

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, February 18, 2020

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 Gigray, City Attorney
Lisa Holland, Economic Development Director
Wendy Howell, Planning & Zoning Director
Nancy Stauffer, Human Resources Director
Bobby Withrow, Parks Director

2. Invocation: None

3. Pledge of Allegiance: Mayor Stear

4. Consent Agenda: ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS
(Timestamp 00:00:46)

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, February 4, 2020

B. Accounts Payable Dated February 13, 2020 in the amount of \$1,553,987.56

NOTICE: Copies of all agenda materials are available for public review in the Office of the City Clerk. Persons who have questions concerning any agenda item may call the City Clerk's Office at 922-5546. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at 922-5546 at least forty-eight (48) hours prior to the meeting to allow the City to make reasonable arrangements to ensure accessibility to this meeting.

C. New Alcohol License:

Wood – Andrews Kuna Biz, LLC dba The Longhorn Lounge 458 W Main Street –
Liquor-by-the-Drink and On-Premise Beer

D. Resolutions:

1. Consideration to approve Resolution No. R16-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE AWARD OF BID FOR MAIN ST, AVENUE C TO AVENUE A, KUNA (DOWNTOWN REVITALIZATION PROJECT, PHASE II) ICDBG PROJECT NO. ICDBG-19-111-13-ED, FEDERAL-AID PROJECT NO. A020(143); KEY NO. 20143 J-U-B PROJECT NO. 10-17-142 TO KNIFE RIVER CORPORATION AND AUTHORIZING THE MAYOR TO EXECUTE “DOCUMENT 00510 NOTICE OF AWARD”.

2. Consideration to approve Resolution No. R17-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING A PERFORMANCE BOND BY CHALLENGER DEVELOPMENT, INC., FOR MALASPINA RANCH SUBDIVISION NO. 1 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING, STREET LIGHTING, AND FENCING PURSUANT TO THE TERMS OF THIS RESOLUTION.

3. Consideration to approve Resolution No. R18-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING A PERFORMANCE BOND BY PATAGONIA DEVELOPMENT, LLC, FOR PATAGONIA SUBDIVISION NO. 5 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

4. Consideration to approve Resolution No. R19-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE “SANITARY SEWER EASEMENT (RISING SUN ESTATES)” AGREEMENT WITH DENNIS R. HOURANY AND SUSAN L. HOURANY; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

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.)

Public Hearing and Consideration to adopt Capital Improvements Plan – Final January 2018 - Amended June 2019 (“Amended Capital Improvements Plan”) – Bill Gigray, City Attorney
ACTION ITEM

(Timestamp 00:01:19)

City Attorney Bill Gigray reviewed his relationship with the Capital Improvements Plan, what was required of the Advisory Committee, and the approval process the plan had gone through. He recommended recessing the hearing until the end of the meeting to see if the Fire Chief would arrive because he couldn't get into the specifics. He did note the amount for impact fees increased from \$701 per residence to \$824 per residence and from \$0.35 per square foot for non-residential development to \$0.41. That was based on the information supplied and recommendation of the committee and was approved by the Fire District Commission.

Mayor Stear stated the Fire Chief was out of town and would not be coming. He suggested opening the public hearing for anyone to testify that wanted to do so and then continuing the hearing.

Mr. Gigray agreed and stood for questions.

Council Member Cardoza asked if there was a conflict of interest since Mr. Gigray was the legal counsel for the Fire District and the City.

Mr. Gigray replied not with anything currently happening but if something did come up where there could be a conflict of interest it was his duty to bring it up.

Mayor Stear clarified if Mr. Gigray were promoting something rather than just giving information that would be where the conflict would come in.

Mr. Gigray felt this was fairly clean in that regard. He didn't want to make any comments beyond the base facts. He wasn't part of the advisory committee and had no specific knowledge beyond what was in the Capital Improvements Plan in front of Council. He felt the Chief was in a better position to answer those questions. The Chief was aware of the plans and how this related to new growth and providing services for that growth.

