



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, February 16, 2021

6:00 P.M. REGULAR CITY COUNCIL

Council Chamber is limited to 15 people.

Live Streaming Instructions: Members of the public may watch the Council Meeting via Facebook Live. Live feed will start at **6:00 P.M.** on the City of Kuna Idaho Facebook page linked below:

<https://www.facebook.com/CityofKunaIdaho/>

For questions, please call the Kuna City Clerk's Office at (208) 387-7726.

1. Call to Order and Roll Call

(Timestamp 00:00:28)

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 – In Person
Lisa Holland, Economic Development Director – Via Zoom
Nancy Stauffer, Human Resources Director – In Person
Jace Hellman, Interim Planning & Zoning Director – In Person
Paul Stevens, Public Works Director – Via Zoom
Bobby Withrow, Parks Director – In Person
Mike Fratusco, Kuna Police Chief – In Person
Doug Hanson, Planner I – In Person

2. Invocation: None

3. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:50)

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.

Consideration to Amend the Agenda

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

Continue Section 7, Business Continued, with the following items:

Consideration of Authorization of the Mayor to sign P S A -2021 -01 ACTION ITEM
(Timestamp 00:01:30)

Motion To: Approve the Posted Amended Agenda

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Recused: None

Motion Passed: 4-0

4. Consent Agenda: ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS
(Timestamp 00:02:52)

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 February 2, 2021

B. Accounts Payable Dated February 11, 2021 in the amount of \$1,558,585.82

C. Resolutions

C.1. Resolution R07-2021

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE "PARK USE AGREEMENT" WITH THE KUNA YOUTH SOFTBALL AND BASEBALL ASSOCIATION, INC., PURSUANT TO THE TERMS OF THE AGREEMENT; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

C.2. Resolution No. R08-2021

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE "REAL ESTATE LEASE AGREEMENT" WITH SILVER BUTTE HOLSTEINS, INC., AN IDAHO CORPORATION (SBH) FOR THE LEASE OF THE CITY OF KUNA, IDAHO'S PROPERTY LOCATED SOUTH OF KUNA MORA ROAD AND SITUATED ON BOTH SIDES OF SWAN FALLS ROAD, KUNA, IDAHO; AND AUTHORIZING

THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

C.3. Resolution No. R10-2021

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE SITE LEASE BY AND BETWEEN THE CITY OF KUNA, IDAHO AND SAFELINK INTERNET AND PURSUANT TO THE TERMS OF THE AGREEMENT; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

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:

(Timestamp 00:03:35)

- A. Public Hearing and consideration to approve 20-05-S (Preliminary Plat) & 20-02-ZC (Rezone) Rockaway Cove Subdivision – Doug Hansen, Planner I ACTION ITEM

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).

<http://kunacity.id.gov/DocumentCenter/View/7362/20-02-ZC---20-05-S-Rockaway-Cove---CC-Packet-PDF>

(Timestamp 00:04:00)

Planner I, Doug Hansen provided the details of the application and stood for questions.

(Timestamp 00:07:00)

Pat Tealy, represents the developer of the Subdivision. Pat Tealy reviewed past history of application for this subdivision in 2006 and reviewed the current state of the economy and zoning class as it stands today.

Council member Laraway asked for clarity on the acreage listed in the paperwork.

Pat Tealy clarified the correct number of acreages for the rezone.

Brett Hughs, signed in for the Public Hearing but did not testify.

Mayor Stear asked about minutes for the neighborhood meeting that was held in February of 2020 and questioned why only two people signed up for the meeting.

Pat Tealy explained that people did not want to sign in for the meeting and that some residents had called in to their office to express comments and concerns.

(Timestamp 00:14:30)

Bill Gigray, City Attorney, reviewed concerns he had with requirements and conditions of approval that were listed.

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Potential Motions:

Consideration to either:

Option 1: Approve or Deny.

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

Motion To: Close the evidence presentation and close the public hearing

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Recused: None

Motion Passed: 4-0

Motion To: Approve 20-05-S (Preliminary Plat) & 20-02-ZC (Rezone) Rockaway Cove Subdivision

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Absent: None

Recused: None

Motion Passed: 4-0

7. Business Items:

- A.** Consideration to approve 21-01-LLA (Lot Line Adjustment) – Jessica Reid, Planning & Zoning Staff: **ACTION ITEM**
(Timestamp 00:25:01)

David Crawford of B&A Engineers, on behalf of Tim Gordon, seeks Lot Line Adjustment approval for the five (5) subject properties located at 680 S Swan Falls Road and 101 E Stagecoach Way, Kuna ID 83634, in order to create a more efficient layout for current and future uses.

