



OFFICIALS

Joe Stear, Mayor
Briana Buban-Vonder Haar, Council President
Richard Cardoza, Council Member
Warren Christensen, Council Member
Greg McPherson, Council Member

CITY OF KUNA
Kuna City Hall Council Chamber, 751 W 4th Street, Kuna, Idaho 83634

City Council Meeting
AGENDA
Tuesday, January 21, 2020

6:00 P.M. REGULAR CITY COUNCIL

1. Call to Order and Roll Call

2. Invocation: None

3. Pledge of Allegiance: Mayor Stear

4. Consent Agenda: ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS

All items listed under the Consent Agenda are considered to be routine and are acted on with one motion by the City Council. There will be no separate discussion on these items unless the Mayor, Council Member, or City Staff requests an item to be removed from the Consent Agenda for discussion. Items removed from the Consent Agenda will be placed on the Regular Agenda under Business or as instructed by the City Council.

A. Regular City Council Meeting Minutes, January 7, 2020

B. Accounts Payable Dated January 16, 2020 in the amount of \$1,178,585.12

C. New Alcohol License:

Family Dollar Inc dba Family Dollar Store #27198 349 E Avalon Street – Off Premise Beer & Off Premise Wine

D. Resolutions:

I. Consideration to approve Resolution No. R09-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPOINTING CERTAIN CITY OF KUNA, IDAHO OFFICIALS AS PERSONS AUTHORIZED TO SIGN FOR BANKING SERVICES ON BEHALF OF THE CITY OF KUNA, IDAHO AND PROVIDING THAT THE SIGNATURES ARE VALID FOR THE 2020 YEAR OR UNTIL REVOKED BY ACTION OF THE MAYOR, AS PROVIDED FOR IN RESOLUTION NO. R33-2018.

2. Consideration to approve Resolution No. R10-2020

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPOINTING SEVEN (7) MEMBERS TO THE ECONOMIC DEVELOPMENT EXECUTIVE COMMITTEE.

E. Final Plat:

Consideration to approve Case No. 19-08-FP (Final Plat) for the Memory Ranch Subdivision No. 3.

5. Community Reports or Requests:

Introduction of Sergeant Brian Keene – Jon McDaniel, Kuna Police Chief

6. Public Hearings: (6:00 p.m. or as soon thereafter as matters may be heard.)

- A. Public Hearing continued from the November 19, 2019 and January 7, 2020 Regular City Council Meetings for public oral and written testimony and Third Reading with Consideration to approve Ordinance No. 2019-44 – Wendy Howell, Planning & Zoning Director and Bobby Withrow, Parks Director **ACTION ITEM**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS, PURPOSES AND ORDINANCE ENACTMENT HISTORY; AND
- REPEALING SECTION 20, ARTICLE A, CHAPTER 2, TITLE 4 KUNA CITY CODE; AND
- AMENDING AND REDESIGNATING SECTIONS 21 THROUGH 38, ARTICLE A, CHAPTER 2 OF TITLE 4 KUNA CITY CODE; AND
- AMENDING SUBSECTION 2 OF SECTION 6, CHAPTER 1, TITLE 5 KUNA CITY CODE MAKING A TECHNICAL CORRECTION TO THE DEFINITION OF “OPEN SPACE”; AND
- AMENDING SECTION 5, CHAPTER 5 OF TITLE 5 KUNA CITY CODE MAKING TECHNICAL CORRECTIONS REGARDING THE GENERAL REQUIREMENTS OF FENCE REGULATIONS; AND
- REPEALING SECTION 4, CHAPTER 6, TITLE 5 KUNA CITY CODE; AND
- AMENDING AND REDESIGNATING SECTIONS 4, 5, 6, 7, 8, AND 9 OF CHAPTER 6 OF TITLE 5 KUNA CITY CODE; AND
- AMENDING SECTIONS 2, 4, 6, 10, 12, AND 20, CHAPTER 17, TITLE 5 OF KUNA CITY CODE MAKING TECHNICAL CHANGES TO DESIGN REQUIREMENTS AND ADDING REQUIREMENTS FOR RESIDENTIAL OPEN SPACE; AND
- AMENDING SECTION 2, CHAPTER 4 OF TITLE 6 KUNA CITY CODE PROVIDING FOR A CHANGE IN THE TEXT DESIGNATION FOR DEFINITIONS UPON WHICH CITY STAFF CAN RELY AND MAKING A TECHNICAL CORRECTION REGARDING THE MEASUREMENT OF FENCE HEIGHT AND LOCATION OF FENCING; AND