Mayor Stear opened the Public Hearing by asking if there was anyone who wanted to sign up to testify that had not done so.

Support: None

Against: None

Neutral: None

Rebuttal: None

Council President Buban-Vonder Haar asked if folks had questions about this. She did not and would be fine proceeding. She was fine with continuing the hearing if people had questions but it seemed like it would be a waste of time to continue the hearing for the Chief to be present if they didn't have questions.

Council Member Christensen didn't have any questions. He felt it made a lot of sense when he read through it. He was okay with not continuing.

Mayor Stear and Council Members Cardoza and McPherson had no questions.

Mr. Gigray reported the next step after approval of this was referring this to the Planning & Zoning for consideration to amend the Comprehensive Plan.

Consideration to approve Resolution No. R11-2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO:

- MAKING CERTAIN FINDINGS; AND
- ADOPTION OF THE KUNA RURAL FIRE DISTRICT CAPITAL IMPROVEMENTS PLAN - FINAL JANUARY 2018 - AMENDED JUNE 2019 ("CAPITAL IMPROVEMENTS PLAN AMENDED JUNE 2019"); AND
- DIRECTING THE CITY CLERK; AND
- SETTING AN EFFECTIVE DATE.

Council President Buban-Vonder Haar moved to close the public hearing and approve Resolution No. R11-2020. Seconded by Council Member McPherson. Motion carried: 4-0.

7. Business Items:

- A.** Discussion and Direction on potential Kuna ICA Rodeo and Committee Support –
ACTION ITEM
(Timestamp 00:10:36)

Matt Askew, President of ICA, the pro-amateur rodeo association in the northwest and primarily based in southern Idaho, explained Kuna had been on their radar for quite a bit. They had met with Economic Development Director Lisa Holland, City Clerk Chris Engels, Karri Keller with the Kuna Chamber of Commerce, and Parks Director Bobby Withrow and were trying to get a game plan together to hold an ICA rodeo the same weekend as Kuna Days. He felt it made sense with the influx of people and Kuna community's demographic. It fit what they did and their membership was strongly based out of Kuna and this part of Ada County. They would put their own committee together to put the rodeo on but it would be under City advisement. They were looking for a place to hold it. Meridian, Eagle, and other cities held the rodeos on City property. They needed 3 or 4 acres where they could put up a portable arena during Kuna Days. He

proposed an afternoon rodeo. Then those people would go to the concerts and vendors after that. It would bring people that didn't normally go to Kuna Days. It was typically about \$30,000 to put on an ICA rodeo. A lot of that money was brought in through ticket sales and sponsorship. The \$30,000 was for a minimum added rodeo which meant the added money in each event which pulled contestants. Based on their research, he really believed this community could have the biggest ICA rodeo they had. That would be \$1,000 to \$1,500 added in each event which would be about \$30,000 to \$45,000 depending on where they were at. Once they had their committee together, they would put together all the financials. He appreciated staff getting him in to Council so quickly since Kuna Days wasn't too far ahead.

Mayor Stear thought Council might want to have a committee that talked about this and came back with a report so they could make a final decision.

Parks Director Bobby Withrow shared the City had 20 acres that could at some point be turned into some sort of rodeo grounds/park but, for this year, they were looking at a couple possibilities. They were looking more for direction on starting a committee so they could start talking to people and get it going for that year. He felt this was a great opportunity to bring a rodeo to Kuna which had not happened in his lifetime. He thought at one point there was one in Kuna and he would like to see it come back. He stood for questions.

