

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, December 21, 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 00:00:10)

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear – In Person
Council President Greg McPherson – Absent
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
Mike Fratusco, Kuna Police Chief – In Person
Jace Hellman, P & Z Director – In Person
Doug Hanson, P & Z – In Person
Morgan Treasure, Economic Development Director – In Person
Nancy Stauffer, HR Director – In Person

2. Invocation:

3. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:24)

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

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.

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 7, 2021
- B. Accounts Payable Dated December 16, 2021, in the amount of \$779,871.40
- C. Findings of Fact and Conclusions of law.
 - 1. Case No. 21-03-CPF (Combination Preliminary and Final Plat) Arbor Ridge Villas.
 - 2. Case No. 21-04-ZC (Rezone) & 21-05-S (Preliminary Plat) – Ewing Meadows Subdivision.

D. Resolutions

- 1. Resolution R68-2021 Fitz Roy Park Closing Authorization

Motion To: Approve the Consent Agenda as Published

Motion By: Council President Christensen

Motion Seconded: Council Member Laraway

Further Discussion: None

Approved by the Following Roll Call Vote:

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

Voting No: None

Absent: McPherson

Motion Passed: 4-0-0

5. External Reports or Requests:

6. Public Hearings:

(Timestamp 00:01:18)

A. Kuna Parking Lot Resolution R60-2021 and Ordinance 2021-36 Bobby Withrow, Parks/Facilities Director ACTION ITEM

1. Resolution R60-2021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA;

- Setting Forth Findings; and
- Establishing City Parks Department Parking Lot Regulations; and
- Establishing City Parks Department Parking Lot Permit Fees; and
- Directing the City Clerk; and
- Setting an Effective Date.

Chris Engels, City Clerk, reviewed Resolution R60-2021 and Ordinance 2021-36 and stood for questions.

Council Member Cardoza asked about the authority the city has to enforce.

Marc Bybee, City Attorney, responded to Council Member Cardoza.

Chief Fratusco, Kuna Police Chief also responded to Council Member Cardoza.

2. Ordinance 2021-36

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO

- AMENDING SECTION 3 OF CHAPTER 2 OF TITLE 11 KUNA CITY CODE “PURPOSE” TO INCLUDE REGULATION OF CITY PARKING LOTS; AND
- AMENDING SECTION 4 OF CHAPTER 2 OF TITLE 11 KUNA CITY CODE “SCOPE” TO INCLUDE CITY PARKING LOTS; AND
- AMENDING SECTION 5 OF CHAPTER 2 OF TITLE 11 KUNA CITY CODE BY THE ADDITION OF A NEW DEFINITION “CITY PARKING LOT”; AND
- AMENDING CHAPTER 2 OF TITLE 11 KUNA CITY CODE BY THE ADDITION OF A NEW SECTION 11 PROVIDING FOR CITY PARKING LOT REGULATIONS AND FEES; AND
- AMENDING AND RECODIFYING EXISTING SECTION 11 OF CHAPTER 2 OF TITLE 11 KUNA CITY CODE AMENDING BY THE ADDITION THERETO OF A NEW SUBSECTION (F) PROVIDING FOR IMPOUNDING OF UNLAWFULLY PARKED VEHICLES AND RECODIFYING TO SECTION 12 OF CHAPTER 2 OF TITLE 11 KUNA CITY CODE; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Consideration to waive three readings

Consideration to approve Ordinance

Consideration to approve Summary Publication

Motion To: Close the evidence presentation and proceed to deliberation

Motion By: Council President Christensen

Motion Seconded: Council Member Laraway

Further Discussion: None

Motion Passed: 4-0-0

Motion To: Approve Resolution R60-2021 and

Motion By: Council Member Christensen
Motion Seconded: Council Member Laraway
Further Discussion: None
Recused: None
Absent: McPherson
Motion Passed: 4-0-0

