comprehensive Plan. They agree to meet setbacks and a walkway along Conway. We still recommend a north and south connection of some sort. There is lagoon (waste water) capacity. We need to amend the waste water facility plan with the current data. We have water capacity but need a redundant water source as our secondary well is not operational. This is independent from the development. This needs to happen now with or without this development. Lagoon expansion would be tied to this development. This could be written in the development agreement. City Planner stands for questions. Krasowski would like to have the (wastewater) numbers confirmed. Connor stated that we are not in compliance right now. City Planner stated the proposed have irrigation rights and will have pressurized irrigation to each house. Mayor recognized Stephanie Hopkins representing the applicant Triple Dot. She commented that this proposal has reduced the number of lots from the last proposal which lessens the impact to water, sewer, and roadways. They have met with the School Superintendent and are willing to contribute to help with their needs. This proposal is for 169 buildable lots and annexation of 33 acres into the city for total acres of 66.6 development. It is consistent with the city comprehensive plan and future land use maps as it adjacent to current residential. Has improvement to Notus Road with sidewalks. Conway and Purple Sage roads will see improvements. 169 developed lots, density at 2.53 units per acre. Lots are larger with more open space. Large children play structure and area, small dog park and walking path along Conway Gulch. This is a phased plan with first phase of 24 single family homes near Purple Sage and Notus Roads. Second would be 23 lots. Three, four and five would be 30 lots. Phase six would be 25 and seven would be 15. Three access points on Notus Road and one from Conway. Farm house styles on 8000 sq ft or larger lots. Set backs are 10 ft. Hartsock commented he appreciates the increased lot sizes. Concerned about the flood

zone. Stephanie stated that all FEMA concerns will be addressed. Hartsock would like to see the area of sidewalk and tree planter area addressed to avoid tree root intrusion. Hartsock stated we would need help with city services, need to determine what that would be. He liked the 8-phase time line, asked if that is allowable to be able to slow down if we needed to? The developer stated they are amiable to helping out. First build would be 2025-26. Mayor asked if the comps analysis revenue based on value and has it considered the 8% cap of HB389. Stephanie stated it is pre 8% cap of HB389 calculations. If approved the infrastructure would be done first, right away. Mayor asked about the style of homes. Stephanie stated they had not picked a builder yet but that they heard from the community that they wanted farm style homes. Ahlborn stated that they will need to work with Antonio to make sure we have water and wastewater connections. Stephanie stated that yes, they will work with the City for connections. Ahlborn commented that we need a back up well whether they (developer) help or not. Stephanie stated that they are willing to help with any improvements the City feels necessary to approve. Ahlborn stated he would like connectivity across the Gulch, even a walk way path. Would also would like to see the park in before phase 4 because that could be ten years out. Stephanie stated they could switch the park phase to accommodate that but need to remain compliant with the fire access. Krasowski commented he appreciates that they are amiable to make changes. Ahlborn appreciates the east side of Notus Road improvement from center line and asked if they could go all the way to highway 20-26? Stephanie stated she was not sure as this was not discussed but willing to hold a discussion on it. Mayor has concerns related to accessibility and useability. 40 ft streets seem narrow. He would like to see a width increase for parked cars and make traffic friendly. Would like to see how they handle the intersection of 1st street and Notus Rd. Ahlborn asked about the Purple Sage Rd and Notus Rd intersection. Developer stated they have talked with the school district and will collaborate with them to create a safe crossing. Connor stated that she would like to see redesign of the access roads. One on Purple Sage, Notus Rd, and one on Conway. Stephanie responded that Notus Parma Highway has denied any access onto Purple Sage Road. Connor asked about public access to parks. Stephanie stated that they were planned to be maintained by HOA but City could maintain them. Krasowski would like to see comps of cost-of-living change with the development and without. Connor asked if they would consider less homes. Stephanie stated that 139 is quite a compromise already. Connor asked why not go to Canyon County. Stephanie stated that this is adjacent to the City of Notus and development wants to be in the city. If not in the City, each lot would require one well and septic. Clerk Note** Recess called at 9:11PM. Meeting resumed at 9:22PM.

Tanner Leighton addressed council stating common lot areas allow for utility easements and are not buildable. Access crossing for Conway gulch has been asked for but Black Canyon Irrigation has not responded. He has talked with school Superintendent about improving the Purple Sage and Notus Road cross walk. All can be addressed in conditions and within a development agreement.

Mayor opens public testimony and recognizes Josh Hersom, resident. He is in support of this. The more students, the more money the schools get. They will help with the current water problem infrastructure. Mayor calls Mary Williams. No response. Mayor recognizes James Connor, resident. He has concerns with this application. What are the long-term cost and estimates for bonds cost to enlarge the schools? The property tax revenue is capped at 8%. Mayor recognizes Robert Bahruth, resident. He is not opposed to growth; it just needs to be responsible growth. Mayor recognizes Willie Lovitt, resident. She stated she is dead set against this. Its obnoxious and ghetto. Mayor recognizes Randall Taylor, resident. He stated that all the traffic would be on Notus Rd. That would require huge input of money from the City. He is not in favor of this project. Develop what is already in the city first. Mayor recognizes Dan Fields, Community member. He is not in favor. More traffic, more kids, strain on the schools means more bonds. Mayor calls Beth Ashcraft. No response. Mayor recognizes Eddy Lopez, resident. He stated he has been here since 1975 and would not leave. Not in favor. Does not want anything to change. Mayor recognizes Micah Doramus, School Superintendent. He stated he is neither for or against development. He has had several good conversations with the development team. Forecasting student enrollment is a challenge. Figure one student per roof is the norm with new development. 450-468 current district capacity. Expected projected enrollment for this coming year for K-12 is 296. They provide preschool for Notus, Wilder and Parmas. We are seeing a influx of 3 year olds. 2 years ago we had 12-15 students. This year we are we are expecting 30 plus. Growth is happening internally. Whether this development happens or not, growth is coming to the area. Just look around. The information that was in the flyer, distributed by a community member of my numbers, are proposed based on an imperfect science, based on possible square footage, and development cost for construction as well. The longer that goes on, the more expensive it gets. This district serves more than City limits, it serves the greater area. The more district residents, the more households to share the costs, costs go down. We are planning for growth. Within the City or County, same results. There is a significant part of the school district that is outside of the city limits. Currently accepting out of district student enrollment for classes that are not at capacity. No secondary classes are at capacity. 6th grade is the only elementary class that is not at capacity for open (out of district) enrollment. If students live in district, we take them. Currently have room for 120 additional students within district, without being considered over capacity. Mayor recognized Chris Grooms, resident. Chris stated he wanted to let residents know that he, Mike Engle and John Bittick are the new P&Z commission members, appointed, and