- PROVIDING A SEVERABILITY CLAUSE; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Re-Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Potential Motions:

Option 1:

Consideration to waive third reading

Consideration to approve ordinance

Consideration to approve summary publication

Option 2: *Continue the Public Hearing to a time and date certain.*

- B.** Public Hearing continued from the January 7, 2020 Regular City Council Meeting for public oral and written testimony and Consideration to approve new water and sewer system fees and policies – Bob Bachman, Public Works Director **ACTION ITEM**

Re-Open Public Hearing

Receive evidence

Potential Motions:

Consideration to close evidence presentation and proceed to deliberation

- 1.** Consideration to approve Resolution No. R01-2020

A RESOLUTION AMENDING PORTIONS OF RESOLUTION R84-2017 THAT: SETS FORTH THE AUTHORITY FOR ADOPTING WATER CONNECTION FEES AND MONTHLY WATER SERVICE RATES; ESTABLISHES FEES FOR CONNECTING TO THE WATER SYSTEM; ESTABLISHES WATER USE FEES THAT ARE NOW AMENDED WITH WATER RATE CHANGES FOR ALL CUSTOMERS; PROVIDES FOR MISCELLANEOUS WATER CUSTOMER SERVICE POLICIES; SETS FORTH MINIMUM LINE SIZES; REPEALS FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETS AN EFFECTIVE DATE.

- 2.** Consideration to approve Resolution No. R02-2020

A RESOLUTION AMENDING CERTAIN SECTIONS OF RESOLUTION R83-2017 THAT: SETS FORTH THE AUTHORITY FOR ADOPTING SEWER FEES; ESTABLISHES FEES FOR CONNECTING TO SEWER SYSTEM; ESTABLISHES MONTHLY SEWER USE FEES THAT ARE NOW AMENDED WITH SEWER RATE CHANGES FOR ALL CUSTOMERS; SETS FORTH MINIMUM LINE SIZES; REPEALS FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETS AN EFFECTIVE DATE.

C. Public Hearing and Consideration to approve 19-06-ZC (Rezone) & 19-07-S (Preliminary Plat) – Doug Hanson, Planner I **ACTION ITEM**

On behalf of Carl Bader (owner), JUB Engineers requests to rezone one parcel consisting of approximately 7.25 acres from an “A” (Agriculture) to “R-6” (Medium Density Residential) zoning district classification and to subdivide the 7.25 acres into 35 total lots (twenty-nine (29) buildable lots, six (6) common lots). The subject site is located at 750 S. Ten Mile Road, Kuna, ID 83634, within Section 26, Township 2 North, Range 1 West; (APN: R5070503500).

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Potential Motions:

Consideration to either:

Option 1: *Approve or Deny 19-06-ZC (Rezone) & 19-07-S (Preliminary Plat) and the Findings of Fact, Conclusions of Law and Order of Decision as presented in the packet and Close the Public Hearing.*

Option 2: *Continue the Public Hearing to a time and date certain, direct staff to prepare a draft Findings of Fact, Conclusions of Law and Order of Decision for consideration by the Council.*

D. Public Hearing and Consideration to approve 19-07-ZC (Rezone) & 19-03-S (Preliminary Plat) for Robin Hood Subdivision – Troy Behunin, Planner III & Mark Tate, M3 Companies (Owner) **ACTION ITEM**

The applicant, JUB Engineers, on behalf of M3 Companies (Owner), requests approval to rezone approx. 25.08 acres and subdivide approx. 37.61 acres into 137 total lots. This site is located near the NEC of Cloverdale and Kuna Roads, Kuna, Idaho, in Section 22, Township 2 North, Range 1 East (APN #'s S1422212410; S1422212000; S1422233700).

