



**OFFICIALS**

Joe Stear, Mayor  
Greg McPherson, Council President  
Chris Bruce, Council Member  
Matt Biggs, 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 1, 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 00:00:23)*

**COUNCIL MEMBERS PRESENT:**

Mayor Joe Stear  
Council President McPherson  
Council Member Chris Bruce  
Council Member Matt Biggs  
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  
Bobby Withrow, Parks Director  
Morgan Treasure, Economic Development Director  
Paul Stevens, City Engineer  
Troy Behunin, Senior Planner

**2. Invocation**

**3. Pledge of Allegiance: Mayor Stear**

*(Timestamp 00:00:41)*

**Consideration to Amend the Agenda**

*(Council must move to amend the agenda per IC 74-204(4)(b))*

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.

Add item 8.A. Executive Session under I.C. 74-206(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

Moving item 4.C.2. Resolution R86-2022 from Consent to Business item 7.A. to Amend names of Kuna Rodeo Committee Members.

Moved by McPherson to amend, seconded by Laraway motion carried

#### 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 00:01:44)*

- A. Regular City Council Meeting Minutes Dated October 18, 2022
- B. Accounts Payable Dated October 27, 2022, in the amount of \$911,457.29
- C. Resolutions

- 1. Resolution R85-2022

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA AUTHORIZING THE MAYOR OR PUBLIC WORKS DIRECTOR TO SIGN ALL APPLICATIONS, FUNDING AGREEMENTS, AND OTHER DOCUMENTS RELATING TO DRINKING WATER AND WASTEWATER PROJECT (PROJECT).

- 2. Resolution R86-2022 – Item moved to Business item 7.A

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPOINTING NEW MEMBERS TO THE KUNA RODEO ADVISORY COMMITTEE.

**Motion To:** Approve the Consent Agenda as Amended

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Laraway

**Further Discussion:** None

**Approved by the Following Roll Call Vote:**

**Voting Aye:** Council Members Biggs, Bruce, McPherson, Laraway

**Voting No:** None

**Absent:** None

**Motion Passed:** 4-0-0

## 5. Executive Session:

(Timestamp 00:02:30)

- A. Executive Session under I.C. 74-206(d), to consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code. Marc Bybee, City Attorney ACTION ITEM

**Motion To:** Enter into Executive Session

**Motion By:** Council President McPherson

**Seconded:** Council Member Laraway

**All in Favor:** McPherson, Biggs, Bruce, Laraway

**Voting No:** None

**Motion Carried:** 4-0-0

**Motion To:** Adjourn from executive session at 6:44 P.M.

**Motion By:** Council President McPherson

**Seconded:** Council Member Laraway

**All in Favor:** McPherson, Biggs, Bruce, Laraway

**Voting No:** None

**Motion Carried:** 4-0-0

## 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 00:03:44)

- A. Comprehensive Plan Amendment, Future Land Use Map: The City of Kuna requests consideration from the City Council for an Amendment to the Comprehensive Plan Future Land Use Map (FLUM). Doug Hansen, Planning and Zoning Director ACTION ITEM

Doug Hanson, Planning and Zoning Director, reviewed comprehensive plan amendment and stood for questions.

Cindy Giesen, Citizen of Kuna testified concerns.

Doug Hanson responded to the concerns and answered questions from City Council.

*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, Biggs, Bruce, Laraway

**Voting No:** None

**Absent:** None

**Motion Passed:** 4-0-0

**Motion To:** Approve Comprehensive Plan Amendment, Future Land Use Map

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Laraway

**Voting Aye:** McPherson, Biggs, Bruce, Laraway

**Voting No:** None

**Absent:** None

**Motion Passed:** 4-0-0

B. Consideration to approve, Case Nos. 22-01-AN (Annexation), 22-01-PUD (Planned Unit Development), 22-01-S (Preliminary Plat), 22-01-DA (Development Agreement) Patagonia East, Ridge, Lakes Subdivision – Westpark Companies, Inc., requests Annexation for approximately 175.07 acres into the City of Kuna with the R-4, (Medium Density Residential), R-6, (Medium Density Residential) and R-8 (Medium/High Density Residential) zoning districts; and requests Preliminary Plat approval to subdivide the same lands into 561 single-family lots, 53 common lots, and 1 School Lot. A Development Agreement accompanies this request. The site is on the northwest corner, the northeast corner and near the southeast corner of the intersection of Locust Grove Road and Hubbard Roads, in Sections 7, 8 & 17, all in Township 2 North, Range 1 East. Parcels proposed with this application are listed in Section 4.3 of Staffs Memo. – Troy Behunin, Senior Planner

**ACTION ITEM**

*(Timestamp 00:18:58)*

<http://kunacity.id.gov/DocumentCenter/View/8260/22-01-PUD-Patagonia-CC-PACKET-PDF>

Troy Behunin, Planner III, reviewed the application and stood for questions.

Bonnie Layton, Applicant, reviewed the presentation and answered questions that were asked by council.

Hethe Clark, representing the Applicant, answered concerns about the school lot in the Development Agreement.

Robbie Reno, Kuna School District testified support for the project.

Joe Randall, testified support for the project.

Kent Jantz, testified neutral and expressed concerns for traffic speeds.

*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, Biggs, Bruce, Laraway

**Voting No:** None

**Absent:** None

**Motion Passed:** 4-0-0

**Motion To:** Approve Case No. 22-01-AN, 22-01-PUD, 22-01-S and 22-01-DA with conditions listed in the packet.

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Laraway

**Voting Aye:** McPherson, Biggs, Laraway

**Voting No:** Bruce

**Absent:** None

**Motion Passed:** 3-1-0

- C. Consideration to approve, Case No. 22-05-S (Preliminary Plat). Falcon Crest, LLC and M2 ID Falcon Crest, LLC, requests Preliminary Plat approval to subdivide approximately 41 acres zoned as R-6, and R-12, into 172 single-family lots, nine (9) common lots, two (2) shared driveway lots, and one (1) Private Road lot. The site is located near the northeast corner of Cloverdale and Kuna Roads, in Section 22, Township 2 North, Range 1 East (APN: S1422336100 & S1422315000). Troy Behunin, Senior Planner **ACTION ITEM** (Timestamp 00:56:31)

<http://kunacity.id.gov/DocumentCenter/View/8261/22-05-S-FC-South-CC-PACKET-PDF>

Troy Behunin, Planner III, reviewed the Preliminary Plat and stood for questions.

Mark Tate, applicant, reviewed the request.

Pat Pauley, testified neutral on the project. Stated concerns about traffic and egress locations.

Robbie Reno, Kuna School District, canceled comments for the night.

Mark Tate, responds to the concerns of Pat Pauley.

*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, Biggs, Bruce, Laraway  
**Voting No:** None  
**Absent:** None  
**Motion Passed:** 4-0-0

**Motion To:** Approve Case No. 22-05-S with conditions listed  
**Motion By:** Council President McPherson  
**Motion Seconded:** Council Member Biggs  
**Voting Aye:** McPherson, Biggs, Bruce, Laraway  
**Voting No:** None  
**Absent:** None  
**Motion Passed:** 4-0-0

D. Consideration to approve Ordinance 2022-34 – Morgan Treasure, Economic Development Director **ACTION ITEM**  
(Timestamp 01:32:05)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO, APPROVING THE URBAN RENEWAL PLAN FOR THE KUNA EAST URBAN RENEWAL PROJECT, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS AND THE AFFECTED TAXING ENTITIES; PROVIDING SEVERABITLY, CODIFICATION, PUBLICATION BY SUMMARY; PROVIDING FOR WAIVER OF THE READING RULES; AND ESTABLISHING AN EFFECTIVE DATE.

<http://kunacity.id.gov/DocumentCenter/View/8257/Ordinance-2022-34---East-Kuna-Urban-Renewal-Plan---Compiled-w-Presentation-PDF>

Morgan Treasure, Economic Development Director reviewed Ordinance 2022-34 and stood for questions.

Lisa Bachman, JUB Engineers gave an overview of the project and stood for questions.

Meghan Conrad, Elam and Burke, reviewed what a URA District is, the project and stood for questions.

Council Member Laraway asked about an ACHD agreement.

Meghan Conrad responded.

Council Member Laraway asked for more clarifying explanations.

Meghan Conrad and Morgan Treasure responded and clarified.

Council Member Bruce asked about what the Kuna School District can collect from the properties.

Meghan Conrad responded.

Jared Empey, City Treasurer, commented on services that will be provided to that area and how it is funded along with provisions that have been put in place.

*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 Biggs

**Voting Aye:** McPherson, Biggs, Bruce, Laraway

**Voting No:** None

**Absent:** None

**Motion Passed:** 4-0-0

**Motion To:** To re-open the Public Hearing

**Motion By:** Council President McPherson

**Seconded By:** Council Member Biggs

**Voting Aye:** McPherson, Biggs, Bruce, Laraway

**Voting No:** None

**Absent:** None

**Motion Passed:** 4-0-0

Robbie Reno, Kuna School District addresses the URA impact on the school district.

Morgan Treasure further explained the roll of the URA and School District.

Chris Engels, City Clerk, gave historical data on the Urban Renewal District.

**Motion To:** Close Evidence presentation and proceed to deliberation

**Motion By:** Council Member Bruce

**Motion Seconded:** Council President McPherson

**Voting Aye:** McPherson, Biggs, Bruce, Laraway

**Voting No:** None

**Absent:** None

**Motion Passed:** 4-0-0

**Motion To:** Approve Ordinance 2022-34

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Bruce

**Further Discussion:** None

**Voting Aye:** McPherson, Biggs, Bruce, Laraway  
**Voting No:** Biggs, Laraway  
**Absent:** None  
**Motion Passed:** 2-2 Mayor Stear Votes Yes to pass the motion.

Tied vote, mayor voted yes

**Motion To:** Waive 3 readings of Ordinance 2022-34  
**Motion By:** Council President McPherson  
**Seconded By:** Council Member Bruce  
**Voting Aye:** McPherson, Biggs, Bruce, Laraway  
**Voting No:** None  
**Absent:** None  
**Motion Passed:** 4-0-0

## 7. Business Items:

(Timestamp 02:53:45)

A. Resolution R86-2022 – Item moved from Consent to Amend names of Committee Members. **ACTION ITEM**

**A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPOINTING NEW MEMBERS TO THE KUNA RODEO ADVISORY COMMITTEE.**

Chris Engels, City Clerk, reviewed the resolution and stood for any questions.

**Motion To:** Approve Resolution R86-2022 with the exclusion of Chris Howard as a Committee Member  
**Motion By:** Council President McPherson  
**Motion Seconded:** Council Member Laraway  
**Voting No:** None  
**Absent:** None  
**Motion Passed:** 4-0-0

## 8. Executive Session:

(Timestamp 02:55:40)

A. Executive Session under I.C. 74-206(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.  
**ACTION ITEM**

**Motion To:** Enter Executive session  
**Motion By:** Council President McPherson  
**Motion Seconded:** Council Member Bruce  
**Voting No:** None

**Absent:** None

**Motion Passed:** 4-0-0

**Executive Session Concluded at 9:58 PM.**

**9. Mayor/Council Announcements:**

**10. Adjournment: 9:59 PM**



Joe L. Stear, Mayor

ATTEST:



SENIOR DEPUTY CLERK  
Chris Engels, City Clerk

*Minutes prepared by Nathan Stanley, Deputy City Clerk  
Date Approved: CCM 11.15.2022*





**CITY OF KUNA**  
 751 W. 4<sup>th</sup> Street • Kuna, Idaho • 83634 • Phone (208) 922-5274  
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**SIGN-UP SHEET**  
 November 1, 2022 – City Council, Public Hearing

Case Name: **Patagonia East, Ridge, Lakes Subdivision(s) Request:**  
 Case Type: Annexation, Planned Unit Development, Subdivision & Development Agreement Request.

