



City of Donnelly

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Special City Council Meeting on Monday, May 23, 2016 at 6:00 pm Donnelly Community Center

MINUTES

Meeting began at 6:10 p.m. due to Venue Change from the Elementary to the Community Center.

Roll Call: Councilor Stayton, Councilor Minshall, Councilor Getto, Councilor Davenport, and Mayor Koch were present. Quorum exists. Clerk Hedges was present.

Pledge of Allegiance

PUBLIC HEARING

Mayor Koch opened the Public Hearing at 6:10 p.m.

Against:

Brad Backus - Came to talk as a citizen and previous mayor. Smart Growth award and would like to caution the council as this has changed the scope of the development. Would suggest that the council step back and take time to look. Although it is a low income they are still developers. Matthew Castrigno's building with no Certificate of Occupancy and Roseberry Plaza. Requested that Chance change some things, and still changes from the 22 townhouses/condos to 37 apartments with approximately 74 cars if each place had 2 cars. Things keep changing and numbers keep jacking things up. Those articles that have changed. He sees that we will bring in middle income more likely low income. They will never have homeowners and have a vested interest in the City. He believes that we will see drastic problems if this project moves forward. Slow down and look at the details. Cannot have their lack of planning to be an emergency on our part. Parking will not be available and possible infrastructure, if 37 toilets flush at the same time, it won't work. 5 million of infrastructure put into this town while in office and believes that Donnelly is not the spot for this. Take a more solid stance. Traffic speeding etc. This would be a huge concern. If this moves in they will move out. Many other homeowners feel the same. They bought the house to raise a family.

Christine Hall -- Speaking on half of Robert Hall 412 Halferty. Having an apartment complex on Highway 55 is going to have small children worried about this. Worried about the trash and how things are kept up. Maybe a different location that is not directly on the highway. Feels that the kids on the street to have 74 cars coming and going even near the road. She believes it is needed but maybe this is not the best place. Concerned about the school and they are not prepared to have that many children added to the school.

Rachel Klinger -- Agrees with the above. Never locked door, vandalism and is scared that the low income housing is not going to feel the same when these type of people come to town. The bars would be open longer and there would be more crime and it won't be safe for the kids to play and have fun. Would have to caution the kids. Many people would have to worry with this. New people will not feel this would be good for the city. Maybe the vacation homes could be rented, or maybe grants could be offered to help buy new homes. Likes the community but there are a lot of homes in the community that are vacant. What is the %5 improvement of the water/sewer going toward.

Andrea Stayton -- lives across the street. If they are required to widen highway 55 they are not going to pave or sidewalks they are already changing the plans. This is changing their lives. Children play on the street and won't be able to any more. There is not the police or towing etc. The parking is going to be a problem and the City doesn't have the ability. They are tapping into the water and sewer and this will affect their lives. This a huge impact to the families. This is a good idea but not necessarily for Donnelly.

For: None

Neutral: None

Mayor Koch asked for any additional comments. None at this time.

Mayor Koch closed the Public Hearing at 6:40 p.m.

Planning & Zoning Administrator Delta James

The project is located off Old Street, within the Central Business District and Commercial Zones. This is a directly permuted use and the code does not stipulate the minimum or maximum number of units. This is not subject to a CUP. The reason that is this coming to this body is because of the Development Agreement. The Developer would provide things to the City. All the zoning was approved by the Planning & Zoning Commission. One requirement for the Design Review was record of the Development Agreement. Version 1 comes from the Recommendation of the P&Z Commission. Version 2 is the same development agreement with the one change of only paving to the property and not all the way to State Street.

