

OFFICIALS
Joe Stear, Mayor
Greg McPherson, Council President
Chris Bruce, Council Member
Vacant Position, 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, September 20, 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 00:00:02)

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear
Council President McPherson
Council Member Chris Bruce
Council Member Vacant
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
Morgan Treasure, Economic Development Director
Paul Stevens, City Engineer

2. Invocation

3. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:20)

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 00:00:44)

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.

A. Regular City Council Meeting Minutes Dated September 6, 2022

B. Accounts Payable Dated September 14, 2022, in the amount of \$1,568,764.71

C. Plats

1. Case No. 22-10-FP (Final Plat) Ledgestone Subdivision No. 3
2. Case No. 22-01-CPF (Combination Plat) Findings of Fact and Conclusions of Law.

D. Resolutions

1. Resolution R69-2022

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO SIGN; AND AUTHORIZING THE MAYOR TO ACCEPT THE PUBLIC WORKS PROFESSIONAL QUALIFICATIONS ROSTER AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

2. Resolution R70-2022

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE PROFESSIONAL SERVICES AGREEMENT WITH J-U-B ENGINEERS FOR ADDITIONAL SERVICES REQUIRED FOR THE PREPARATION OF THE EAST KUNA DISTRICT URBAN RENEWAL PLAN.

3. Resolution R72-2022

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO SIGN; AND AUTHORIZING THE MAYOR TO EXECUTE THE JOINT POWERS AGREEMENT BETWEEN THE ADA COUNTY SHERIFF'S OFFICE AND THE CITY OF KUNA RELATING TO LAW ENFORCEMENT SERVICES AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

4. Resolution R73-2022

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO ACCEPTING THE DEED OF PUBLIC UTILITIES EASEMENT FROM FALCON CREST CLUB PARTNERS, LLC.

Motion To: Approve the Consent Agenda

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Further Discussion: None

Approved by the Following Roll Call Vote:

Voting Aye: Council Members Bruce, Laraway, McPherson

Voting No: None

Absent: None

Motion Passed: 3-0-0

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 00:01:45)

A. Case No. 22-04-AN (Annexation) 300 S Stroebel Road – Jessica Reid, Planner II ACTION ITEM

Applicant requests to Annex approx.. 9.22 acres into Kuna City Limits with an R-4 zone, then split the original parcel into three (3) total parcels; Parcel A – 1.22 acres, Parcel B – 3.4 acres, and Parcel C – 4.5 acres. The subject site is located at 300 S Stroebel Road (APN: R0615250160); Section 30, Township 2 North, Range 1 East.

Jessica Reid reviewed the application and project and stood for questions.

<http://kunacity.id.gov/DocumentCenter/View/8179/22-04-AN-300-S-Stroebel-CC-Staff-Packet-PDF>

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Motion To: Close Evidence presentation and proceed to deliberation

Motion By: Council President McPherson

Motion Seconded: Council Member Bruce

Voting Aye: McPherson, Bruce, Laraway

Voting No: None

Absent: None

Motion Passed: 3-0-0

Motion To: Approve Case No. 22-04-AN (Annexation)

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Voting Aye: McPherson, Bruce, Laraway

Voting No: None

Absent: None

Motion Passed: 3-0-0

- B. Case No. 22-06-AN (Annexation) 14375 S Cole Road: The Land Group, Inc, requests approval to annex approximately 42.46 acres into Kuna City Limits with an M-1 (Light Industrial/Manufacturing) zoning district classification. The subject site is located at 14375 S Cole Road, Kuna, ID 83634 (APNs: S1531222400). Doug Hansen, Planning and Zoning Director **ACTION ITEM**
(Timestamp 00: 07:24)

Doug Hanson reviewed the application and stood for questions.

<http://kunacity.id.gov/DocumentCenter/View/8180/22-06-AN-14375-S-Cole-Road-Staff-Packet-CC-PDF>

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Motion To: Close Evidence presentation and proceed to deliberation

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Voting Aye: McPherson, Bruce, Laraway

Voting No: None

Absent: None

Motion Passed: 3-0-0

Motion To: Approve Case No. 22-06-AN (Annexation) with staff recommendations.

