

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, November 16, 2021

6:00 P.M. REGULAR CITY COUNCIL

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

ALL ITEMS ON THE KUNA CITY COUNCIL AGENDA ARE CONSIDERED ACTION ITEMS UNLESS OTHERWISE INSTRUCTED BY THE CITY COUNCIL.

1. Call to Order and Roll Call

(Timestamp 00:00:02)

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:

Marc Bybee, City Attorney – In Person
Chris Engels, City Clerk – In Person
Jared Empey, City Treasurer – In Person
Bobby Withrow, Parks Director – In Person
Mike Fratusco, Kuna Police Chief – In Person
Jace Hellman, P & Z Director – In Person
Jessica Reid, P & Z – In Person
Morgan Treasure, Economic Development Director – In Person
Paul Stevens, Public Works Director – In Person
Nancy Stauffer, HR Director – In Person

2. Invocation:

3. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:22)

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

(Timestamp 00:00:45)

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

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.

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 November 3, 2021

B. Accounts Payable Dated November 10, 2021, in the amount of \$1,000,075.16

C. Resolutions

1. Resolution R56-2021

-Pulled from consent for discussion per Council Member Cardoza. Business item 7.C.

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

- SETTING FORTH CERTAIN PURPOSES;
- AUTHORIZING THE MAYOR TO EXECUTE THE FALCON CREST SEWER PACKAGE #1 REIMBURSEMENT AGREEMENT
- DIRECTING THE CITY CLERK; AND
- SETTING AN EFFECTIVE DATE.

2. Resolution R57-2021

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE “PROFESSIONAL SERVICES AGREEMENT” WITH KELLER ASSOCIATES, INC. FOR SCOPE OF WORK FOR AVENUE B SIDEWALK IMPROVEMENTS FOR THE CITY OF KUNA; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

3. Resolution R58-2021

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID RISING SUN, LLC, FOR RISING SUN ESTATES SUBDIVISION NO. 1 FOR UNCOMPLETED WORK INCLUDING STREET LIGHTING, FENCING AND LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

4. Resolution R59-2021

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID RISING SUN, LLC, FOR RISING SUN ESTATES SUBDIVISION NO. 2 FOR UNCOMPLETED WORK INCLUDING STREET LIGHTING, FENCING AND LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

Motion To: Remove Item 4. C. 1. and moved to Business 7C

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

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:

(Timestamp 00:02:56)

A. New Approach to New Residential Development, David Reinhart, Kuna School District.

David Reinhart was not in attendance at 6:00 p.m.

6. Public Hearings:

(Timestamp 00:03:14)

A. **Case No. 21-06-AN (Annexation) 1113 & 1169 N Black Cat Road: Tabled from City Council Meeting on November 3, 2021.** Robin and Diana Sanders request to annex two (2) parcels consisting of approximately 9.8 acres into Kuna City Limits with an R-2 zoning district classification. The subject sites are located at 1113 and 1169 N Black Cat Road, Kuna ID 83634, with Section 21, Township 2 North, Range 1 West; (APNs: S1321141880, S1321141920. Doug Hansen, Planner II ACTION ITEM

Planner II Doug Hansen provided a review of the application and stood for questions.

Diana Sanders is the applicant and had her son Josh Sanders review the plans and complaints received. He clarified the plan is for family planning of homes that will be for himself, his parents and sister. Mr. Sanders also discussed the irrigation plans and the agencies and staff that reviewed the application. He stood for questions.

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Motion To: Close the evidence presentation and proceed to deliberation

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Further Discussion: None

Motion Passed: 4-0-0

Motion To: Approve Case No. 21-06-AN (Annexation) 1113 & 1169 N Black Cat Road

Motion By: Council Member McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Recused: None

Absent: None

Motion Passed: 4-0-0

B. 21-12-S (Preliminary Plat) – Lugarno Terra North: Select Development requests to subdivide approximately 38.5 acres into 143 total lots (123 buildable lots and 20 common lots). The subject site is within Kuna City Limits with an R-4 (Medium Density Residential) zoning district classification. The subject site is located at 2075 E Rodeo Lane, Kuna, ID 83634, within Section 18, Township 2 North, Range 1 East; (APNs: R7534260375, R7534260500, R7534260218 and R7534260156). Doug Hansen, Planner II ACTION ITEM

(Timestamp 00:26:35)

City Clerk Chris Engels notified Mayor Stear of ex parte communications and asked for an opinion from the City Attorney Marc Bybee.

City Attorney Marc Bybee provided the three options available.

Billey Edwards, Applicant decided they would move forward.

Letters from school district not entered into the record and not added to the packet.

Motion To: Disregard the ex parte letter received by Council Members and Council from the Kuna School District

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Further Discussion: None

Motion Passed: 4-0-0

(Timestamp 00:35:25)

Planner II Doug Hanson reviewed the application and stood for questions.

Billy Edwards, Select Development, reviewed the presentation.

Council Member Christensen asked about school impact.

Council discussed how they need more participation from the school district during these council meetings and work better together to make better informed decisions.