Motion To: Waive three readings of Ordinance 2021-36
Motion By: Council Member Christensen
Motion Seconded: Council Member Laraway
Further Discussion: None
Recused: None
Absent: McPherson
Motion Passed: 4-0-0

Motion To: Approve Ordinance 2021-36
Motion By: Council Member Christensen
Motion Seconded: Council Member Laraway
Further Discussion: None
Recused: None
Absent: McPherson
Motion Passed: 4-0-0

Motion To: Summary Publication of Ordinance 2021-36
Motion By: Council Member Christensen
Motion Seconded: Council Member Laraway
Further Discussion: None
Recused: None
Absent: McPherson
Motion Passed: 4-0-0

B. Resolution R69-2021 Kuna Irrigation System Policies, Jared Empey, City Treasurer

ACTION ITEM

(Timestamp 00:21:06)

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO:

- MAKING CERTAIN FINDINGS OF AUTHORITY AND PURPOSE; AND
- ESTABLISHING THE CITY IRRIGATION SYSTEM POLICIES WHICH INCLUDE:
- ESTABLISHING THE CITY'S IRRIGATION SYSTEM CONNECTION, SERVICE, AND IRRIGATION SUPPLY FEES POLICY; AND
- ESTABLISHING THE CITY IRRIGATION SYSTEM UNIFORM IRRIGATION WATER SUPPLY ASSESSMENT METHOD POLICY; AND
- ESTABLISHING THE CITY IRRIGATION SYSTEM CUSTOMER BILLING AND PAYMENT POLICY; AND
- ESTABLISHING THE CITY IRRIGATION SYSTEM CUSTOMER SERVICE CHARGES

- POLICY; AND
- ESTABLISHING THE CITY IRRIGATION SYSTEM LOT AND PARCEL WATER ALLOTMENT POLICY; AND
- ESTABLISHING THE CITY IRRIGATION SYSTEM IRRIGATION WATER USE AND ENFORCEMENT POLICY; AND
- REPEALING PRIOR CITY IRRIGATION SYSTEM POLICIES; AND
- PROVIDING A SEVERABILITY CLAUSE; AND
- PROVIDING AN EFFECTIVE DATE.

Jared Empey, City Treasurer, reviewed Resolution R69-2021 and 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 Christensen

Motion Seconded: Council Member Laraway

Further Discussion: None

Motion Passed: 4-0-0

Motion To: Approve Resolution R69-2021

Motion By: Council Member Christensen

Motion Seconded: Council Member Laraway

Further Discussion: None

Recused: None

Absent: McPherson

Motion Passed: 4-0-0

C. CBH Grand Prado Fire Impact Fee Appeal ACTION ITEM

(Timestamp 00:26:57)

City Council of the City of Kuna, Idaho will conduct a hearing on the appeal by Cory Barton Homes – CBH Homes of the Kuna Rural Fire District’s (KRFD) Board of Commissioners Decision regarding the refund of fire district impact fees paid as provided in Kuna City Code Section 12-2-13. This appeal is related to a requested refund of fire district impact fees that were paid for homes located within Gran Prado Subdivision No. 1.

Mayor Stear reviewed the case before council.

Case requested to be tabled to a date certain of January 18, 2022.

Motion To: Table CBH Grand Prado Fire Impact Fee Appeal to a date certain of January 18, 2021.

Motion By: Council Member Christensen

Motion Seconded: Council Member Laraway

Further Discussion: None
Recused: None
Absent: McPherson
Motion Passed: 4-0-0

7. Business Items:

(Timestamp 00:32:46)

- A. Case No. 21-04-LS (Lot Split) – Anderson Lot Split: CS PROPERTY DEVELOPMENT, LLC is requesting to lot split a 115-acre parcel zoned agriculture. The parcel will be split into an approximately 7.25 – acre parcel and an approximately 107.75 – acre parcel. The subject site is located near the NEC of S Cloverdale Road and W Barker Street, Kuna, ID 83634, within section 3, Township 1 North, Range 1 East; (APN: S2103336400). Doug Hansen, Planner II ACTION ITEM

Doug Hansen, Planner II, reviewed the application and stood for questions.