City Attorney Bill Gigray recommended Mr. Askew meet with Mr. Withrow and himself. He liked structure with committees because it identified what the committee's mission was, who would be a part of it, what their time table was, and who they reported to. It was a good process. In this instance, he thought they would be dealing with an ad hoc committee with a specific purpose and report. There were a lot of components to this; budget, staffing, property. It was better to do it right from the start. Hopefully they would be able to come back with a proposal at the next Council Meeting. He also suggested Mr. Askew let ICA's secretary know they needed to get reinstated with the Secretary of State because they had been administratively dissolved which meant they hadn't filed their annual statement.

Mr. Askew replied they had taken care of that.

Mr. Gigray said it wasn't showing up yet and he wanted to make sure he knew who they were dealing with.

Mr. Askew said ok.

Mayor Stear thought they had set up some parameters on a committee and had been working with the Chamber to coordinate for Kuna Days. He felt the biggest thing was putting the committee together so they could have a discussion and come back to Council to talk about the need.

City Clerk Chris Engels explained what Mr. Gigray said was exactly what they were talking about that night, put the parameters of the committee together under the City ad hoc. The indication had been there would be 5 seats at large. Mr. Askew offered to sit on the committee to function it forward and then there would be a seat on the committee for Chambers and a seat for Parks, the Clerk's Office would facilitate for agendas, minutes, invoicing, and that kind of stuff. Ms. Holland also indicated she would be available as a friend of the committee so to speak. The direction Mr. Gigray indicated was the direction they were looking for from Council.

Council President Buban-Vonder Haar asked for clarification on what they were looking for from Council.

Ms. Engels said they were looking for Council's permission to begin the process of a city guidance committee and then to come back with the details of the committee's parameters.

Mr. Gigray added staff wanted a motion authorizing them to proceed with establishing a recommendation for an ad hoc committee and they would come back with a proposal at the next meeting if possible.

Council Member Cardoza asked if this was going to be sponsored by the City and if there would be a hold harmless against injury. He wanted to know what the legal repercussions would be for the City.

Mr. Gigray explained the action Council would be taking that night would not be committing to anything other than allowing staff to meet and work with Mr. Askew. Then they would come back just to set up the ad hoc committee. That was it. They weren't being roped into a rodeo just yet. This was just an opportunity to ferret this out and come back with a recommendation. Then they would go over specifics. He thought it would take a while to work through it all. That night was just about authorizing staff to proceed.

Mayor Stear said the ICA had done this before so he didn't think it would take to long to put it together.

Mr. Askew said he put on 4 rodeos a year. Generally, he brought on a new rodeo to multiple different associations. Once the committee was established, at the next City Council Meeting, he would have all the financial obligations and ducks in a row. Then they could decide if they wanted a rodeo or not. That was the next step.

Council President Buban-Vonder Haar moved to authorize staff to proceed as discussed. Seconded by Council Member McPherson. Motion carried: 4-0.

**B. *Informational Only* Quarterly Budget Presentation – Jared Empey, City Treasurer
(Timestamp 00:26:01)**

City Treasurer Jared Empey reviewed the report. He noted everything looked good and stood for questions.

- C. Consideration to approve Resolution No. R20-2020 – Lisa Holland, Economic Development Director ACTION ITEM
(Timestamp 00:28:26)

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE “ENGAGEMENT OF ELAM & BURKE” LETTER WITH ELAM & BURKE ATTORNEYS AT LAW FOR LEGAL REVIEW OF THE URBAN RENEWAL ELIGIBILITY STUDY AND SUPPORTING SERVICES FOR ESTABLISHING A POTENTIAL URBAN RENEWAL DISTRICT; AND AUTHORIZING THE MAYOR TO SIGN SAID LETTER.

Economic Development Director Lisa Holland reviewed where they were with the eligibility study process for an urban renewal district. She had a completed draft that required legal review. She thanked City Attorney Bill Gigray for his advising and getting them as far as they were. Staff had spoken with other cities that had done urban renewal districts and they recommended Elam & Burke who did a lot of great work in establishing those districts. Staff had met with them a couple times to discuss scope and what they could do for the City. They indicated, for approximately \$7,500, they could do the legal review of the eligibility study and, if Council decided they wanted to appoint board members to move forward with creating an urban renewal district plan and adopting an urban renewal district, that would be included in that funding cost. It was already budgeted for that year. She hoped to be in front of Council with the eligibility study for their review in March. She stood for questions.