Developer will provide all necessary sewer connections. \$25K contributed to the City in 2006 for drainage improvements shall be credited to the Developer toward cost of water hookups, as per the DMSP Amendment from Kevin Jones. Developer shall complete water system improvements including water line size upgrades along Halferty Street, Fire Hydrants and water connections. Developer shall construct sidewalk, curb and gutter along the south side of Old Street for the length of the project and pave Old Street from the south side to 10 feet over center line from Main to Halferty. Developer to construct sidewalk curb and gutter along the west side of Halferty Street for the length of the project and pave Halferty Street from the west side to 10 feet over center lien from Old Street to State Street. Developer shall install a wrought iron fence along the west side of Halferty street for the length of the project with openings for pathways into project. Sidewalks shall be five feet wide except along the east side of Main Street where they shall be ten feet wide. Sidewalk curb gutter along Main Street shall extend from Old Street to State Street and include street trees, lights and irrigation as to be consistent with the Main Street section to the south. Once constructed, Halferty and Old Streets will be dedicated to the City and the will then be the City's responsibility for maintenance. Snow removal from the project site shall be the responsibility of the Developer shall be store in designated areas on=site, and shall be exported off-site if needed. Power, telephone and cable lines shall be installed underground within the project, unless the City approves otherwise.

Completion of the project will occur by December 31, 2017, and the City has the right to withhold Certificates of Occupancy until all infrastructure costs to ensure completion of all necessary infrastructure.

Staff's recommendation to delete Article 10. This was an irrelevant section.

Councilor Stayton - Old agreement at DMP there was a CUP that was done. Councilor Stayton asked Clerk how was the attorney involved in the Design Review and the Amendment process. Clerk answered as it was okayed with the initial DMSP and NWP proposed Amendment. Will receive a written statement from Attorney for the records.

Chance Hobbs - VCD Developer stated that the units are not metered individually and the water will have one large meter. Owner pays Water/Sewer/Trash for tenants. Developer would like the Council to approve Version 2 of the agreement that states that they will pave only the part of Halferty that is adjacent to their property. Version 1 states the entire length of Halferty.

Councilor Getto – asked what type of equipment would the city would need to maintain. (Administrator - lease rent or contract for the equipment.) and not capital outlay.

Councilor Stayton - this is an added burden to the City and only having the paving of half of Halferty.

Mayor Koch – asked if it would be possible to use milled (reclaimed) asphalt on the street instead.

Councilor Minshall – is concerned of the development changed from owner occupancy to 37 units. With the Cities dirt roads what will happen with the pot holes with the additional traffic?

Councilor Stayton – Stated that this development is not similar to the Original development and will have a definite increase of people. Not the same to the City. Would like to look into this further from City Resources to see Impact to the infrastructure and financial impact to the city. Legal stand point from the attorney.

Chance Hobbs- VCD Developer understands the concerns on city finances on the infrastructure. Does it make sense to pave Old Street and Halferty? What is best for Donnelly in the long term. What would the increase in fiscal health? 50 houses 50 acres. 37 households 1-2-3 will increase tax base on 2.5 acres more. Medium and higher density will bring more because you are only maintaining small areas instead of larger areas. Impact fees \$228,000 for Sewer. \$30,000 to 40,000 per year. 22 townhomes sold off at condominiums and 4 bedrooms. Most 2nd homes. No economic benefit though the week only weekend. These people are here full time. With the market studies done, same people working different places 6 months each. Mixed size families. Living in the downtown core and walking into town to use the businesses in town. Long term goal is the infrastructure, commercial development, less vacancy. Long term fiscal needs for the City, it pays for itself and beyond for the long term. In the long term tax investment. They are regulated and inspects the property and the files of the residents living there. All the way down to the smoke detector battery. They receive fines if they don't fix the issue. As it relates to the residents and management. Strong track record with IHFA and many cities with the resident selection policy plan. Many checks on the residents prior. There is a stigma, this is not the projects it is much different. As you can tell from the renderings the design looks great etc. As it relates to the residents, the broken down cars, trash, etc. could get them evicted. There is an on-sight property manager. Depending on the offence. No animals allowed unless it is a service animal. They would have to receive a note from a care provider saying that they would enhance their way of life.

Councilor Davenport - wants to know what happens when families double up.

Jess Giuffre – VCD Developer - Every person in the household has to be verified, SSN, etc. The unit will be inspected every quarter at a minimum. Having an onsite property manager will help eliminate this. The documentation is so heavy as they report to so many organizations. Strikes would be set against them. They have to stick to the leases and the rules.