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Potential Motions:

Consideration to either:

Option 1: *Approve or Deny 19-07-ZC (Rezone) & 19-03-S (Preliminary Plat) and the Findings of Fact, Conclusions of Law and Order of Decision as presented in the packet and Close the Public Hearing.*

Option 2: *Continue the Public Hearing to a time and date certain and direct staff to prepare a draft Findings of Fact, Conclusions of Law and Order of Decision for consideration by the Council.*

7. Business Items:

Consideration to approve \$24,000 from contingency for a designated City Hall Vehicle – Bob Bachman, Public Works Director **ACTION ITEM**

8. Ordinances:

A. Consideration to approve Ordinance No. 2020-04 ACTION ITEM

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS; and
- ENLARGING THE BOUNDARIES OF THE KUNA MUNICIPAL IRRIGATION SYSTEM BY THE INCLUSION OF ADA COUNTY ASSESSOR'S GREYHAWK LAND COMPANY LLC.; AND
- DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; and
- DIRECTING THE CITY CLERK TO RECORD THIS ORDINANCE AS PROVIDED BY LAW; and
- DIRECTING THE CITY ENGINEER TO PROVIDE NOTICE OF THIS ORDINANCE TO THE NEW YORK IRRIGATION DISTRICT, THE OWNERS AND UPDATE THE IRRIGATION SYSTEM MAP; and
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve ordinance

B. Consideration to approve Ordinance No. 2020-05 ACTION ITEM

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS; and
- ENLARGING THE BOUNDARIES OF THE KUNA MUNICIPAL IRRIGATION SYSTEM BY THE INCLUSION OF ADA COUNTY ASSESSOR'S PATAGONIA DEVELOPMENT LLC.; AND
- DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; and
- DIRECTING THE CITY CLERK TO RECORD THIS ORDINANCE AS PROVIDED BY LAW; and
- DIRECTING THE CITY ENGINEER TO PROVIDE NOTICE OF THIS ORDINANCE TO THE NEW YORK IRRIGATION DISTRICT, THE OWNERS AND UPDATE THE IRRIGATION SYSTEM MAP; and
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve ordinance

C. Consideration to approve Ordinance No. 2020-06 ACTION ITEM

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS; and

- ENLARGING THE BOUNDARIES OF THE KUNA MUNICIPAL IRRIGATION SYSTEM BY THE INCLUSION OF ADA COUNTY ASSESSOR’S THOMAS PETERSON & TAMELA WHITE; AND
- DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; and
- DIRECTING THE CITY CLERK TO RECORD THIS ORDINANCE AS PROVIDED BY LAW; and
- DIRECTING THE CITY ENGINEER TO PROVIDE NOTICE OF THIS ORDINANCE TO THE BOISE~KUNA IRRIGATION DISTRICT, THE OWNERS AND UPDATE THE IRRIGATION SYSTEM MAP; and
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings
Consideration to approve ordinance

D. Consideration to approve Ordinance No. 2020-07 **ACTION ITEM**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS; AND
- REZONING CERTAIN REAL PROPERTY, TO WIT: ADA COUNTY PARCEL NO. S1419333450 OWNED BY SERGEY STADNITSKY JR, SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO; AND
- AMENDING THE ZONING MAP; AND
- DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings
Consideration to approve ordinance

E. Consideration to approve Ordinance No. 2020-08 **ACTION ITEM**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- AMENDING SECTION 4 OF CHAPTER 1 OF TITLE 3 KUNA CITY CODE AMENDING THE ALCOHOLIC BEVERAGES LICENSE REDUCED FEES DATES; AND
- AMENDING SECTION 13 OF CHAPTER 1 OF TITLE 3 KUNA CITY CODE AMENDING THE ALCOHOLIC BEVERAGES LICENSE EXPIRATION DATE; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings
Consideration to approve ordinance
Consideration to approve Summary Publication

9. Mayor/Council Announcements:

10. Executive Session:

Convene Executive Session pursuant to:

Idaho Code Section 74-206 (1)(c)

- (c) To receive information regarding the acquisition of an interest in real property which is not owned by the City of Kuna.

11. Adjournment: