

OFFICIALS
Joe Stear, Mayor
Greg McPherson, Council President
Chris Bruce, 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 21, 2022

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 00:00:01)

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear
Council President McPherson
Council Member Chris Bruce
Council Member Warren Christensen
Council Member John Laraway

CITY STAFF PRESENT:

Marc Bybee, City Attorney
Chris Engels, City Clerk
Jared Empey, City Treasurer
Mike Fratusco, Kuna Police Chief
Doug Hanson, P & Z Director
Nancy Stauffer, HR Director
Bobby Withrow, Parks Director

2. Invocation

3. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:16)

4. Consent Agenda: ACTION ITEMS

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.

(Timestamp 00:00:36)

A. Regular City Council Meeting Minutes Dated June 7, 2022

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) 387-7726. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at 387-7726 at least forty-eight (48) hours prior to the meeting to allow the City to make reasonable arrangements to ensure accessibility to this meeting.

B. Accounts Payable Dated June 16, 2022, in the amount of \$1,450,916.59

C. Findings of Fact Conclusions of Law

1. 2022 Area of City Impact Boundary Adjustment
2. Case No. 21-17-AN (Annexation), 21-06-CPF (Combination Preliminary and Final Plat) & 21-06-DA (Development Agreement) Skylar Ranch Subdivision

D. Resolutions

1. Resolution R38-2022

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

2. Resolution R44-2022

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE AND THE CLERK TO ATTEST TO THE PRECONSTRUCTION SEWER EXTENSION REIMBURSEMENT COSTS AGREEMENT WITH SELECT DEVELOPMENT AND CONTRACTING LLC., AND THE WESTPARK COMPANY INC., IN THE AMOUNT OF THREE MILLION FIVE HUNDRED FIFTY THOUSAND FOUR HUNDRED NINETY-NINE DOLLARS AND THIRTY CENTS (\$3,550,499.30). THE ITEMS LISTED IN BID ARE REIMBURSEABLE WHICH CITY WILL PAY ONE MILLION SEVEN HUNDRED SEVENTY-FIVE THOUSAND TWO HUNDRED FORTY-NINE DOLLARS AND SIXTY-FIVE CENTS OF WHICH IS FIFTY PERCENT (50%) UPFRONT AND THE REMAINING FIFTY PERCENT (50%) OVER A TEN (10) YEAR PERIOD IN ACCORDANCE TO PARAGRAPH 10 OF AGREEMENT.

<http://kunacity.id.gov/DocumentCenter/View/8026/R44-2022-Preconstruction-Sewer-Reimbursement-Extension-PDF>

E. Alcohol Licensing

1. The Pork Belly, John House and Kelby Rovig.

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 Bruce, Christensen, Laraway, McPherson

Voting No: None

Absent: None

Motion Passed: 4-0-0

5. External Reports:

(Timestamp 00:01:11)

A. ACHD Presentation on the Chip Seal Schedule.

ACHD Staff presented the Chip Seal Program and stood for questions.

Council Member Christensen asked about lane closures and timing.

ACHD responded.

6. Public Hearings:

Public Hearing Process: Items begin with the presentation of the project by staff for up to 15 minutes. The applicant is then allowed 10 minutes to present their project. Members of the public are allowed up to 3 minutes each, to address City Council with testimony restricted to the matter at hand. After all public testimony, the applicant is allowed 5 minutes for rebuttal.

City Council members may ask questions throughout the public hearing process.

Once the public hearing is closed, no further testimony or comments are heard.

City Council may move to continue the application to a future meeting or approve or deny the application.

(Timestamp 00:17:28)

- A. Case Nos. 20-01-PUD (Planned Unit Development), 20-08-S (Preliminary Plat), 20-06-ZC (Rezone), 22-01-V (Variance), 20-05-SUP (Special Use Permit) & 20-01-DA (Development Agreement) for Merlin Cottages Subdivision – Jessica Reid, Planner I
- **Tabled to a date certain of 07.05.2022**

A Team Boise, requests Planned Unit Development approval for an approx. 7.04-acres with C-1 (Neighborhood Commercial) & R-12 (High Density Residential) zones. In addition, Applicant requests Preliminary Plat approval to subdivide the parcel into 66 total lots (54 single family, 6 common & 6 commercial); a Variance is requested to reduce side property line setbacks. The subject site is located at 115 N Sailer Avenue, Kuna, ID, 83634, within Section 24, Township 2 North, Range 1 West; (APNs: R5672430020, R5672430040, R5672430060)

<http://kunacity.id.gov/DocumentCenter/View/8027/Merlin-Cottages-Subdivision-Staff-Packet-CC-PDF>

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Motion To: **Table until July 5, 2022** Case Nos. 20-01-PUD (Planned Unit Development), 20-08-S (Preliminary Plat), 20-06-ZC (Rezone), 22-01-V (Variance), & 20-01-DA (Development Agreement) for Merlin Cottages Subdivision.

