

**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 15, 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 00:00:09)*

**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 absent  
Matt Johnson, 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  
Nancy Stauffer, Human Resource Director  
Troy Behunin, Senior Planner  
Jessica Reid, Associate Planner

**2. Invocation**

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

*(Timestamp 00:00:30)*

**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*

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.

*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 00:00:50)*

- A. Regular City Council Meeting Minutes Dated November 01, 2022
- B. Accounts Payable Dated November 09, 2022, in the amount of \$455,267.31
- C. Findings of Facts Conclusion of Law
  - 1. Comprehensive Plan Amendment, Future Land Use Map.
  - 2. Case No. 22-05-S (Preliminary Plat) – Falcon Crest South Subdivision.
  - 3. 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.
- D. Resolutions
  - 1. Resolution R87-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID FALCON CREST, LLC, FOR FALCON CREST SUBDIVISION NO. 4 FOR UNCOMPLETED WORK FENCING PURSUANT TO THE TERMS OF THIS RESOLUTION.

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

## **5. 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 00:01:37)*

- A. Consideration to approve Case Nos. 21-16-A (Annexation) and 21-11-S (Preliminary Plat) RIVERTON SUBDIVISION; Providence Properties LLC requests Annexation for approx. 38 acres into the City of Kuna with the C-2 (Area Commercial), and R-8 (High Density Residential) zoning districts; and requests Preliminary Plat approval to subdivide the same lands into 182 single-family lots, 23 common lots, one (1) shared access lot, and four (4) commercial lots. The site is near the northeast corner of the intersection of Kuna and Locust Grove Roads, in Section 20, Township 2 North, Range 1 East (APN: S1420325708). Troy Behunin, Senior Planner ACTION ITEM

<https://www.kunacity.id.gov/DocumentCenter/View/8275/21-16-AN-Riverton-Sub-Council-PACKET-PDF>

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

Council Member Biggs asked about offsite additions and who will be responsible.

Applicant, Patrick Connor, responded during his presentation.

Applicant (distributed paper copies of the presentation)

Joe Larson, member of the community, expressed his concerns on the project.

Council President McPherson asked the Public Works Director about the tank and pond.

Paul Stevens, Public Works Director responded.

Council Member Biggs asked the Kuna School District about the comments from the Meridian Planning and Zoning Commission.

Danielle Horras, Kuna School District responded.

*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

Council Members deliberate the application.

**Motion To:** Approve Case Nos. 21-16-A (Annexation) and 21-11-S (Preliminary Plat) Riverton Subdivision 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

- B. Case Nos. 22-02-AN (Annexation), 22-01-ZC (Rezone) & 22-02-DA (Development Agreement) for Lamp District – Jessica Reid, Associate Planner **ACTION ITEM**  
(Timestamp 01:00:46)

Riley Planning Services, on behalf of Miriam LLC and Japheth LLC, requests approval to Annex four (4) parcels (APNs: R8528532000, R8528531500, R8528531000, R8528530500) totaling approximately 24.65 acres, into Kuna City Limits with a C-2 (Area Commercial) zone; and to Rezone two (2) parcels (APNs: S1418336401, S1418336332) already within Kuna City Limits, totaling approximately 10.18 acres, to a C-2 (Area Commercial) zone. The subject sites are located on the northeast corner of the N Meridian Road and E Deer Flat Road intersection; Section 18, Township 2 North, Range 1 East. There is no development associated with this application, however, the Applicant has provided a Preliminary Concept Plan on which a future development application(s) will be in substantial compliance with, as ensured by a Development Agreement.

<https://www.kunacity.id.gov/DocumentCenter/View/8276/22-02-AN-22-01-ZC-22-02-DA-Lamp-District-Staff-Packet-CC-PDF>

Jessica Reid, Associate Planner, reviewed the application and stood for questions.

Applicant representative Penelope Constikes (SP) reviewed presentation and application and stood for questions.

Council Member Laraway asked about mixed use on the project.

Penelope Constikes responded.

Council President McPherson asked about piping the canal.

Penelope Constikes responded.

Danielle Horras Kuna School District reviewed the school districts view on the project and testified in opposition.

Ladette (SP), resident of Kuna, expressed support for the Kuna School District.

Rebecca, resident of Kuna, expressed her support for the Kuna School District and her concern for the rezone.

Crystal Robles, resident of Kuna testified in opposition of the project.

Sarah Lett, resident of Kuna testified in opposition of the project.

Darcy Keenan, resident of Kuna, testified in opposition of the project and in support of the school district.

Joe Larson, resident of Kuna, testified in opposition of the project.

Douglas Klegg (SP), Developer of the project, testified neutral on the project.

Penelope Constikes conducted the rebuttal.

Jessica Reid explained the rezone application process.

*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 Nos. 22-02-AN (Annexation), 22-01-ZC (Rezone) and 22-02-DA (Development Agreement) for Lamp District.

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Bruce

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

**Voting No:** Laraway

**Absent:** None

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

## **7. Business Items:**

*(Timestamp 01:56:50)*

A. 2022 Arbor Day Proclamation. Mayor Stear.

B. 2022 Small Business Saturday Proclamation. Mayor Stear.

*(Timestamp 01:58:59)*

C. Year-end Budget Results FY 2022 and Cash Report, Jared Empey, City Treasurer  
**DISCUSSION ITEM**  
(Timestamp 02:01:12)

Jared Empey, City Treasurer, reviewed year end budget results and stood for questions.

D. Consideration to approve Sewer Contingency request for three blowers for the Waste Water Treatment Plant. Paul Stevens, Public Works Director **ACTION ITEM**  
(Timestamp 02:13:18)

Paul Stevens, Public Works Director, reviewed the request and stood for questions.

**Motion To:** Approve Sewer Contingency request for three blowers for \$583,000 the Waste Water Treatment Plant. City Attorney “Declaration for sole source of procurement for compatibility of equipment.”

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Biggs

**Voting No:** None

**Absent:** None

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

E. Update on Kuna Police Station. Chris Engels, City Clerk **DISCUSSION ITEM**  
(Timestamp 02:20:22)

Chris Engels, City clerk, reviewed updates on the Kuna Police Station.

**8. Ordinances:**

**9. Mayor/Council Announcements:**

**10. Adjournment: 8:39 P.M.**



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



Minutes prepared by Nathan Stanley, Deputy City Clerk  
Date Approved: CCM 12.06.2022



# CITY OF KUNA

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## SIGN-UP SHEET

November 15, 2022 – City Council, Public Hearing

Case Name: **Riverton Subdivision Request:**

Case Type: Annexation, and Subdivision Request.

Case Nos.: 21-16-S (Annexation), and 21-11-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**.

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701 S. 4th St  
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Meridian      10 83642  
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Ludette Leung  
Print Name  
1726 N Ryde Ave  
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Kuna      10 83634  
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~~711 BERT~~  
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REBECCA GETZEN  
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1884 N RYDE AVE  
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JOE LARSON  
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365 W. AUSPICE CT  
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## SIGN-UP SHEET November 15, 2022 City Council Public Hearing

Case Name: **Lamp District**

Case No: **22-02-AN (Annexation), 22-01-ZC (Rezone) & 22-02-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.

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Sarah Elett  
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177 N. Rye  
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Joe Larson  
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