Case Nos.: **22-01-AN (Annex), 22-01-PUD, 22-01-S (Pre-Plat) & 22-01-DA (Development Agreement)**

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

IN FAVOR	NEUTRAL	IN OPPOSITION
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Robbie Reno  
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711 E Porter  
 Print Address  
Kuna ID 83634  
 City                      State, Zip

Testify     Not Testify  
Ken Jantz  
 Print Name  
8440 S. Locust Grove  
 Print Address  
Meridian Idaho  
 City                      State, Zip

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Bonnie Layton  
 Print Name  
690 S. Industry Way #10  
 Print Address  
Meridian, ID 83642  
 City                      State, Zip

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Aethe Clark  
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257 E. Front St., St. 310  
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Boise ID 83701  
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David Ray  
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1950 E Bayview Ln  
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Meridian ID 83648  
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Joe Randall  
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8810 E Hubbard Rd  
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Kuna Id 83634  
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Ordinance 2022-34  
urban Renewal Plan East

11.01.2022  
CITY COUNCIL  
MEETING

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# CITY OF KUNA

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## SIGN-UP SHEET

November 1, 2022 – City Council, Public Hearing

Case Name: **Falcon Crest SOUTH Subdivision Request:**

Case Type: Subdivision Request.

Case Nos.: **22-05-S (Pre-Plat)**

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
<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City                      State, Zip	<input checked="" type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> <i>Pat Pauley</i> _____ Print Name <i>12643 Sonora Ave</i> _____ Print Address <i>Kuna ID 83634</i> _____ City                      State, Zip	<input checked="" type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name <i>Robbie Ren</i> _____ Print Address <i>All E Porter</i> _____ Print Address <i>Kuna ID 83634</i> _____ 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 checked="" type="checkbox"/> <u>Not Testify</u> <i>Jacob Lapp</i> _____ Print Name <i>13200 S Cholla Dr</i> _____ Print Address <i>Kuna ID 83634</i> _____ City                      State, Zip	<input type="checkbox"/> <u>Testify</u> <input checked="" type="checkbox"/> <u>Not Testify</u> <i>James Simpson</i> _____ Print Name <i>638 Mendi pl</i> _____ Print Address <i>Kuna ID 83634</i> _____ City                      State, Zip
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CITY OF KUNA

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SIGN-UP SHEET

November 1, 2022 – City Council Public Hearing

Case Name: Comprehensive Plan Amendment Future Land Use Map

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 type="checkbox"/> Testify	<input type="checkbox"/> Not Testify	<input checked="" type="checkbox"/> Testify	<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify
_____	_____	<i>Cindy Giesen</i>	_____	_____
Print Name	Print Name	Print Name	Print Name	Print Name
_____	_____	<i>1363 S. Ash</i>	_____	_____
Print Address	Print Address	Print Address	Print Address	Print Address
_____	_____	<i>Kuna ID 83634</i>	_____	_____
City	State, Zip	City	State, Zip	City
_____	_____	_____	_____	_____
<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify	<input type="checkbox"/> Testify	<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify
_____	_____	_____	_____	_____
Print Name	Print Name	Print Name	Print Name	Print Name
_____	_____	_____	_____	_____
Print Address	Print Address	Print Address	Print Address	Print Address
_____	_____	_____	_____	_____
City	State, Zip	City	State, Zip	City
_____	_____	_____	_____	_____
<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify	<input type="checkbox"/> Testify	<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify
_____	_____	_____	_____	_____
Print Name	Print Name	Print Name	Print Name	Print Name
_____	_____	_____	_____	_____
Print Address	Print Address	Print Address	Print Address	Print Address
_____	_____	_____	_____	_____
City	State, Zip	City	State, Zip	City
_____	_____	_____	_____	_____
<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify	<input type="checkbox"/> Testify	<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify
_____	_____	_____	_____	_____
Print Name	Print Name	Print Name	Print Name	Print Name
_____	_____	_____	_____	_____
Print Address	Print Address	Print Address	Print Address	Print Address
_____	_____	_____	_____	_____
City	State, Zip	City	State, Zip	City
_____	_____	_____	_____	_____