

OFFICIALS
Joe Stear, Mayor
Greg McPherson, Council President
Richard Cardoza, Council Member
Warren Christensen, Council Member
John Laraway, Council Member



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

City Council Meeting
Minutes
Tuesday, January 5, 2021

6:00 P.M. REGULAR CITY COUNCIL

*Due to the rise in COVID-19 cases and the Governor's Order dated November 14, 2020:
Council Chamber is closed to the public.
Public Attendance Option is Live Streaming*

1. Call to Order and Roll Call

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear – In Person
Council President Greg McPherson – In Person
Council Member Richard Cardoza – In Person
Council Member Warren Christensen – In Person
Council Member John Laraway – In Person

CITY STAFF PRESENT:

Bill Gigray, City Attorney – Via Zoom
Chris Engels, City Clerk – In Person
Jared Empey, City Treasurer – Via Zoom
Lisa Holland, Economic Development Director – Via Zoom
Nancy Stauffer, Human Resources Director – Via Zoom
Jace Hellman, Interim Planning & Zoning Director – Via Zoom
Paul Stevens, Public Works Director – Via Zoom
Bobby Withrow, Parks Director – Via Zoom
Mike Fratusco, Kuna Police Chief – Via Zoom
Doug Hanson, Planner I – Via Zoom

2. Invocation: None

3. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:22)

Consideration to Amend the Agenda

(Council must move to amend the agenda per IC 74-204(4)(b))

Add new item under Business, 7B Elect a Council President for the 2021 term.

(Timestamp 00:00:44)

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 (208) 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.

4. Consent Agenda: ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS
(Timestamp 00:01:20)

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 Dated December 15, 2020
- B. Accounts Payable Dated December 29, 2020 in the amount of \$504,194.78
- C. Case No. 20-22-FP (Final Plat) for Patagonia No. 8
- D. Findings of Fact and Conclusions of Law
 - 1. Case Nos. 19-08-ZC (Rezone) & 19-10-S (Preliminary Plat) for Monarch Landing Subdivision
 - 2. Case No. 20-03-AN (Annexation) for C&G Farms
 - 3. Case No. 20-07-S (Preliminary Plat) for Memory Ranch Subdivision No. 6-9

Motion To: Approve the Amend the Agenda to elect a council president for the 2021 Term

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Voting No: None

Absent: None

Motion Passed: 4-0

Motion To: Approve the Consent Agenda as published

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Approved by the Following Roll Call Vote:

Voting Aye: Council Members Cardoza, Christensen, Laraway and McPherson

Voting No: None

Absent: None

Motion Passed: 4-0

5. External Reports or Requests: None

6. Public Hearings:

Due to current health precautions associated with the Coronavirus, the City of Kuna is providing alternative ways for the community to submit comments at public hearings. To learn more about the process for written and oral testimony please follow the directions above or call the City of Kuna Clerk's Office at (208) 387-7726.

- A. Public Hearing tabled from November 17, 2020, December 1, 2020, and December 15, 2020 and consideration to approve Case Nos. 20-01-ZC (Rezone) and 20-02-S (Preliminary Plat) for Sera Sole Subdivision – Doug Hanson, Planner I and Riley Planning, LLC, Applicant **ACTION ITEM**
(Timestamp 00:01:55)

Riley Planning, LLC requests to rezone two parcels consisting of approximately 19.22-ac in Kuna City, from Agriculture (Ag.) **TO** the R-6 MDR (Medium Density Residential) zone and to subdivide the same lands into 89 total lots (78 buildable lots and 11 common lots). The subject site is located near the NWC of Swan Falls Road and Sunbeam Street within Section 26, Township 2 North, Range 1 West; (APNs: S1326141870 & S1326142025.).

Staff requests this item be tabled to a date certain. Requested information is incomplete.

Motion To: Table the Public Hearing 20-01-ZC and 20-02-S until the January 19, 2021 meeting.

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Voting Aye: Council Members Cardoza, Christensen, Laraway and McPherson

Voting No: None

Absent: None

Motion Passed: 4-0

- B. Public Hearing and consideration to approve 20-02-ZC (Rezone) and 20-05-S (Preliminary Plat) for Rockaway Cove Subdivision – Jace Hellman, Interim Planning & Zoning Director **ACTION ITEM**
(Timestamp 00:03:21)

Tealey's Land Surveying requests to rezone two parcels consisting of approximately 9.71-ac in Kuna City, from Agriculture (Ag.) **TO** the R-6 MDR (Medium Density Residential) zone and to subdivide the same lands into 31 total lots (28 buildable lots and 3 common lots). The applicant proposes a gross density at 3.21 DUA and Net Density at 4.30 DUA with 28,750 SF of open space or 7.6% of the gross area. The subject site is located near the NWC of Swan Falls Road and King Road within Section 26, Township 2 North, Range 1 West BM; (APNs: R8247270176 & R82477270180.)

Staff requests this item be tabled to without a date certain.

Motion To: Table the Public Hearing 20-02-ZC and 20-05-S

Motion By: Council President McPherson
Motion Seconded: Council Member Christensen
Further Discussion: None
Voting Aye: Council Members Cardoza, Christensen, Laraway and McPherson
Voting No: None
Absent: None
Motion Passed: 4-0

7. *Business Items:*

- A. Consideration to approve Resolution No. R01-2021 – Mayor Stear **ACTION ITEM**
(Timestamp 00:04:10)

A RESOLUTION DECLARING THE CITY OF KUNA, IDAHO TO BE A SECOND AMENDMENT SANCTUARY CITY.

