

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
AGENDA
Tuesday, April 18, 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

2. Invocation

3. Pledge of Allegiance: Mayor Stear

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.

A. Regular City Council Meeting Minutes Dated April 4, 2023

B. Accounts Payable Dated March 30, 2023, in the amount of \$742,603.49

C. Findings of Fact and Conclusions of Law.

1. Case No. 23-13-S (Subdivision) Paul Bunyan Plaza.
2. Case No. 22-02-OA (Ordinance Amendment) Public Utility Lots & Lot Splits
3. Case No. 23-03-CPF (Combo Plat) Ashville Acres Subdivision

D. Resolutions

1. Resolution R35-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE PRESSURIZED IRRIGATION FACILITIES CONSTRUCTION REIMBURSEMENT AGREEMENT FOR RISING SUN IRRIGATION PUMP AND POND; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE; AND AUTHORIZING THE CITY TREASURER TO PAY M3 ID RISING SUN, LLC THE AMOUNT OF EIGHT HUNDRED NINETY-

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.

THREE THOUSAND, EIGHT HUNDRED AND THIRTEEN DOLLARS AND FIFTY-THREE CENTS (\$893,813.53) PURSUANT TO THE TERMS OF SAID AGREEMENT.

5. External Reports:

- A. J&M Sanitation presentation of contract changes, request to council to provide staff direction going forward. Chad Gordon, J&M Sanitation ACTION ITEM

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.

- A. Consideration to approve Case Nos. 22-09-AN (Annexation) and 22-04-LS (Lot Split), 1299 N School Avenue – Associated Pacific Movers, requests Annexation and Lot Split approval for 1299 N School Avenue, Kuna, ID. – Troy Behunin, Senior Planner. ACTION ITEM

<http://kunacity.id.gov/DocumentCenter/View/8594/22-09-AN-1299-N-School-CC-PACKET-PDF>

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

- B. Consideration to approve Case Nos. 22-10-AN (Annexation) and 22-16-S (Pre-Plat); AC3 Properties, LLC requests Annexation and Pre – Plat approval located at 2535 W Ardell Road, Kuna, ID. Troy Behunin, Senior Planner ACTION ITEM

<http://kunacity.id.gov/DocumentCenter/View/8595/22-10-AN-Perdido-Cove-Subdivision-CC-PACKET-41823-PDF>

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

7. Business Items:

- A. Case No. 23-04-TE (Time Extension) Caspian Subdivision No. Final Plat – Jessica Reid, Associate Planner. ACTION ITEM

Applicant requests Time Extension for the Caspian Sub-division No. 2 Final Plat, located approximately one-half mile East of the Ten Mile Road and Lake Hazel Road intersection; Section35, Township 3 North, Range 1 West.

B. Discussion and direction from Council on surplus sheds. Bobby Withrow, Parks/Facilities Director **ACTION ITEM**

C. Direction to staff for mitigating capacity issues for the Kuna School District as a result of current city planning and development. **ACTION ITEM**

D. Red Cliff Development Default of R27-2104 (07-01-AN, 07-03-ZC, 07-04-S, 07-03-DA): The City of Kuna Planning and Zoning Director requests the Council order the forfeiture of \$64,400 which was deposited by Red Cliff Development in the City's agency fund in 2014. Additionally, the Director requests the Council authorize the removal of this \$64,400 from the agency fund to the general fund to be earmarked for future public pathway and/or open space improvements. This request is made due to failure of the developer to comply with conditions set forth in Resolution R27-2014. Doug Hanson, Planning and Zoning Director **ACTION ITEM**

E. Month of the Military Child Proclamation.

F. Denim Day Proclamation.

8. Ordinances:

A. Consideration to approve Ordinance 2023-14 **ACTION ITEM**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS; AND
- AMENDING SUBSECTION 2, SECTION 6, CHAPTER 1, TITLE 5 OF KUNA CITY CODE BY THE ADDITION OF "PUBLIC UTILITY LOT" TO THE "LOT TYPES" DEFINITION; AND BY THE ADDITION OF "PUBLIC UTILITY LOT" AS AN EXCLUSION TO THE "SUBDIVISION" DEFINITION; AND
- AMENDING SECTION 3, CHAPTER 3, TITLE 5 OF KUNA CITY CODE AMENDING THE OFFICIAL HEIGHT AND AREA STANDARDS TABLE BY ADDING A TECHNICAL ADDITION; AND
- ADDING SECTION 5, CHAPTER 16, TITLE 5 OF KUNA CITY CODE PROVIDING FOR PUBLIC UTILITY LOT SPLITS; AND
- PROVIDING A SEVERABILITY CLAUSE; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve Ordinance

Consideration to approve Summary Publication

9. Executive Session:

- A. Executive Session under Idaho State Code 74-206(f): To communicate with legal counsel for the public agency to discuss the legal ramification of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

10. Mayor/Council Announcements:

11. Adjournment: