

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
MINUTES
Tuesday, August 20, 2019

6:00 P.M. REGULAR CITY COUNCIL

1. Call to Order and Roll Call

COUNCIL MEMBERS PRESENT:

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

CITY STAFF PRESENT:

Bob Bachman, Public Works Director
Jared Empey, City Treasurer
Chris Engels, City Clerk
Bill Punkoney, City Attorney
Lisa Holland, Economic Development Director
Wendy Howell, Planning & Zoning Director
Nancy Stauffer, Human Resources Director
Bobby Withrow, Parks Director
Jace Hellman, Planner II
Sam Weiger, Planner I

2. Invocation: D. Scott Allen, Kuna United Methodist Church

3. Pledge of Allegiance: Mayor Stear

4. Consent Agenda: ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS
(Timestamp 00:01:44)

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. City Council Meeting Minutes

- 1. Regular City Council Minutes, August 6, 2019**

B. Accounts Payable Dated August 15, 2019 in the Amount \$15,502,107.92

C. Resolutions

- 1. Consideration to approve Resolution No. R57-2019**

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY TOLL ID I, LLC FOR THE WINFIELD SPRINGS SUBDIVISION NO. 4 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING, STREET LIGHTING AND FENCING PURSUANT TO THE TERMS OF THIS RESOLUTION.

- 2. Consideration to approve Resolution No. R58-2019**

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING A NEW FEE SCHEDULE FOR TRASH COLLECTION SERVICES THAT REFLECTS A RATE INCREASE OF 2.90% FOR EACH SERVICE RELATED TO THE CITY'S COLLECTION, HAULING AND REMOVAL OF SOLID WASTE WITH ITS CONTRACTOR J&M SANITATION, WITH AN EFFECTIVE DATE OF OCTOBER 1, 2019.

- 3. Consideration to approve Resolution No. R59-2019**

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT WITH THE ADA COUNTY PROSECUTING ATTORNEY TO PROVIDE PROSECUTORIAL SERVICES FOR CITY MISDEMEANORS FOR THE FISCAL YEAR 2019-2020.

D. Final Plats

- 1. Consideration to approve Case No. 19-01-FP (Final Plat) for Lugarno Terra Subdivision.**

E. Findings of Fact and Conclusions of Law

- 1. Consideration to approve Findings of Fact and Conclusions of Law for Case No. 19-04-AN for Washburn Annexation.**
- 2. Consideration to approve Findings of Fact and Conclusions of Law for Case No.'s 19-02-AN, 19-01-ZC and 19-01-S for Greyhawk West Subdivision.**

**Council President Buban-Vonder Haar moved to approve the consent agenda. Seconded by Council Member McPherson. Approved by the following roll call vote: Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson
Voting No: None
Absent: None
Motion carried 4-0.**

5. Community Reports or Requests:

None

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

- A.** Public Hearing and Consideration to approve 19-05-AN (Annexation) for Go For IT, LLC, Select Development and Contracting, LLC, Jane Golden and Sandstone Farms, LLC – Sam Weiger, Planner I ACTION ITEM
(Timestamp 00:02:22)

Larry Hansen seeks approval of an annexation of approximately 125 acres into Kuna City Limits with C-1 (Neighborhood Commercial) and R-4 (Medium Density Residential) zoning districts. The subject properties are located around the intersection of North Meridian Road and East Rodeo Lane, Kuna, Idaho 83634.

Planner I Sam Weiger reviewed the application and asked Council to disregard number 8.

Applicant Larry Hansen thanked Council and asked for approval.

Mayor Stear opened the public hearing.

Support: None

Against: None

Neutral: None

Rebuttal: None

Richard Hersey, 2202 Meridian Road, Kuna, Idaho 83634, lived at the end of lane and was concerned with the amount of property he would lose when the road was developed. He indicated he had a copy of an agreement to give the property for road way but neither he nor his wife signed it. He didn't know where their signatures came from.

Mayor Stear asked Mr. Hersey if Ada County had a copy of the document he said did not have his signature on it.

Mr. Hersey replied he had a copy of the paper.

Mayor Stear asked Mr. Weiger to provide information regarding what Mr. Hersey discussed.

Mr. Weiger indicated the applicant would maintain the road as private and this application was only for annexation. The road would be part of future development applications

Mayor Stear asked Mr. Weiger if it would actually come back when they went to Plat the property.

Mr. Weiger confirmed that was correct.

Mayor Stear thanked Mr. Weiger and asked what the opinion of the Council was. He clarified the road issue would not be an issue until the platting occurred. He asked if there would be issues with that road that would have to be taken care of later.

Mr. Weiger replied that was correct.

Mayor Stear asked Mr. Weiger if they would still be noticed on that and when it would happen.

Mr. Weiger stated yes.

Mayor Stear clarified to Mr. Hersey that he would be noticed again before the next process began and nothing could happen to the road at this point.