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Voting Aye: McPherson, Bruce, Laraway

Voting No: None

Absent: None

Motion Passed: 3-0-0

- C. Case Nos. 21-04-AN (Annexation), 21-03-ZC (Rezone), 21-01-PUD (Planned Unit Development), 21-03-S (Preliminary Plat), 21-01-DA (Development Agreement) for Sabino's Rocky Ridge Subdivision: Providence Properties LLC requests Annexation for approximately (approx.) 55 acres, and Planned Unit Development approval for approximately 136.17 acres, applying the C-1 (Neighborhood Commercial), R-6 (Medium Density Residential) and R-8 (High Density Residential) zoning districts for a Mixed-Use project. The Applicant requests Pre-Plat approval in order to subdivide the approx. 136.17 acres into 724 total lots (604 single family, 114 common/private driveways, and 6 commercial). A Development Agreement accompanies this request. The subject site is located at 3250 W Hubbard Road, Kuna, ID 83634, within Section 10, Township 2 North, Range 1 West; (APNs: S1310314800, S1310346805, S1310427810, S1310449300). Troy Behunin, Planner III **ACTION ITEM**
(Timestamp 00:11:46)

Troy Behunin reviewed the application and stood for questions.

John Laraway asked Troy to break down the zoning splits.

Troy Behunin responded.

<http://kunacity.id.gov/DocumentCenter/View/8181/Sabinos-Rocky-Ridge-CC-PACKET-92022-PDF>

Applicant Patrick Connor, presented the Rocky Ridge Subdivision Project.

Aldis Garsvo, Kuna Resident, expressed his concerns to Council and reviewed the Memorandum of Understanding between him and Hubble Homes.

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Motion To: Close Evidence presentation and proceed to deliberation

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Voting Aye: McPherson, Bruce, Laraway

Voting No: None

Absent: None

Motion Passed: 3-0-0

Motion To: Approve Case Nos. 21-04-AN (Annexation), 21-03-ZC (Rezone), 21-01-PUD (Planned Unit Development), 21-03-S (Preliminary Plat), 21-01-DA (Development Agreement) with EDU allocation on a Phase-by-Phase basis

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Voting Aye: McPherson, Bruce, Laraway

Voting No: None

Absent: None

Motion Passed: 3-0-0

8. Business Items:

(Timestamp 01:00:57)

A. Case No. 22-02-TE (Time Extension) Madrone Heights Subdivision No. 2 – Jessica Reid, Planner II ACTION ITEM

KM Engineering, on behalf of DB Development, LLC, requests Time Extension Approval for the Madrone Heights Subdivision No. 2 Final Plat. The project is northwest of the W Kuna Road and N Madrone Avenue intersection (APN: S1322438430); Section 2, Township 2 North, Range 1 West.

Jessica Reid reviewed the time extension request and stood for questions.

Motion To: Approve Case No. 22-02-TE (Time Extension) Madrone Heights Subdivision No. 2

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Voting No: None

Absent: None

Motion Passed: 3-0-0

- B. Case No. 22-02-LLA (Lot Line Adjustment) 6990 W Kuna Mora: Givens Pursley LLP, on behalf of Brisbie LLC, requests approval for Lot Line Adjustment on two (2) parcels located at 6990 W Kuna Mora Road and S Cole Road (APNs: S1531300000, S1531233600). Doug Hansen, Planning and Zoning Director ACTION ITEM
(Timestamp 01:04:12)

Doug Hanson reviewed the Lot Line Adjustment and stood for questions.

Motion To: Approve 22-02-LLA (Lot Line Adjustment) 6990 W Kuna Mora

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Voting No: None

Absent: None

Motion Passed: 3-0-0

- C. Consideration to accept Resolution R67-2022. ACTION ITEM
(Timestamp 01:06:31)

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

- Making Certain Findings;
- Accepting Resignation of Warren Christensen and declaring his City Council position vacant;
- Directing the City Clerk; and
- Providing an Effective Date.

Motion To: Approve Resolution R67-2022

Motion By: Council President McPherson

Motion Seconded: Council Member Bruce

Voting No: None

Absent: None

Motion Passed: 3-0-0

D. Consideration to select a candidate to fill the Council Member vacancy. Mayor Stear ACTION ITEM

(Timestamp 01:07:37)

- Jeff Marler
- Tyson Garten
- Matt Biggs

Kuna City Council discusses candidates for the vacant council seat.

Matt Biggs considered to be appointed by Mayor Stear.

E. Consideration to accept Resolution R68-2022. ACTION ITEM
(Timestamp 01:21:45)

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

- Making Certain Findings;
- Approval of the Mayor's appointment to fill City Council vacancy;
- Directing the City Clerk; and
- Providing an Effective Date.

Motion To: Approve Resolution R68-2022 appointment of Matt Biggs

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Voting No: None

Absent: None

Motion Passed: 3-0-0

Matt Biggs appointed to the vacant council seat.