Motion To: Approve Resolution No. R01-2021
Motion By: Council President McPherson
Motion Seconded: Council Member Christensen
Further Discussion: None
Voting Aye: Council Members Cardoza, Christensen, Laraway and McPherson
Voting No: None
Absent: None
Motion Passed: 4-0

- B. Elect a Council President for the 2021 term. – Mayor Stear **ACTION ITEM****
(Timestamp 00:07:36)

Motion To: Approve Council President McPherson for Council President for the 2021 term
Motion By: Council President McPherson
Motion Seconded: Council Member Laraway
Further Discussion: None
Voting Aye: Council Members Cardoza, Christensen, Laraway and McPherson
Voting No: None
Absent: None
Motion Passed: 4-0

8. *Ordinances:*

- A. Consideration to approve Ordinance No. 2021-01 **ACTION ITEM**
(Timestamp 00:13:55)

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 DB 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 of Ordinance
Consideration to Approve Ordinance*

Motion To: Waive three readings of Ordinance 2021-01

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Voting No: None

Absent: None

Motion Passed: 4-0

Motion To: Approve Ordinance No. 2021-01

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Approved by the Following Roll Call Vote:

Voting Aye: Council Members Cardoza, Christensen, Laraway and McPherson

Voting No: None

Absent: None

Motion Passed: 4-0

B. Consideration to approve Ordinance No. 2021-02 ACTION ITEM

(Timestamp 00:15:39)

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

- MAKING CERTAIN FINDINGS; AND
- REZONING CERTAIN REAL PROPERTY, TO WIT: ADA COUNTY PARCEL NOS. R0501710340, R0501710360 AND R0501710380 OWNED BY CHALLENGER DEVELOPMENT INC, 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 of Ordinance

Consideration to Approve Ordinance

Motion To: Waive three readings of Ordinance 2021-02

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Voting No: None

Absent: None

Motion Passed: 4-0

Motion To: Approve Ordinance No. 2021-02

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Approved by the Following Roll Call Vote:

Voting Aye: Council Members Cardoza, Christensen, Laraway and McPherson

Voting No: None

Absent: None

Motion Passed: 4-0

C. Consideration to approve Ordinance No. 2021-03 ACTION ITEM

(Timestamp 00:17:19)

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. R8555340190 OWNED BY DENNIS AND HELENE WOLFGRAM AND PARCEL NO. R8555340180 OWNED BY LETE FAMILY REVOCABLE TRUST, 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 of Ordinance

Consideration to Approve Ordinance

Motion To: Waive three readings of Ordinance 2021-03

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Voting No: None

Absent: None

Motion Passed: 4-0

Motion To: Approve Ordinance No. 2021-03

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Approved by the Following Roll Call Vote:

Voting Aye: Council Members Cardoza, Christensen, Laraway and McPherson

Voting No: None

Absent: None

Motion Passed: 4-0

9. *Executive Session:*

(Timestamp 00:21:05)

Executive Session City Council Regular Meeting of January 5, 2021–

The City Council, upon a unanimous roll call vote, convened into the Executive Session, pursuant to Idaho Code Section 74-206 (1) (a),(d)and (e) to consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need; to consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code and to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states. The executive session was convened at 6:23 p.m. In attendance, were Mayor Joe Stear, Council President Greg McPherson, Council Member Richard Cardoza and Council Member Warren Christensen and Council Member John B. Laraway. Also, in attendance by request of the Mayor and Council, were Nancy Stauffer, Human Resources Director and City Attorney Wm. F. Gigray, III. Wm. F. Gigray, III was appointed as special clerk to take the minutes of this executive session. Information was then provided by Nancy Stauffer and the Mayor to the Members of the City Council regarding the subject relevant to Idaho Code Section 74-206 (1) (a)of the executive session. At 6.33 p.m. Nancy Stauffer was excused from the executive session and Lisa Holland Economic Development Director was invited to and in attendance in the executive session. Information was then provided by Lisa Holland regarding the subjects relevant to Idaho Code Section 74-206 (1) (d) and (e) of the executive session.

At 6:47 p.m. Council President Greg McPherson moved and Council Member Warren Christensen seconded to come out of executive session and to reconvene into open session which motion passed unanimously.

Open session resumed and Lisa Holland then assumed the duties of the City Clerk at 6:50 p.m. in regards to the re-establishing contact with those who were appearing the meeting virtually. Lisa Holland announced to the Mayor and Council that virtual attendance had been established by Zoom but there were technical problems with reestablishing virtual contact with those in attendance via the City's internet Facebook and such contact could not be reestablished. Mayor Stear reported that information was received during the executive session relative to the announced purposes for going into the executive session and no action was taken by the City Council. The Mayor announce that there was one more business item [Business Continued agenda action item 10] on the agenda.

10. Business Continued

Consideration to consent to Mayor's appointment of a new Planning and Zoning Director
ACTION ITEM

Agenda Item 12. Adjournment: Due to the technical difficulties with the virtual appearance the Mayor skipped agenda item 11 "Mayor/Council Announcements and declared the meeting adjourned at 6:52

Motion To: Table Agenda Item 10 to the next City Council Date 01.19.2021.

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Voting No: None

Absent: None

Motion Passed: 4-0

11. Mayor/Council Announcements: None

12. Adjournment: 6:52 P.M.



Joe L. Stear, Mayor

ATTEST:


Chris Engels, City Clerk

*Minutes prepared by Nathan Stanley, Deputy City Clerk
Date Approved: CCM 01.19.2021*