Chance Hobbs – VCD Developer- wants people to voice their opinion and discuss with people. They have to have the reputation that they manage the properties.

Mayor Koch - asked Administrator James on the feasibility of a study to be done.

Administrator James - You could require the developer a traffic analysis. What is the most likely route of egress and ingress? ITD is requiring the turning lane, and the ingress/egress is off of Old Street. A traffic analysis would follow the pattern and does not believe that this would be any different. A housing analysis was done in the community of McCall of what the demand rate was it was a market study for the work force housing. Typically, the infrastructure is done by the city engineer. How many available hookups, pipe sizes, etc. So that it does not negatively affect the system. Design review conditions states that there would be an engineering review. Most of the time the engineer will have all of this prior to the building permit. This is less costly to the Developer.

Chance Hobbs – VCD Developer- the water issue has been around for years. Met with Bill Eddy about the sewer. Sewer is received as at will service. They have the capacity. They will present that to the City. Their engineers are talking to our engineers on what the City will require.

Councilor Stayton – asked if a feasibility study was done for Donnelly.

Chance Hobbs – VCD Developer - Valley County is at a zero percent occupancy. There are a lot of short term rentals but not long term. 50 % rent is between 400 to 900. A vacation rental can get more money for short term rentals other than long term rental. Many entities are hiring and no place to live. 400-500 units needed now in Valley County. The 36 units in McCall were rented prior to completion. There is gap of individuals that are not qualified for Section 8 housing but cannot afford the higher rent.

Jess Giuffre – VCD Developer - A scope of work given from Granite construction. Original development agreement did not include the Main Street sidewalk development. The P&Z had a strong desire to have this included and is a condition of the approval. There is a comparison to finish Halferty paving.

Chance Hobbs – VCD Developer - the widening of highway 55 is actually helping out the developments next to them.

Mayor Koch - doesn't like Halferty to be only paved halfway. Would rather have it dirt. Stayton - doesn't like this either. There are two versions on the table. As an administrator there has not been any changes as a legal standpoint. Is there a requirement that an engineer is required prior to the execution of the development agreement? Administrator recommended version 1 to council, with a minor edit in 2.2 for the inflow/outflow of the sewer baseline. To make sure there was not anything damaged.

Councilor Davenport said to have the paving all the way instead of only half.

Chance Hobbs – VCD Developer – said they would be open to the crushed asphalt option.

Administrator - could put verbiage that gives the city the ability to approve an alternate, if intended.

All Council Members stated that they were not ready to make a decision on the Development Agreement Amendment and want to wait.

Chance Hobbs – VCD Developer- asked if they commit to version 1, the city could approve an alternate surface later.

Administrator James - an alternate road surface could be used if approved by Donnelly City Council. It would have to go back in front of this body. Before they are even able to sign the development agreement they have a lot of contingencies that have to be filled. The City attorney would be required to review final draft prior to signature. Signature cannot happen until the property has been purchased, etc.

Chance Hobbs – VCD Developer - this was a budget of 900,000 and is now 1.100.000 which is about 30,000 to door. The development in Garden City allowed future growth. Main Street Plaza didn't pencil therefore that is why it didn't move forward. This project does pencil. If in the future the Council does not want other surface, they would go ahead and pave as the agreement stated.

Mayor Koch - is the council still apprehensive after the discussions.

Councilor Davenport – asked if they have looked at the impact. She lives across the street, works at the school. This is a huge impact. Believes the size is huge and the impact is huge. Some people that have lived here over 20 years will change the way they live. Knows people that are doubled up. The school is designed to have 2 classes K-5. But it would be burdened.

Chance Hobbs – VCD Development- Renters are burdened with costs and these people will be able to come live here, from other areas in Valley County. People who are already in the school system will move. This could create jobs, etc.

Mayor Koch - would like to table until we find out what is the best thing for the road/city.

Councilor Stayton stated that there was not an agenda item for a decision.

ADJOURN:

Motion by Stayton, 2nd by Davenport to adjourn at 8:18 p.m. until the Next City Council Meeting, June 20, 2016

Adopted: _____
Mayor, Brian Koch

Clerk, Cami Hedges