

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, July 5, 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 00:00:34)

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 00:00:47)

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 00:01:07)

A. Regular City Council Meeting Minutes Dated June 21, 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 30, 2022, in the amount of \$529,746.73

C. Resolutions

1. Resolution R46-2022

A RESOLUTION OF CITY COUNCIL OF KUNA, IDAHO ADOPTING A REDUCTION OF THE KUNA AREA OF CITY IMPACT BOUNDARY AS REPRESENTED ON THE FUTURE LAND USE MAP FOR THE CITY OF KUNA, IDAHO; AFFIRMING THAT THE PRESCRIBED NOTICE AND HEARING REQUIREMENTS WERE MET IN ACCORDANCE WITH TITLE 67, CHAPTER 65, IDAHO CODE; AND PROVIDING AN EFFECTIVE DATE.

Motion To: Approve the Consent Agenda

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:

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 00:01:40)

- A. Case Nos. 20-01-PUD (Planned Unit Development), 20-06-ZC (Rezone), 20-08-S (Preliminary Plat), 22-01-V (Variance) & 20-01-DA (Development Agreement) for Merlin Cottages Subdivision – Doug Hanson, Planning & Zoning Director ACTION ITEM

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/8045/Merlin-Cottages-CC-Packet-07052022-PDF>

Planning and Zoning Director Hanson provided the details of the application and stood for questions.

Council Member Laraway asked about recommendations from ACHD.

Mr. Hanson responded letting Council Member Laraway know that ITD had jurisdiction.

Steve Arnold, applicant, outlined the characteristics of the site.

Council Member Christensen asked about the sewer from the engineering perspective.

City Engineer Paul Stevens responded.

Council Member Christensen asked if the school district picks up kids that live within a half mile of the school they are attending.

Danielle Horvas (SP), Kuna School District, stated she would investigate that and find the answer.

Council Members, Steve Arnold and Kuna School District continued discussion.

Marc Bybee, City Attorney, discussed concerns he has.

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 Christensen

Further Discussion: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve Case Nos. 20-01-PUD (Planned Unit Development), 20-06-ZC (Rezone), 20-08-S (Preliminary Plat), 22-01-V (Variance) & 20-01-DA (Development Agreement) for Merlin Cottages Subdivision with staff recommendations

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Voting Aye: McPherson, Laraway

Voting No: Christensen, Bruce

Absent: None

Motion Passed: Mayor Stear requested a new motion.

Motion To: Request Case Nos. 20-01-PUD (Planned Unit Development), 20-06-ZC (Rezone), 20-08-S (Preliminary Plat), 22-01-V (Variance) & 20-01-DA (Development Agreement) be sent back to Planning & Zoning for a lower density designation of R-6 into the residential sections of the plat.

Motion By: Council Member Bruce

Motion Seconded: Council Member Christensen

Voting Aye: Council Member Bruce, Council Member Christensen

Voting No: Council Member McPherson, Council Member Laraway

Absent: None

Motion Passed: Tied

Motion To: Table to a date certain of August 2, 2022

Motion By: Council Member Bruce

Motion Seconded: Council Member Christensen

Voting No: None

Absent: None

Motion Passed: 4-0-0

- B. Public Hearing for the consideration of Ordinance 2022-22, Amending Chapters 1, 2, and 3 of Title 12 of the Kuna City Code. Chris Engels, City Clerk ACTION ITEM
(Timestamp 01:41:30)

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 Christensen

Further Discussion: None

Absent: None

Motion Passed: 4-0-0

Motion To: Waive three readings of Ordinance 2022-22

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve Ordinance 2022-22

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

Motion To: Approve Summary Publication

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Voting No: None

Absent: None

Motion Passed: 4-0-0

7. Business Items:

(Timestamp 01:47:09)

- A. Consideration for the receipt and consideration of legal arguments from the school district and applicant. Doug Hanson, Planning and Zoning Director **ACTION ITEM**

Doug Hansen reviewed and stood for questions.

Marc Bybee, City Attorney explained the purpose of the business item.

- B. Formation of a Council Committee for Public Works Capacities, Mayor Stear **ACTION ITEM**
(Timestamp 01:54:46)

Mayor Stear reviewed the business item. Asked to change the line item to “Public Works” instead of “Public Works Capacities”

Motion To: Appoint Council Members Bruce and Laraway to Public Works Committee

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Voting No: None

Absent: None

Motion Passed: 4-0-0

8. Ordinances:

(Timestamp 01:57:58)

- A. Consideration to approve Ordinance 2022-20 **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 NO. S1324233800 OWNED BY KUNA LUTHERAN CHURCH INC 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 2022-20
Motion By: Council President McPherson
Motion Seconded: Council Member Christensen
Further Discussion: None
Absent: None
Motion Passed: 4-0-0

Motion To: Approve Ordinance 2022-20
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 2022-21 ACTION ITEM
 (Timestamp 01:58:57)

A MUNICIPAL ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- AMENDING TITLE 1 OF THE KUNA CITY CODE BY THE ADDITION OF A NEW CHAPTER 6A PROVIDING FOR CITY COUNCIL AGENDA SETTING; DETERMINATION AND AUTHORIZATION; AND PROVIDING FOR SETTING OF A MEETING AGENDA REQUEST FEE; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings
Consideration to approve Ordinance

Motion To: Waive three readings of Ordinance 2022-21
Motion By: Council President McPherson
Motion Seconded: Council Member Christensen
Further Discussion: None
Absent: None
Motion Passed: 4-0-0

Motion To: Approve Ordinance 2022-21
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:

11. Adjournment: 8:03 P.M.



Joe L. Stear, Mayor

ATTEST:


Chris Engels, City Clerk



Minutes prepared by Nathan Stanley, Deputy City Clerk
Date Approved: CCM 07.19.2022



CITY OF KUNA

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

July 5, 2022 – City Council Public Hearing

Case Name: Merlin Cottages Subdivision

Case No: 20-01-PUD (Planned Unit Development), 20-06-ZC (Rezone), 20-08-S (Preliminary Plat), 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
<input checked="" type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip
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Danielle Howard
1022 Mountain
1001st ID 83712

IN FAVOR

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IN OPPOSITION

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