

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**

Amended: Wednesday, July 05, 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 00:00:13)

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
Morgan Treasure, Economic Development Director
Nancy Stauffer, Human Resource Director

2. Invocation

3. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:28)

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 00:00:51)

A. Regular City Council Meeting Minutes Dated June 20, 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 June 29, 2023, in the amount of \$905,756.99

C. Findings of Facts and Conclusions of Law

1. Case No. 22-14-AN (Annexation) Guido – U of I Endowment

D. Resolutions

1. Resolution R42-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE PROJECT PRIORITY LIST TITLED “CITY OF KUNA IDAHO’S TRANSPORTATION PRIORITY REQUESTS - 2023” AS THE OFFICIAL TRANSPORTATION PROJECT PRIORITY LIST FOR THE CITY OF KUNA, IDAHO FOR THE ADA COUNTY HIGHWAY DISTRICT; AUTHORIZING THE CITY CLERK TO TRANSMIT THE DOCUMENT TO ACHD; AND HEREBY REPEALING ALL PREVIOUS TRANSPORTATION PROJECT PRIORITY LISTS.

2. Resolution R43-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY TOLL BROTHERS, FOR PALOMA RIDGE SUBDIVISION NO. 2 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

3. Resolution R44-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY TOLL BROTHERS, FOR PALOMA RIDGE SUBDIVISION NO. 2 FOR UNCOMPLETED WORK INCLUDING STREET LIGHTING PURSUANT TO THE TERMS OF THIS RESOLUTION.

4. Resolution R45-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY TOLL BROTHERS, FOR PALOMA RIDGE SUBDIVISION NO. 2 FOR UNCOMPLETED WORK INCLUDING FENCING PURSUANT TO THE TERMS OF THIS RESOLUTION.

5. Resolution R46-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE AGREEMENT BETWEEN THE CITY OF KUNA (OWNER) AND LARIVIERE, INC (CONTRACTOR) FOR CONSTRUCTION CONTRACT FOR THE ORCHARD AND AVALON PEDESTRIAN PATHWAY PROJECT FOR THE CITY OF KUNA; AND

AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

Motion To: Approve the Consent Agenda as Published

Motion By: Council Member McPherson

Motion Seconded: Council Member Laraway

Further Discussion: None

Approved by the Following Roll Call Vote:

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

Voting No: None

Absent: None

Motion Passed: 4-0-0

5. External Reports:

(Timestamp 00:13:15)

A. Kuna Food Bank Presentation – Marci Durrant

Marci Durrant provided information on the Kuna Food Bank and expressed the goal to strengthen the relationship with the leaders of Kuna and the Food Bank.

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 00:01:32)

A. Consideration to approve Case Nos. 22-16-AN (Annexation) and 22-07-LS (Lot Split) Applicant requests Annexation and Lot Split approval near the NWC of Ardell Road and Ten Mile Road located at 1922 W Ardell Road, Kuna, in Section 15, Township 2 North, Range 1 West (APN: S1315141880) – Troy Behunin, Senior Planner **ACTION ITEM**

APPLICANT PRESENTATION

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

Council Member Laraway asked about the easement for water.

Troy Behunin responded explaining there is no known recorded easement.

Stephanie Hopkins, KM Engineering reviewed the application and stood for questions.

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 Member McPherson

Motion Seconded: Council Member Biggs

Voting Aye: Biggs, Bruce, Laraway, McPherson

Voting No: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve Case No. 22-16-AN (Annexation) and 22-07-LS (Lot Split)

Motion By: Council Member McPherson

Motion Seconded: Council Member Laraway

Voting Aye: Biggs, Bruce, Laraway, McPherson

Voting No:

Absent: None

Motion Passed: 4-0-0

7. Business Items:

(Timestamp 00:24:04)

- A. Consideration to approve Case No. 23-06-TE (Time Extension) Silver Trail No. 8 Final Plat – Jessica Reid, Associate Planner *-Tabled from June 20, 2023 ACTION ITEM*
Due to nationwide shortages of construction materials, unexpected delays in construction progress, rising interest rates and agency processing times, the Applicant request Time Extension approval for the Silver Trail No. 8 Final Plat.

P & Z Director Doug Hanson stated the subdivision is part of the LID, constructed significant portion of danskin lift station and chose EDUS instead of payment.

Council Member Biggs asked a question but could not be heard on the recording.

Council Member Bruce asked about how many extensions are allowed.

Doug Hanson responded.

City Attorney, Marc Bybee expressed concerns regarding the developer's compensation with EDUs and if the City backed out the developer would be eligible to compensation.

Council Members, Staff and City Attorney continued discussing the matter.

Motion To: Approve Case No. 23-06-TE (Time Extension)

Motion By: Council Member McPherson

Motion Seconded: Council Member Biggs

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

B. Consideration to approve Resolution R47-2023. ACTION ITEM
(Timestamp 00:31:59)

NOW, THEREFORE, BE IT A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA, ADA COUNTY, STATE OF IDAHO; MAKING CERTAIN FINDINGS AND PURPOSES; AUTHORIZING THE STAFF AND AGENTS OF THIS CITY TO EXERCISE THE CITY'S RIGHT OF EMINENT DOMAIN TO OBTAIN EASEMENTS FOR THE CONSTRUCTION AND MAINTENANCE OF A SEWER TRUNK LINE; AND AUTHORIZING ANY AND ALL NECESSARY ACTIONS RELATED THERETO AND PROVIDING AN EFFECTIVE DATE.

Motion To: Table Resolution R47-2023 until July 18, 2023
Motion By: Council Member McPherson
Motion Seconded: Council Member Bruce
Voting Aye: McPherson, Biggs, Bruce, Laraway,
Voting No: None
Absent: None
Motion Passed: 4-0-0

8. Ordinances:

9. Executive Session:

10. Mayor/Council Announcements:

11. Adjournment: 6:35 pm



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



Minutes prepared by Nathan Stanley, Deputy City Clerk
Date Approved: CCM 07.18.2023