

**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, June 1, 2021**

**6:00 P.M. REGULAR CITY COUNCIL**

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

**1. Call to Order and Roll Call**

*(Timestamp 00:00:20)*

**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 – In Person  
Chris Engels, City Clerk – In Person  
Jared Empey, City Treasurer – In Person  
Nancy Stauffer, Human Resources Director – In Person  
Paul Stevens, Public Works Director – In Person  
Bobby Withrow, Parks Director – In Person  
Mike Fratusco, Kuna Police Chief – In Person  
Jace Hellman, P & Z Director – In Person

**2. Invocation: None**

**3. Pledge of Allegiance: Mayor Stear**

*(Timestamp 00:00:40)*

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

*(Timestamp 00:01:00)*

*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.*

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.

A. Regular City Council Meeting Minutes Dated May 18, 2021

B. Accounts Payable Dated May 13, 2021 in the amount of \$249,396.91

C. Consideration to approve Resolution R19-2021

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY BLACK CREEK LLP, FOR THE JOURNEY'S END SUBDIVISION NO. 3 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING, STREET LIGHTING, AND FENCING PURSUANT TO THE TERMS OF THIS RESOLUTION.

D. Consideration to approve Final Plat Case No. 21-06-FP Ashton Estates No. 4

Final Plat approval for Ashton Estates Subdivision No. 4. The project is approx. 8.99 acres with an R-8 (Medium/High Density Residential) zoning designation and will consist of 51 Single-Family Residential buildable lots, 13 common lots, and two (2) shared driveways. The subject site is located 1/4 -mile East of the N Meridian Road and E Meadow View Drive intersection (APN: S1419241000); Section 19, Township 2 North, Range 1 East.

**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:** 4-0-0

5. *External Reports or Requests: None*

6. *Public Hearings:*

*(Timestamp 00:01:39)*

A. **21-01-CPF (Combination Preliminary & Final Plat) Willa Fields Subdivision:** The applicant requests approval for a Combined Preliminary & Final Plat in order to subdivide approximately 2.00 acres into two single family residential lots. The property is zoned R-6 (Medium Density Residential) within Kuna City Limits. The subject site is located at 1220 S Ash Avenue, Kuna, ID 83634, within Section 26, Township 2 North, Range 1 West; (APN: R5070501193). Doug Hanson, Planner II **ACTION ITEM**

<https://www.kunacity.id.gov/DocumentCenter/View/7578/Willa-Fields-Staff-Packet-CC-612021>

Planner II Doug Hanson presented the application and recommendations of compliance with staff reports. Mr. Hanson stood for questions.

Joel Hurtle, applicant, presented the details of his applications and stood for questions.

Council Member Christensen asked if the applicant was able to come into compliance with the requests from Kuna Fire District.

No attendees signed up to testify.

*Open Public Hearing*

*Receive evidence*

*Consideration to close evidence presentation and proceed to deliberation*

*Potential Motions:*

*Consideration to either:*

*Option 1: Approve or Deny Case and Close the Public Hearing*

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

**Motion To:** Close the evidence presentation and proceed to deliberation

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Christensen

**Further Discussion:** None

**Motion Passed:** 4-0-0

**Motion To:** Approve 21-01-CPF (Combination Preliminary & Final Plat) Willa Fields Subdivision and close the public hearing.

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Christensen

**Further Discussion:** None

**Recused:** None

**Absent:** None

**Motion Passed:** 4-0-0

*(Timestamp 00:07:20)*

- B. Case No. 21-02-AN (Annexation) Markovetz Properties:** Michelle Carroll with City of Trees Real Estate, on behalf of her clients Donald & Carol Markovetz, requests to Annex approx. 33.02 ac. into Kuna City Limits with an R-8 (Medium/High Density Residential) zoning designation. (APNs: R5462680010, R5462680020, R5462680070, R5462680100 & R5462680110). Jessica Reid, Planning Services Specialist **ACTION ITEM**

<https://www.kunacity.id.gov/DocumentCenter/View/7581/21-02-AN-Markovetz-CC-Packet>

Planning Services Specialist Jessica Reid presented the case and read into the record the Verbatim Minutes from the Kuna Planning & Zoning Commission of April 13, 2021. She stood for questions.

Applicants.....would like to amend to R-6 as planning has been done at that density. R-4 could be considered if required.

for the record, applicants compared a neighborhood that is close by that has the same zoning as proposed and they noted that it worked.

Against

*(Timestamp 00:17:15)*

represents the HOA.... six properties...clarified if the letter has been seen with signatures.... concern is with the R-8 and R-6...annexation at R-8.

Support

Neutral

Rebuttal – application only for annexation and preliminary plat.

Council Member Christensen asked Ms. Reid about the P&Z Minutes that were provided.

Ms. Reid responded with an explanation for the zoning.

