

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, February 21, 2023

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 00:00:38)

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
Nancy Stauffer, Human Resource Director

2. Invocation

3. Pledge of Allegiance: Mayor Stear

(Timestamp 00:01:01)

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 00:01:20)

A. Regular City Council Meeting Minutes Dated February 7, 2023

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 February 16, 2023, in the amount of \$1,252,738.61

C. Findings of Fact Conclusion of Law

1. Newberry Place Subdivision – Case No. 22-07-S (Pre-Plat)
2. Case No. 22-08-AN (Annexation) 5625 W Barker Road

D. Resolutions

1. Resolution R22-2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA, ADA AND CANYON COUNTY, STATE OF IDAHO, SETTING FORTH CERTAIN FINDINGS; AUTHORIZING THE MAYOR AS THE AUTHORIZED AGENT OF THE CITY TO ENTER INTO THE “KUNA PARK IMPACT FEE CREDIT AGREEMENT” BY AND BETWEEN THIS CITY AND AMH DEVELOPMENT, LLC; AND AUTHORIZING THE TREASURER TO MAKE ARRANGEMENTS FOR CLOSING AND PAYMENT OF REIMBURSEMENT AMOUNT; AND PROVIDING AN EFFECTIVE DATE; AND DIRECTING THE CITY CLERK.

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, Laraway, Biggs, McPherson

Voting No: None

Absent: None

Motion Passed: 4-0-0

5. External Reports:

(Timestamp 00:30:11)

A. Auditor presentation of financial statements.

Auditor reviewed the URA and City financial statements.

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.

7. Business Items:

(Timestamp 00:02:08)

A. Consideration to hold a sealed bid city owned asset auction for 8 sheds with electrical hook ups, windowed double doors for a minimum suggested bid of \$6,500 because they are no longer used. Chris Engels, City Clerk ACTION ITEM

Chris Engels, City Clerk, reviewed the asset auction and stood for questions.

Council Member Biggs asked about where the cost came from.

Chris Engels responded.

Council Member Bruce asked about the market village area being left the way it was found and if the school district put any funds toward the sheds.

Chris Engels responded.

Council Member Biggs asked who built the sheds.

Bobby Withrow, Parks and Facilities Director responded.

Motion To: Approve a sealed bid for city owned assets

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Voting Aye: Bruce, Biggs, Laraway, McPherson

Voting No: None

Absent: None

Motion Passed: 4-0-0

B. Kuna Police Station, Chris Engels, City Clerk ACTION ITEM

(Timestamp 00:06:53)

B.1. Consideration and Ratification of Kuna Police Station Contingency funds. Chris Engels, City Clerk ACTION ITEM

Chris Engels, City Clerk reviewed the contingency funds and stood for questions.

Motion To: Approve the consideration and ratification of the Kuna Police Station Contingency funds in the amount of \$17,299.30.

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Voting Aye: Bruce, Biggs, Laraway, McPherson

Voting No: None

Absent: None

Motion Passed: 4-0-0

B.2. Consideration to approve the Prusik Construction Contract ACTION ITEM
(Timestamp 00:10:08)

Motion To: Approve the Prusik Construction Contract

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Voting Aye: Bruce, Biggs, Laraway, McPherson

Voting No: None

Absent: None

Motion Passed: 4-0-0

C. Consideration to approve Resolution R21-2023. Greg McPherson, Council President
ACTION ITEM
(Timestamp 00:10:18)

Council President, Greg McPherson, read the resolution and stood for questions.

A RESOLUTION OF THE CITY OF KUNA, IDAHO NAMING THE CITY OF KUNA, IDAHO POLICE STATION “JOE L. STEAR SAFETY BUILDING” IN HONOR OF HIS YEARS OF PUBLIC SERVICE TO THE CITY OF KUNA, IDAHO, AND HIS COMMITMENT TO THE SAFETY IN THE COMMUNITY.

Motion To: Approve Resolution R21-2023

Motion By: Council President McPherson

Motion Seconded: Council Member Biggs

Voting Aye: Bruce, Biggs, Laraway, McPherson

Voting No: None

Absent: None

Motion Passed: 4-0-0

D. Consideration to approve \$500,000 from Park Impact Fee contingency to start Helen Zamzow Park. Bobby Withrow, Parks/Facilities Director ACTION ITEM
(Timestamp 00:18:42)

Bobby Withrow, Parks and Facilities Director reviewed the contingency request and stood for questions.

Council Members asked about the employees to be hired and previous contingency requests that have been made.

Bobby Withrow responded.

Council Member Biggs asked about the three employees needing to be hired if they are part of the contingency request.

Jared Empey, City Treasurer responded.

Mayor Stear also commented on the project.

Motion To: Approve Contingency request of \$500,000 from Park Impact Fees to start Helen Zamzow Park

Motion By: Council President McPherson

Motion Seconded: Council Member Bruce

Voting Aye: Bruce, Biggs, Laraway, McPherson

Voting No: None

Absent: None

Motion Passed: 4-0-0

E. Consideration to approve the Kuna-Meridian Road/State Highway 69 Railroad PEL Study Contract Amendment and \$62,046 for additional fees. Doug Hanson, Planning and Zoning Director **ACTION ITEM**

(Timestamp 00:27:14)

Doug Hanson, Planning and Zoning Director reviewed the contract amendment and stood for questions.