Council President Buban-Vonder Haar moved to approve Resolution No. R20-2020. Seconded by Council Member McPherson. Motion carried: 4-0.

8. *Ordinances:*

- A. Consideration to approve Ordinance No. 2020-09 ACTION ITEM
(Timestamp 00:30:30)

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. R5070503500 OWNED BY CARL BADER, 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

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2020-09. Seconded by Council Member McPherson. Motion carried: 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2020-09. 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

B. Consideration to approve Ordinance No. 2020-10 ACTION ITEM
(Timestamp 00:31:39)

A MUNICIPAL ANNEXATION AND ZONING ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS AND DECLARATION OF AUTHORITY; AND
- ANNEXING CERTAIN REAL PROPERTIES, TO WIT: ADA COUNTY ASSESSOR'S PARCEL NOS. S1418320650 OWNED BY RUSSELL HUNEMILLER, S1418233650 OWNED BY RUSSELL & KAREN HUNEMILLER, R7534260158 OWNED BY JANE GOLDEN, R7534260375, R7534260500, R7534260156 AND R7534260218 OWNED BY SELECT DEVELOPMENT & CONTRACTING LLC, R7534260450 OWNED BY SANDSTONE FARM LLC AND S1418234000 OWNED BY GO FOR IT LLC WITHIN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, INTO THE CITY OF KUNA, IDAHO; AND
- ESTABLISHING THE ZONING CLASSIFICATIONS OF SAID REAL PROPERTIES; AND
- AMENDING THE OFFICIAL ZONING MAP; AND
- DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2020-10. Seconded by Council Member McPherson. Motion carried: 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2020-10. 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

C. Consideration to approve Ordinance No. 2020-11 ACTION ITEM
(Timestamp 00:34:06)

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. S1315449223 OWNED BY EPIC DEVELOPMENT IDAHO LLC, 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

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2020-11. Seconded by Council Member McPherson. Motion carried: 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2020-11. 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

D. Consideration to approve Ordinance No. 2020-12 ACTION ITEM
(Timestamp 00:35:16)

A MUNICIPAL ANNEXATION AND ZONING ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS; AND
- ANNEXING CERTAIN REAL PROPERTIES, TO WIT: ALL LANDS LEGALLY DESCRIBED IN EXHIBIT A, OWNED BY ENDURANCE HOLDINGS LLC, SITUATED WITHIN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, INTO THE CITY OF KUNA, IDAHO; AND
- ESTABLISHING THE ZONING CLASSIFICATIONS OF SAID REAL PROPERTIES; AND
- DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2020-12. Seconded by Council Member McPherson. Motion carried: 4-0.

**Council President Buban-Vonder Haar moved to approve Ordinance No. 2020-12. 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:

(Timestamp 00:36:26)

Mayor Stear reviewed the proposed bill regarding a property tax freeze that would be part of the legislative session and stated staff would keep an eye on that.

Council Member Cardoza noted the Longhorn downtown had a new owner. They were going through the building and the exterior doing updates. It was looking nice.

Mayor Stear said he had met the owner and he seemed very motivated.

10. Executive Session:

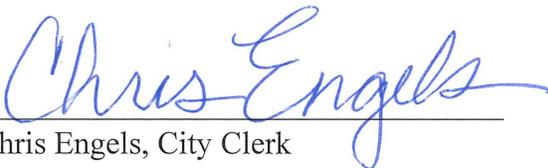
None

11. Adjournment: 6:39 P.M.



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



Minutes prepared by Ariana Welker, Deputy City Clerk

Date Approved: CCM 03.03.2020

IN FAVOR

NEUTRAL

IN OPPOSITION

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