have no say in this application. (was submitted before they were placed) They have been accused of being able to sway the Council. We have no say in this application. Mayor called Matt Williams, no response. Mayor called Heidi Glaetli, resident. She stated she was not for or against. Growth is coming and as we experience it, we have the opportunity to influence what Notus will look like. There is a shortage of daycare and activities for teenagers to do. One in every six Americans are 65 years or older. Eldercare facilities are needed for adult children that are caring for elderly parents, so they can continue on with their employment. No city park play structure. This could be an opportunity for societies most vulnerable, by developing homes that would address the needs. What about building and inclusive neighborhood. A community addressing 55 years to end of life. Homes for the disabled. Could employ locals and provide support to the schools. No one else has signed in. Mayor recognizes Stephanie Hopkins. She commented, as Mr. Doramus stated more people, the cheaper everything becomes. The current city facilities are not up to par and 169 lots are an opportunity to help pay for the needs. The development team can provide some guidelines that are feasible for the City. Conditions; reconfigure the phasing, park with large play structure completed in 1st phase, enhanced crosswalk to the 1st stage for school children safety. Contributions towards the needed new well can all be part of a development agreement implemented before we move forward. Tanner stated they are looking into government funding for infrastructure. They have reached out to the current owner of the land around the current sewer lagoons if the need arises for expansion, they have been proactive on that end. Connor commented promises made should be put in writing. Tanner stated in a development agreement, yes, they would be. That would be a contract of sorts between the City and the Developer. Mayor opens the floor for any questions to be asked and answered. Connor asked if the taxes from the annexation paying for services and compliance items that the city will be responsible for now. Mayor stated the property tax money would come from the County and be general fund monies. General funds can be spent from that fund on many things including water, sewers or streets at the discretion of the city council. Connor commented the state 8% cap on new construction is confusing. The mayor commented that yes, the state legislature HB389 is confusing. The county restricts the income a city receives from new construction and it is a complex formula to figure it out. Ahlborn commented that we have a developer that is willing to help pay for some things and we should take a serious look at that. Connor references old petition signed by residents not in favor of development. Hartsock commented that 114 signed the petition. We have over 600 in population so, many didn't sign. Council must represent all, not just the petitioners. We must provide water and sewer and spend money responsibly. Attorney stated this is more Council comments and suggested closing the hearing. Ahlborn motioned to close the public hearing. Krasowski seconded. Roll call was taken with the following results: Ahlborn; yes, Krasowski; yes, Hartsock; yes, Connor; yes. Motion carried.

6. Consent Agenda, Action Items

6.1 Disbursement List

Krasowski motioned to pay the disbursements in the amount of \$3434.98. Ahlborn seconded. Roll call was taken with the following results: Krasowski; yes, Ahlborn; yes, Hartsock; yes, Connor; yes. Motion carried.

7. Business

7.1 Annexation and rezone of 34.23 acres and preliminary plat of 66.65 acres for Conway Ridge Subdivision, ACTION ITEM

Krasowski stated he would like to see comments from Notus Parma Highway and an economic analysis of expenses, if we spread out the costs. Ahlborn would like to see accurate tax numbers as well because the flyer (distributed by a community member) was full of misinformation. We have a developer that is willing to help with our needs. He's not ready to make a vote tonight. Connor has concerns about the needed well, that we are not DEQ compliant, and our infrastructure won't support this. Doesn't feel that the citizens against development are being heard. Krasowski commented that the developer bears the cost of water and sewer line extensions. Ahlborn stated for the record that he listens to all residents, not just a few. Ahlborn stated we need to listen to all citizens, read letters submitted and see what they have to say, with an open mind. Mayor commented the responsibility is on the developers, and not on the City, in regards to the infrastructure. It takes time for development to happen. If we drill a new well now, that cost is on the shoulders of those here right now. Renovate or drill new? What is better for current position right now? Krasowski stated he would like to review notes and at another meeting have a developer do an economic cost analysis, comparison of current cost of living VS cost with Conway Ridge and with developer helping with costs. Krasowski motioned to table the decision of 7.1 to August 12th. Hartsock seconded. Krasowski withdraws motion. Krasowski motioned to continue business topic 7.1 to August 19th meeting. Hartsock seconded. Roll call was taken with the following results: Krasowski; yes, Hartsock; yes, Ahlborn; yes, Connor; yes. Motion carried.

8. Mayor & Council Comment

NONE

9. Adjournment

Krasowski motioned to adjourn at 10:55 pm. Hartsock seconded. All in favor. Motion carried

Respectfully submitted by Loretta Vollmer, idCMC Notus _____

Approved by David Porterfield, Mayor _____