<http://kunacity.id.gov/DocumentCenter/View/7363/21-01-LLA-Tim-Gordon---CC-Packet-PDF>

P & Z Staff, Jessica Reid provided to the details of the application and stood for questions.

David Crawford of B & A Engineers presented on behalf of the applicant, Tim Gordon, requested approval and agrees to the conditions of approval as written and stood for questions.

(Timestamp 00:28:28)

David Crawford took questions from Mayor Stear and Council Member Cardoza.

Motion To: Approve 21-01-LLA (Lot Line Adjustment)

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Absent: None

Motion Passed: 4-0

- B.** Contingency Request for \$30,000 for a storage building at North wastewater treatment facility, Public Works Department – Paul Stevens, Public Works Director: **ACTION ITEM**

(Timestamp 00:31:30)

Public Works Director, Paul Stevens explained the needs for the storage and the amount requested is \$100,000. He stood for questions.

Mayor Stear asked City Attorney Bill Gigray if the change in the request needs to be republished on the next agenda.

Public Works Director, Paul Stevens agreed to bring it to the first meeting in March.

Council Member Cardoza asked for the memo to reflect the total amount of \$130,000.

- C. Contingency Request for \$76,000, for PLC Replacement – Paul Stevens, Public Works Director: ACTION ITEM
(Timestamp 00:36:35)

Public Works Director Paul Stevens provided the details of the request and stood for questions.

Motion To: Approve Contingency Request for \$76,000 for PLC Replacement from the Sewer Fund.

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 4-0

- D. Consideration to approve Resolution No. R09-2021- Jace Hellman, Planning & Zoning Director ACTION ITEM
(Timestamp 00:40:38)

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE PROJECT PRIORITY LIST TITLED “CITY OF KUNA IDAHO’S TRANSPORTATION PRIORITY REQUESTS - 2021” AS THE OFFICIAL TRANSPORTATION PROJECT PRIORITY LIST FOR THE CITY OF KUNA, IDAHO FOR THE ADA COUNTY HIGHWAY DISTRICT; AUTHORIZING THE CITY CLERK TO TRANSMIT THE DOCUMENT TO ACHD; AND HEREBY REPEALING ALL PREVIOUS TRANSPORTATION PROJECT PRIORITY LISTS.

Planning & Zoning Director Jace Hellman provided the details of the ACHD Priority List and stood for questions.

Motion To: Approve Resolution No. R09-2021

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 4-0

- E. Consideration to list for sale city owned property on Avalon that was used as a community garden and direct those funds toward community event facility on city owned property on Meadowview. – Bobby Withrow, Parks Director ACTION ITEM
(Timestamp 00:48:13)

Parks Director Bobby Withrow made his request and stood for questions.

Bill Gigray, City Attorney – Explained that procedure needs to be followed for this process. Mr. Gigray will work with Bobby to follow proper procedure and comply with Idaho Law in regards to real property.

8. Ordinances: None

9. Executive Session:

(Timestamp 00:55:17)

Executive Session pursuant to I.C. § 74-206 (1) (d). (d) To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code – Nancy Stauffer, Human Resource Director

6:55 pm adjourned to Executive Session

7:14 pm returned

Motion To: Convene into Executive Session pursuant to Idaho Code Section 74-206 (1) (d) to include Mayor and Council and Nancy Stauffer and Bill Gigray who will serve as secretary.

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 4-0

9. Executive Session City Council Regular Meeting of February 16, 2021– The City Council, upon a unanimous roll call vote, convened into the Executive Session, pursuant to Idaho Code Section 74-206 (1) (d) to consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code. The executive session was convened at 6:55 p.m. In attendance, were Mayor Joe Stear, Council Member Richard Cardoza and Council President Greg McPherson and Council Member Warren Christensen. Council Member John B. Laraway. In addition, also in attendance, by request of the Mayor and Council, were Nancy Stauffer, the City of Kuna’s Human Resources Director and the 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 Wm. F. Gigray, III to the Mayor and the Members of the City Council regarding the subject of the executive session. At 7:14 p.m. Council Member 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.



Wm. F. Gigray, Clerk of Executive Sessions.

Business Continued

7F Consideration of Authorization of the Mayor to sign P S A -2021 -01 ACTION ITEM

(Timestamp 01:15:45)

Motion To: Authorization of the Mayor to sign P S A -2021 -01

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 4-0

10. Mayor/Council Announcements:

(Timestamp 01:16:21)

Mayor Stear reviewed legislative items.

11. Adjournment:

7:32 pm



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



Minutes prepared by Nathan Stanley, Deputy City Clerk

Date Approved: CCM 03.02.2021