Motion To: Approve the Kuna-Meridian Road/State Highway 69 Railroad PEL Study Contract Amendment and \$62,046 for additional fees

Motion By: Council President McPherson

Motion Seconded: Council Member Biggs

Voting Aye: Bruce, Biggs, Laraway, McPherson

Voting No: None

Absent: None

Motion Passed: 4-0-0

8. Ordinances:

(Timestamp 00:41:11)

A. Consideration to approve Ordinance 2023-08 **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: SABINO'S ROCKY RIDGE, OWNED BY LIONWOOD PROPERTIES, LLC SITUATED WITHIN THE CORPORATE CITY 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 2023-08

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Further Discussion: None

Recused: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve Ordinance 2023-08

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Approved by the Following Roll Call Vote:

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

Voting No: None

Absent: None

Motion Passed: 4-0-0

B. Consideration to approve Ordinance 2023-09 ACTION ITEM

(Timestamp 00:42:34)

A MUNICIPAL ANNEXATION AND ZONING ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS AND DECLARATIONS OF AUTHORITY; AND ANNEXING CERTAIN REAL PROPERTIES, TO WIT: LIONWOOD PROPERTIES, LLC WITHIN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF 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 2023-09

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Further Discussion: None

Recused: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve Ordinance 2023-09

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Approved by the Following Roll Call Vote:

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

Voting No: None

Absent: None

Motion Passed: 4-0-0

C. Consideration to approve Ordinance 2023-05 ACTION ITEM

(Timestamp 00:43:58)

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO,

- MAKING CERTAIN FINDINGS;
- GRANTING TO INTERMOUNTAIN GAS COMPANY A THIRTY (30) YEAR EXTENSION TO ITS FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE A GAS TRANSMISSION AND DISTRIBUTION SYSTEM;
- PROVIDING FOR THE USE OF STREETS AND ALLEYS, AND RULES GOVERNING THE SAME, SUBJECTING THE GRANTEE TO ALL POWERS OF THE CITY;
- SETTING FORTH THE RULES OF THE FRANCHISE AND GRANT;
- PROVIDING FOR THE RIGHT OF INSPECTION BY THE CITY OF GRANTEE'S RECORDS NECESSARY TO VERIFY THE ACCURACY OF FRANCHISE FEE PAYMENTS;
- REQUIRING GRANTEE TO FURNISH CERTAIN MAPS;
- SETTING FORTH A THREE PERCENT (3%) FRANCHISE FEE AND QUARTERLY PAYMENTS TO THE CITY, AND THE FILING OF QUARTERLY REPORTS WITH THE CITY;
- REQUIRING GRANTEE TO INDEMNIFY CITY, AND FILE EVIDENCE OF INSURANCE;
- REQUIRING COMPLIANCE WITH SAFETY REGULATIONS;
- SETTING FORTH AN AGREEMENT NOT TO COMPETE, RESERVING POWER OF EMINENT DOMAIN;
- PROVIDING FOR SURRENDER OF FRANCHISE AND GRANTING RIGHT TO SALVAGE;
- REQUIRING WRITTEN ACCEPTANCE AND CONSENT;
- PROVIDING FOR CONSENT TO SALE, ASSIGNMENT OR LEASE;
- PROVIDING FOR PAYMENT OF PUBLICATION COSTS;
- SETTING FORTH PENALTIES AND FORFEITURES, SEPARABILITY AND REPEAL;

- 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 2023-05

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Further Discussion: None

Recused: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve Ordinance 2023-05

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Approved by the Following Roll Call Vote:

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

Voting No: None

Absent: None

Motion Passed: 4-0-0

D. Consideration to approve Ordinance 2023-10 ACTION ITEM

(Timestamp 00:49:18)

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO,

- AMENDING SECTION 3, CHAPTER 8 OF THE KUNA CITY CODE TO INCLUDE BENEVOLENT, CHARITABLE, AND PUBLIC PURPOSE EVENTS PERMIT FOR SPECIAL EVENT PERMITS APPLICABLE TO ALL SPECIAL EVENT PERMIT REQUESTS;
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve Ordinance

Consideration to approve Summary Publication

Motion To: Waive three readings of Ordinance 2023-10

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Further Discussion: None

Recused: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve Ordinance 2023-10
Motion By: Council President McPherson
Motion Seconded: Council Member Laraway
Approved by the Following Roll Call Vote:
Voting Aye: Council Members McPherson, Biggs, Laraway, and Bruce
Voting No: None
Absent: None
Motion Passed: 4-0-0

Motion To: Approve Summary Publication of Ordinance 2023-10
Motion By: Council President McPherson
Motion Seconded: Council Member Laraway
Motion Passed:
Voting Aye: Council Members McPherson, Biggs, Laraway, and Bruce
Voting No: None
Absent: None
Motion Passed: 4-0-0

9. Executive Session:

9. Mayor/Council Announcements:

10. Adjournment:



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



Minutes prepared by Nathan Stanley, Deputy City Clerk
Date Approved: CCM 03.07.2023