Council President Buban-Vonder Haar stated the application complied with the Comprehensive Plan and other relevant authorities. She asked if Council had any thoughts on it. She had read through the Findings of Fact and Conclusions of Law and endorsed those as written.

Council President Buban-Vonder Haar moved approve 19-05-AN (Annexation) with conditions as listed except item number 8 removed and close the Public Hearing and approve Findings of Fact, Conclusions of Law and Order of Decision as included in the packet. Seconded by Council Member McPherson. Motion carried 4-0.

7. **Business Items:**

- A. Direction for final approval format of Findings of Fact and Conclusions of Law from the previous discussion at the August 6, 2019 City Council Meeting – Chris Engels, City Clerk
(Timestamp 00:17:00)

City Clerk Chris Engels reviewed the conversation from the August 6, 2019 Council Meeting and asked Council for direction regarding the final approval format of Findings of Fact and Conclusions of Law. She stood for questions.

Council President Briana Buban-Vonder Harr clarified she was not making a request at the last meeting but just asking a question.

Ms. Engels stated it was being brought back for discussion so the necessary documents could be prepped accordingly.

Mayor Stear agreed it was a good idea and gave the direction to allow approval of Findings of Fact and Conclusions of Law with the packet instead of putting them off to the following City Council Meeting.

- B. Consideration to approve 19-01-LS (Lot Split) for Washburn– Jace Hellman, Planner II ACTION ITEM
(Timestamp 00:19:11)

On behalf of Jefferson Washburn (owner), Dave Washburn (applicant) is requesting to split approximately 0.44-acres off a 19.06-acre parcel. The property is located at 7015 S. Ten Mile Road, Meridian, ID 83642 (APN: S1303141900).

Planner II Jace Hellman presented the staff report and stood for questions.

Mayor Stear stated it looked straight forward and asked if Council had any questions.

There were none.

Council President Buban-Vonder Haar moved approve 19-01-LS (Lot Split). Seconded by Council Member McPherson. Motion carried 4-0.

- C. Quarterly Financial Report – Jared Empey, City Treasurer ACTION ITEM
(Timestamp 00:21:21)

City Treasurer Jared Empey presented the report and stood for questions.

No action was taken.

8. *Ordinances:*

A. Second reading of Ordinance No. 2019-22
(Timestamp 00:23:30)

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO:

- AMENDING SECTIONS 1, 2, 3 and 4 OF CHAPTER 3 OF TITLE 3 KUNA CITY CODE MAKING TECHNICAL CHANGES TO PURPOSE, LICENSE REQUIREMENTS, LICENSE APPLICATIONS AND ADDING TERMS TO DEFINITIONS TO SOLICITORS AND PEDDLERS LICENSURE REQUIREMENT; AND
- AMENDING CHAPTER 3 OF TITLE 3 KUNA CITY CODE BY THE ADDITION OF A NEW SECTION 11 PROVIDING FOR A LICENSE EXEMPTION; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Mayor Stear read the ordinance and stated the item would come back for a third reading.

Council President Briana Buban-Vonder Haar preferred the slow track on the item as it would afford time for feedback.

B. Consideration to approve Ordinance No. 2019-28 ACTION ITEM
(Timestamp 00:24:44)

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

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2019-28. Seconded by Council Member McPherson. Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2019-28. Seconded by Council Member McPherson. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson

Voting No: None

Absent: None

Motion carried 4-0.

9. Mayor/Council Announcements:

None

10. Executive Session:

None

11. Adjournment: 6:25 PM



Joe L. Stear, Mayor

ATTEST:


Chris Engels, City Clerk

*Minutes prepared by Jessica Reid, Customer Service Specialist
Date Approved: CCM 09.03.2019*



CITY OF KUNA

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Fax: (208) 922-5989 • www.Kunacity.Id.gov

SIGN-UP SHEET

August 20, 2019 – City Council Public Hearing

Case Name: 19-05-AN (Annexation) - Hansen Annexation

Case Type: Larry Hansen requests to annex six parcels comprising of approximately 125 acres at 1863 East Rodeo Lane and 2400 North Meridian Road into Kuna City Limits with C-1 and R-4 zoning districts; Approximately 77 acres are proposed to annex into the City with a C-1 zoning, and approximately 48 acres are proposed to annex into the City with an R-4 zoning (APNs S141823400, S1418233650, R7534260155, R7534260400, R7534260218, & R7534260350).

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Commission or City Council.