F. Consideration to accept Resolution R71-2022 ACTION ITEM
(Timestamp 01:23:50)

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO, CONFIRMING THE CITY COUNCIL'S COMMITMENT TO MAKE NO FINAL DECISION ON THE USE OF EMINENT DOMAIN, CONDEMNATION OR OTHER METHOD OF TAKING PRIVATE PROPERTY PURSUANT TO IDAHO CODE §§ 50-2010(a) AND 7-701A(3) OR ANY OTHER APPLICABLE STATUTE, ADMINISTRATIVE OR REGULATORY RULE WITHOUT THE PRIOR WRITTEN CONSENT OF CS PROPERTY DEVELOPMENT LLC ("CS") AS IT RELATES TO CERTAIN REAL PROPERTY DESCRIBED AS ADA COUNTY ASSESSOR PARCEL NOS. S2006417205, S2006417265, S2006417500 AND TO BE INCLUDED IN THE PROPOSED URBAN RENEWAL PLAN FOR THE KUNA EAST DISTRICT URBAN RENEWAL PROJECT; AND PROVIDING AN EFFECTIVE DATE.

Motion To: Approve Resolution R71-2022
Motion By: Council President McPherson
Motion Seconded: Council Member Laraway
Voting No: None
Absent: None
Motion Passed: 3-0-0

9. Ordinances:

(Timestamp 01:31:54)

A. Consideration to approve Ordinance 2022-26 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 NOS. R5672430060, R5672430020 AND R5672430040 OWNED BY MERLIN POINTE 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

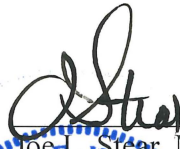
Motion To: Waive three readings of Ordinance 2022-26
Motion By: Council President McPherson
Motion Seconded: Council Member Laraway
Voting Aye: McPherson, Bruce, Laraway
Voting No: None
Absent: None
Motion Passed: 3-0-0

Motion To: Approve Ordinance 2022-26
Motion By: Council President McPherson
Motion Seconded: Council Member Laraway
Voting Aye: McPherson, Bruce, Laraway
Voting No: None
Absent: None
Motion Passed roll call vote 3-0-0

10. Executive Session:

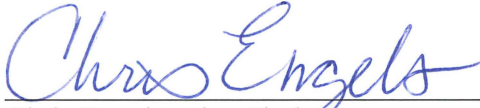
10. Mayor/Council Announcements:

11. Adjournment: 7:40 P.M.



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



Minutes prepared by Nathan Stanley, Deputy City Clerk

Date Approved: CCM 10.04.2022



CITY OF KUNA

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SIGN-UP SHEET

September 20, 2022 – City Council, Public Hearing

Case Name: **Sabinos Rocky Ridge Subdivision:**

- Case Type: Annex, PUD, Preliminary Plat & Development Agreement Request
- Case No's.: 21-04 AN (Annex), 21-03-ZC (Rezone), 21-01-PUD (Planned Unit Development), 21-03-S (Pre Plat), & 21-01-DR (Development Agreement)

Please print your name below if you would like to present oral testimony or written exhibits about this item to the **Council/Commission**.

IN FAVOR	NEUTRAL	IN OPPOSITION
☒ <u>Testify</u> ☐ <u>Not Testify</u> <u>PATRICK CONNOR (Applicant)</u> Print Name <u>701 S. ALLEN ST</u> Print Address <u>MERIDEN ID 83642</u> City State, Zip	☐ <u>Testify</u> ☐ <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip	☐ <u>Testify</u> ☐ <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip
☒ <u>Testify</u> ☐ <u>Not Testify</u> <u>ALDIS GARSVO</u> Print Name <u>3610W. HUBBARD RD</u> Print Address <u>KUNA ID 83634</u> City State, Zip	☐ <u>Testify</u> ☐ <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip	☐ <u>Testify</u> ☐ <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip
☐ <u>Testify</u> ☐ <u>Not Testify</u> <u>TUCK EMMETT</u> Print Name <u>1800 W. ELEPHANT</u> Print Address <u>BOISE ID 83704</u> City State, Zip	☐ <u>Testify</u> ☐ <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip	☐ <u>Testify</u> ☐ <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip
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SIGN-UP SHEET

September 27, 2022 – City Council Public Hearing

20 *[Signature]*

Case Name: 300 S Stroebel Road

Case No: 22-04-AN (Annexation)

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

September 20, 2022 – City Council Public Hearing

Case Name: 14375 S Cole Road

Case No: 22-06-AN (Annexation)

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

☒ Testify

☐ Not Testify

Applicant
Tamara Thompson
Print Name
462 E. Shore Dr.
Print Address
Eagle, ID 83616
City State, Zip

☐ Testify

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City State, Zip

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