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Voting No: None

Absent: None

Motion Passed: 4-0-0

7. Business Items:

(Timestamp 00:19:08)

- A. Consideration of Danskin Re-allocation of Funds. Paul Stevens, Public Works Director
ACTION ITEM

Paul Stevens reviewed the request and stood for questions.

Motion To: Approve Danskin re-allocation of funds

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Absent: None

Motion Passed: 4-0-0

- B. Consideration of Re-allocation of funds from the Pivot Fund to purchase a new mixed liquor pump and 2 pump rebuild kits. Paul Stevens, Public Works Director. **ACTION ITEM**

(Timestamp 00:20:37)

Paul Stevens reviewed request and stood for questions.

Motion To: Approve re-allocation of funds from the Pivot Fund

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Absent: None

Motion Passed: 4-0-0

- C. Findings of Fact and Conclusions of Law 2022 Comprehensive Plan Map Amendment. Doug Hansen, Planning and Zoning Director **ACTION ITEM**

(Timestamps 00:23:15)

Doug Hansen reviewed the Findings of Fact and Conclusions of Law and why it was placed on business and stood for questions.

Council Member Christensen asked about the current map and the previous discussion about the 2022 Comprehensive Plan Map.

Doug Hansen responded to the question.

Marc Bybee gave clarification for the record.

Motion To: Approve a public hearing for the 2022 Comprehensive Plan Map Amendment.

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

- D. Case No. 22-03-LS (Lot Split) Idaho Power Hawk Substation – Idaho Power Company requests approval to split an approximately 106.08-acre parcel into two (2) parcels, in order to facilitate a future Idaho Power Substation. The future substation parcel is proposed to be approx. 3.11-acres, the remaining parcel is proposed to be approximately 103.96-acres. The subject site is located at W Kuna Mora Road (APN: S1434336100); Section 34, Township 2 North, Range 1 East. Doug Hansen, Planning and Zoning Director. ACTION ITEM
(Timestamp 00:29:27)

Doug Hansen reviewed the Lot Split and stood for questions.

Motion To: Approve Case No. 22-03-LS (Lot Split) Idaho Power Hawk Substation
Motion By: Council President McPherson
Motion Seconded: Council Member Christensen
Further Discussion: None
Absent: None
Motion Passed: 4-0-0

- E. Consideration to approve R45-2022 ADP contract for architectural services, Bobby Withrow, Parks Director ACTION ITEM
(Timestamp 00:31:46)

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR, AS THE AUTHORIZED SIGNER FOR THE SCOPE OF WORK AND CONTRACTING SERVICES OF ADP ARCHITECTS FOR THE NEW KUNA POLICE STATION ON BEHALF OF THE CITY OF KUNA; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

Chris Engels filled in for Bobby Withrow and reviewed Resolution R45-2022 and stood for questions.

Motion To: Approve Resolution R45-2022 ADP contract for architectural services
Motion By: Council President McPherson
Motion Seconded: Council Member Christensen
Further Discussion: None
Absent: None
Motion Passed: 4-0-0

- F. Budget Workshop Discussion. Jared Empey, Treasurer DISCUSSION ITEM
(Timestamp 00:34:51)

Jared Empey reviewed the budget projections for each fund and stood for questions.

Chad Gordon reviewed potential rate increases for FY23 and stood for question.

8. Ordinances:

(Timestamp 01:03:15)

A. Consideration to approve Ordinance 2022-18 ACTION ITEM

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 CITY OF KUNA; 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

Consideration to approve Ordinance

Motion To: Waive three readings of Ordinance 2022-18

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve Ordinance 2022-18

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Approved by the Following Roll Call Vote:

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

Voting No: None

Absent: None

Motion Passed: 4-0-0

B. Consideration to approve Ordinance 2022-19 ACTION ITEM
(Timestamp 01:04:41)

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. R5462680100 OWNED BY MARKOVETZ DONALD J AND S1428223050 OWNED BY BOISE BASIN DEVELOPMENT 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 2022-19

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve Ordinance 2022-19

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Approved by the Following Roll Call Vote:

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

Voting No: None

Absent: None

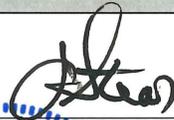
Motion Passed: 4-0-0

9. Executive Session:

10. Mayor/Council Announcements:

Kuna School District canceled the joint meeting that was going to be held on June 29, 2022 due to "scheduling conflicts"

11. Adjournment: 7:17 P.M.



Joe K. Stear, Mayor

ATTEST:


Chris Engels, City Clerk

*Minutes prepared by Nathan Stanley, Deputy City Clerk
Date Approved: CCM 07.05.2022*



CITY OF KUNA

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

June 21, 2022 – City Council Public Hearing

Case Name: Merlin Cottages Subdivision

THIS ITEM IS REQUESTED TO BE TABLED TO A DATE CERTAIN OF 7/5/2022

Case No: 20-01-PUD (Planned Unit Development), 20-06-ZC (Rezone), 20-08-S (Subdivision),
22-01-V (Variance), 20-01-DA (Development Agreement)

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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