Council Member Christensen asked about surface water rights

Planning & Zoning Jace Hellman explained .....design a private system up to city standards....prohibit connection into the city system.

Angela Bruno clarified they have applied for the water rights.

Council Member Laraway clarified the water rights in discussion were for irrigation.

Ms. Reid responded.

Council Member Laraway asked about potable water and sewer.

Ms. Reid responded.

City Engineer Paul Stevens explained the subdivision will hook up to sewer and water.

Council Member Cardoza asked if the homes are on septic. If they are within three hundred feet, will they have to hook up to irrigation?

Mr. Stevens explained that when their systems fail, they have to connect.

Council Member Cardoza asked about a well for the pressurized irrigation.

Michelle Carol responded that the application has been submitted.

City Attorney reviewed notes regarding the annexation designation.

*Open Public Hearing*

*Receive evidence*

*Consideration to close evidence presentation and proceed to deliberation*

*Potential Motions:*

*Consideration to either:*

*Option 1: Approve or Deny Case and Close the Public Hearing*

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

**Motion To:** Close the evidence presentation and proceed to deliberation

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Christensen

**Further Discussion:** None

**Motion Passed:** 4-0-0

**Motion To:** Deny 21-02-AN (Annexation) Markovetz Properties

**Motion By:** Council Member Cardoza

**Motion Seconded:** Council Member Laraway

**Further Discussion:** None

**Recused:** None

**Absent:** None

**Motion Passed:** 4-0-0

**8. *Business Items: None***

*(Timestamp 00:42:34)*

**A. Direction on Bernie Fisher Park upgrades, Bobby Withrow, Parks & Facilities Director  
ACTION ITEM**

Parks & Facilities Director Bobby Withrow presented his project and stood for questions.

Council Member Cardoza asked about Bidding.

Mr. Withrow explained.

Council Member Christensen asked about the impact the cost would have on the Parks budget.

Jared Empey, City Treasurer, explained that there are no concerns with the cost and the impact it would have on the budget for the Parks Department.

**9. *Ordinances: None***

**10. *Executive Session: ACTION ITEM***

*(Timestamp 00:52:00)*

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.

**Motion To:** Convene Executive Session pursuant to:

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

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Christensen

**Further Discussion:** None

**Motion Passed:** 4-0-0

- Me, Bobby, Chief Fratusco, and Jared were the staff present. Council and mayor present.
- Mayor talked about acquiring property very near city council for the purpose of constructing a police department for the City.
  - Current owner appears willing to sale.
  - Mayor considered the property to be sufficient for what the City needs now for a police department, but the police could outgrow it and the facility could be used for other purposes.
  - Greg Nielsen (Nelson?) is the prospective seller.
  - There is a house on the property that would be retrofitted for the department.
- Chief Fratusco also commented.
  - Chief said the department has already outgrown its existing facility.
  - Explained the number of staff currently working for the department, and that they really only have room for 1 more person in the physical space they are now using.
  - Detectives currently all share offices.
  - Sargent does not have a private office.
  - He described the space as having been “adequate” but that the department is/has quickly outgrown it.
  - Due to population increases, he expects staff will have to grow even more in the near term.
  - He also felt it would be helpful to be located more near the City core than their current substation. Due to the number of calls from the core area, being over here would be convenience benefit.
- Cardoza said he thought it was a good idea to acquire it.
- Mayor added that someone named “Liz” has no intention of moving back to the house and is willing to consider selling it.
- Jared briefly explained what funds are available to help fund this kind of purchase.
- Some scattered discussion about no topic in particular.
- Council discussed that Jared would likely be the one authorized to get the appraisal.
- Came back on the record and made a motion to end executive session.
- Chris, Jace, and a woman I didn’t recognize came back in after the executive session ended.

**Motion To:** End Executive Session pursuant to:

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

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Christensen  
**Further Discussion:** None  
**Motion Passed:** 4-0-0

**11. Business Continued: ACTION ITEM**

*(Timestamp 00:53:10)*

Consideration to authorize appraisal of real property which is not owned by the City of Kuna.  
Mayor Stear

**Motion To:** Authorize the appraisal of real property not owned by the city

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Christensen

**Further Discussion:** None

**Motion Passed:** 4-0-0

**Absent:** None

**12. Mayor/Council Announcements:**

*(Timestamp 00:53:54)*

Mayor Stear briefed on House Bill 389. Caldwell implemented a temporary moratorium.

City Treasurer Jared Empey City Treasurer reviewed HB 389.

Mayor Stear posting ED position.

Council President McPherson spoke about the Market Village and the RV dump and updates that need to be considered.

**13. Adjournment: 7:21**

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Joe L. Stear, Mayor

ATTEST:

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Chris Engels, City Clerk

*Minutes prepared by Nathan Stanley, Deputy City Clerk*

*Date Approved: CCM 06.15.2021*