Motion To: Approve Case No. 21-04-LS (Lot Split) – Anderson Lot Split
Motion By: Council President Christensen
Motion Seconded: Council Member Laraway
Further Discussion: None
Motion Passed: 4-0-0

- B. Consideration to approve contingency request for \$8,500 to replace hand rail at the Kuna Senior Center. Bobby Withrow, Parks/Facilities Director ACTION ITEM
(Timestamp 00:35:04)

Mayor Stear reviewed the request in Bobby Withrow's absence and stood for questions.

Motion To: Approve contingency request for \$8,500 to replace the hand rail at the Kuna Senior Center.
Motion By: Council President Christensen
Motion Seconded: Council Member Laraway
Further Discussion: None
Motion Passed: 4-0-0

8. Ordinances:

(Timestamp 00:37:14)

- A. Consideration to approve Ordinance 2021-34 ACTION ITEM

A MUNICIPAL REZONE ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA;

- MAKING CERTAIN FINDINGS; AND
- REZONING CERTAIN REAL PROPERTY, TO WIT: ADA COUNTY PARCEL NO. R5070500080 OWNED BY INHIRA 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 Ordinance*

Motion To: Waive three readings of Ordinance 2021-34

Motion By: Council President Christensen

Motion Seconded: Council Member Laraway

Further Discussion: None

Recused: None

Absent: McPherson

Motion Passed: 4-0-0

Motion To: Approve Ordinance 2021-34

Motion By: Council President Christensen

Motion Seconded: Council Member Laraway

Approved by the Following Roll Call Vote:

Voting Aye: Council Members Cardoza, Christensen, Laraway,

Voting No: None

Absent: McPherson

Motion Passed: 4-0-0

B. Consideration to approve Ordinance 2021-35 ACTION ITEM
(Timestamp 00:38:52)

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. S1321141880 AND S1321141920 OWNED BY ROBIN L SANDERS AND DIANA J SANDERS 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 2021-35

Motion By: Council President Christensen

Motion Seconded: Council Member Laraway

Further Discussion: None
Recused: None
Absent: McPherson
Motion Passed: 4-0-0

Motion To: Approve Ordinance 2021-35
Motion By: Council President Christensen
Motion Seconded: Council Member Laraway
Approved by the Following Roll Call Vote:
Voting Aye: Council Members Cardoza, Christensen, Laraway
Voting No: None
Absent: McPherson
Motion Passed: 4-0-0

9. Executive Session:

10. Mayor/Council Announcements:

(Timestamp 00:42:00)

Warren Christensen acknowledges Council Member Cardoza for his years of service to the City of Kuna.

Mayor Stear acknowledges Council Member Cardoza for his years of service to the City of Kuna.

John Laraway acknowledges Council Member Cardoza for his years of service to the City of Kuna.

11. Adjournment:

6:46



A handwritten signature in black ink, appearing to read "J. Stear", written over a horizontal line.

Joe L. Stear, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Chris Engels", written over a horizontal line.

Chris Engels, City Clerk

*Minutes prepared by Nathan Stanley, Deputy City Clerk
Date Approved: CCM 01.04.2022*



CITY OF KUNA

751 W. 4th Street • Kuna, Idaho • 83634 • Phone (208) 922-5274

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SIGN-UP SHEET

December 21, 2021 – City Council Public Hearing

Case Name: Resolution R69-2021 Kuna Irrigation System Policies

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.

IN FAVOR		NEUTRAL		IN OPPOSITION	
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SIGN-UP SHEET

December 21, 2021 – City Council Public Hearing

Case Name: Kuna Parking Lot Resolution R60-2021 and Ordinance 2021-36

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.

IN FAVOR		NEUTRAL		IN OPPOSITION	
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