IN FAVOR	NEUTRAL	IN OPPOSITION
<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> <u>Richard Hersey</u> Print Name <u>2202 Meridian Rd</u> Print Address <u>Kuna ID 83634</u> City State, Zip	<input checked="" type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip
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Dick Hersey

From: Louise Hersey [Louise@TheHerseys.com]
Sent: Friday, August 23, 2013 12:40 PM
To: Dick Hersey
Subject: FW: vacate easement on property

Follow Up Flag: Follow up
Flag Status: Flagged

From: Lorrie Ferris [mailto:lfwestminster@yahoo.com]
Sent: Friday, August 23, 2013 10:54 AM
To: louise@theherseys.com
Subject: vacate easement on property

Good day Louise and Dick;

We just forwarded an email that George received from Ada County. Apparently the road has been moved and registered but the 'old' road needs the easement taken off the lot. Since you are the registered owners only you can vacate the easement. Please contact Kuna City to file the proper paperwork.

Ada County cannot issue a building permit until the easement issue is resolved.

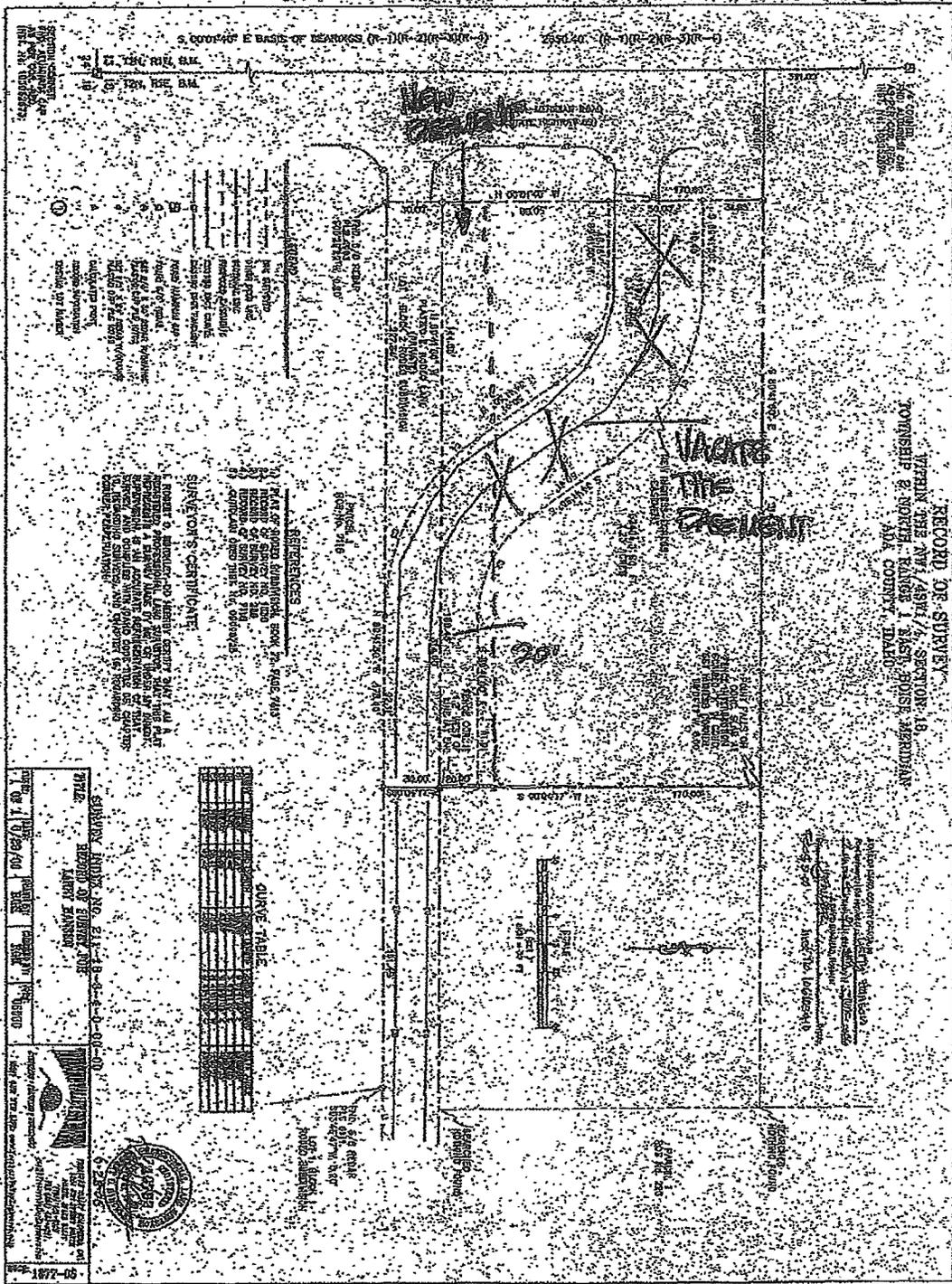
If you have any questions please contact us.

Thanks and have a good day!

Lorrie Ferris
Westminster II, LLC
939-1221

Completed

Attachment "A"



Sandstone Farms LLC by
 Leg. W. W.

Richard D. Hervey
 Louise E. Hervey