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Motion To: Close the evidence presentation and proceed to deliberation

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Further Discussion: None

Motion Passed: 4-0-0

Motion To: Approve Case No. 21-12-S (Preliminary Plat) Lugarno Terra North

Motion By: Council Member McPherson

Motion Seconded: Council Member Laraway

Further Discussion: None

Recused: None

Absent: None

Motion Passed: 4-0-0

C. 21-13-S (Preliminary Plat) – Lugarno Terra South: Select Development requests to subdivide approximately 1.85 acres into 13 total lots (8 buildable lots and five common lots). The subject site is within Kuna City Limits with an R-6 (Medium Density Residential) zoning district classification. The subject site is located at 1919 E Deer Flat Road, Kuna, ID 83634, within Section 19, Township 2 North, Range 1 East; (APNs: S1419223001). Doug Hansen, Planner II ACTION ITEM

(Timestamp 001:05:30)

Planner II Doug Hansen provide a review of the application and stood for questions.

Applicant Representative Billy Edwards Select Development reviewed the presentation provided in the packet and stood for questioning.

Mayor Stear asked about issues in the past of people trespassing on canals and if this has been brought to the applicant's attention.

Jace Hellman, PZ Director answered Mayor Stear.

Billy Edwards, applicant, responded and agreed to the recommendations of adding signage to encourage people to stay off canal paths as they are private property.

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Motion To: Close the evidence presentation and proceed to deliberation

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Further Discussion: None

Motion Passed: 4-0-0

Motion To: Approve Case No. 21-13-S (Preliminary Plat) Lugarno Terra South

Motion By: Council Member McPherson

Motion Seconded: Council Member Laraway

Further Discussion: None

Recused: None

Absent: None

Motion Passed: 4-0-0

7. Business Items:

(Timestamp 01:15:50)

- A. Consideration of \$20,000 from General Fund Contingency for Galena Consulting to fund an updated study for Kuna Parks and Kuna Police Impact Fees. Chris Engels, City Clerk
ACTION ITEM

Motion To: Approve \$20,000 from General Fund Contingency for Galena Consulting

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 4-0-0

- B. 21-02-LS (Lot Split) & 21-04-LLA (Lot Line Adjustment) – 1113 & 1169 N Black Cat: Robin and Diana Sanders are requesting to Lot Split and Lot Line Adjust two (2) parcels consisting of approximately 9.8 acres. The subject properties have applied for Annexation into Kuna City Limits with an R-2 zone. The subject sites are located at 1113 and 1169 N Black Cat Road, Kuna, ID 83634, within Section 21, Township 2 North, Range 1 West; (APNs: S1321141880, S1321141920). Doug Hansen, Planner II ACTION ITEM
(Timestamp 01:18:59)

Doug Hansen, Planner II, reviewed the lot split and lot line adjustment and stood for questions.

Motion To: Approve 21-02-LS (Lot Split) & 21-04-LLA (Lot Line Adjustment) 1113 & 1169 N Black Cat

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 4-0-0

C. Council Member Cardoza Requested item from Consent to Business for discussion.

Resolution R56-2021

- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA:**
- **SETTING FORTH CERTAIN PURPOSES;**
 - **AUTHORIZING THE MAYOR TO EXECUTE THE FALCON CREST SEWER PACKAGE #1 REIMBURSEMENT AGREEMENT**
 - **DIRECTING THE CITY CLERK; AND**
 - **SETTING AN EFFECTIVE DATE.**

Paul Stevens, Public Works Director, responded to Council Member Cardoza's questioning about total amount.

Jared Empey, City Treasurer, responded to the amount that is being reimbursed per Council Member Cardoza's questioning about total amount.

Council Member Cardoza asked about EDU's.

Paul Stevens, Public Works Director, responded to Council Member Cardoza.

Motion To: Approve R56-2021

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 4-0-0

8. Ordinances:

(Timestamp 01:32:15)

A. Consideration to approve Ordinance 2021-32 **ACTION ITEM**

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. S1531233600, S1531300000, S2006121115, S2006417205, S2006417265, S2007111100, S2006417500 AND S2007111200 OWNED BY RAY AND SUSAN MONTIERH, AND S2006121150 OWNED BY PLEASANT VALLEY AGRICULTURE LLC WITHIN 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 Ordinance*

Motion To: Waive three readings of Ordinance 2021-32

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Recused: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve Ordinance 2021-32

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

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

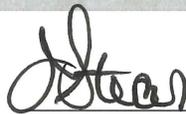
9. Executive Session:

10. Mayor/Council Announcements:

(Timestamp 01:35:10)

Mayor updated Council on Legislation.

11. Adjournment: 7:45 PM



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



*Minutes prepared by Nathan Stanley, Deputy City Clerk
Date Approved: CCM 12.7.2021*

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CITY OF KUNA

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SIGN-UP SHEET

November 16, 2021 – City Council Public Hearing

Case Name: Lugarno Terra North

Case No: 20-12-S (Preliminary Plat)

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.

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SIGN-UP SHEET

November 16, 2021 – City Council Public Hearing

Case Name: Lugano Terra South

Case No: 20-13-S (Preliminary Plat)

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.

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