

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, July 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

(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
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
Paul Stevens, City Engineer

2. Invocation

3. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:25)

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 00:00:25)

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.

A. Regular City Council Meeting Minutes Dated July 05, 2023

B. Accounts Payable Dated July 13, 2023, in the amount of \$ 1,074,492.31

C. Findings of Facts and Conclusions of Law

1. Case No. 23-06-TE (Time Extension) for Silver Trail No. 8 Final Plat
2. Case No. 22-10-S (Preliminary Plat) Valor West Subdivision
3. Case Nos. 22-16-AN (Annexation) 22-07-LS (Lot Split) 1922 Ardell Road

D. Resolutions

1. Resolution R48-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE “*PROFESSIONAL SERVICES AGREEMENT*” WITH KELLER ASSOCIATES, INC. FOR THE RV DUMP STATION PROJECT FOR THE CITY OF KUNA; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

2. Resolution R49-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE WATER FACILITIES CONSTRUCTION REIMBURSEMENT AGREEMENT FOR FALCON CREST SUBDIVISION; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE; AND AUTHORIZING THE CITY TREASURER TO PAY M3 COMPANIES, LLC THE AMOUNT OF TWO MILLION SEVENTY-THREE THOUSAND, SIX HUNDRED SIXTY-FOUR DOLLARS AND FOURTEEN CENTS (\$2,073,664.14) PURSUANT TO THE TERMS OF SAID AGREEMENT.

3. Resolution R50-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE WATER FACILITIES CONSTRUCTION REIMBURSEMENT AGREEMENT FOR FALCON CREST SUBDIVISION; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE; AND AUTHORIZING THE CITY TREASURER TO PAY M3 COMPANIES, LLC THE AMOUNT OF FIVE HUNDRED TWENTY-TWO THOUSAND, THREE HUNDRED TWENTY-EIGHT DOLLARS AND FIFTY CENTS (\$522,328.50) PURSUANT TO THE TERMS OF SAID AGREEMENT.

4. Resolution R51-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY TOLL BROTHERS, FOR PALOMA RIDGE SUBDIVISION NO. 3 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

5. Resolution R52-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY TOLL BROTHERS, FOR PALOMA RIDGE SUBDIVISION NO. 3 FOR UNCOMPLETED WORK INCLUDING STREET LIGHTING PURSUANT TO THE TERMS OF THIS RESOLUTION.

6. Resolution R53-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY TOLL BROTHERS, FOR PALOMA RIDGE SUBDIVISION NO. 3 FOR UNCOMPLETED WORK INCLUDING FENCING PURSUANT TO THE TERMS OF THIS RESOLUTION.

7. Resolution R54-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE SEWER FACILITIES CONSTRUCTION REIMBURSEMENT AGREEMENT FOR FALCON CREST SUBDIVISION; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE; AND AUTHORIZING THE CITY TREASURER TO PAY M3 COMPANIES, LLC THE AMOUNT OF SIX HUNDRED FORTY-SIX THOUSAND, NINE HUNDRED EIGHTY-EIGHT DOLLARS AND FORTY-SIX CENTS. (\$646,988.46) PURSUANT TO THE TERMS OF SAID AGREEMENT.

8. Resolution R55-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE SEWER FACILITIES CONSTRUCTION REIMBURSEMENT AGREEMENT FOR FALCON CREST SUBDIVISION; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE; AND AUTHORIZING THE CITY TREASURER TO PAY M3 COMPANIES, LLC THE AMOUNT OF ONE MILLION TWO HUNDRED FORTY-EIGHT THOUSAND, TWO HUNDRED THIRTY-SIX DOLLARS AND EIGHTY-FIVE CENTS (\$1,248,236.85) PURSUANT TO THE TERMS OF SAID AGREEMENT.

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, Bruce, Laraway, Biggs, McPherson

Voting No: None

Absent: None

Motion Passed: 4-0-0

5. External Reports:

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 00:01:21)

A. Consideration to approve Resolution R47-2023. ACTION ITEM

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. - *Tabled from July 05,2023*

Mayor, City Attorney, Staff and Council Members discussed the Mason Creek Sewer Trunk Line, alternate routes, timelines and cost impact.

Motion To: Approve Resolution R47-2023 and add exhibit A phase 1and instruct staff in a last attempt for negotiations with the Durrants or Big D family...

Motion By: Council President McPherson

Motion Seconded: motion failed due to lack of second

Motion To: Table and instruct for further negotiations until August 15

Motion By: Council Member Biggs

Motion Seconded: Council Member Laraway

Voting Aye: Bruce, Biggs, Laraway, McPherson

Voting No: None

Absent: None

Motion Passed: 4-0-0

B. Consideration to approve the Tentative Budget. Jared Empey, City Treasurer ACTION ITEM

(Timestamp 00:56:55)

Jared Empey reviewed the Tentative Budget and stood for questions.

Council President asked about bank fees and the amount.

Jared Empey responded and explained the cost.

Council Member Biggs asked about public transit line item.

Jared Empey explained why it is there and no longer used.

Motion To: Approve the Tentative Budget.

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 01:08:39)

A. Consideration to approve Ordinance 2023-16 ACTION ITEM

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

- MAKING CERTAIN FINDINGS AND DECLARATION OF AUTHORITY; AND
- ANNEXING CERTAIN REAL PROPERTIES, TO WIT: AVALON ORCHARD TRACTS AMENDED LOTS 5 & 6, BLOCK 2, AND LOTS 1 & 2, BLOCK 3, OWNED BY JOTY 3, LLC, AND LOT 1 & 2, BLOCK 3, OWNED BY ARTHUR SIDNEY & LAURA ANDERSON WITHIN UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, INTO 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 2023-16

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 2023-16

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 2023-17 ACTION ITEM

(Timestamp 01:10:15)

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

- MAKING CERTAIN FINDINGS AND DECLARATION OF AUTHORITY; AND
- ANNEXING CERTAIN REAL PROPERTY, TO WIT: 1922 W ARDELL ROAD OWNED BY ENRIQUE F. CONTRERAS AND ANA M. PAZ, WITHIN UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, INTO THE CITY OF KUNA, IDAHO; AND
- ESTABLISHING THE ZONING CLASSIFICATIONS OF SAID REAL PROPERTY; 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 2023-17

Motion By: Council President McPherson

Motion Seconded: Council Member Bruce

Further Discussion: None

Recused: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve Ordinance 2023-17

Motion By: Council President McPherson

Motion Seconded: Council Member Bruce

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

9. Executive Session:

10. Mayor/Council Announcements:

11. Adjournment: 7:13 PM



Joe L. Stear, Mayor

ATTEST:



NATHAN STANLEY
SR. DEPUTY CLERK

~~Chris Engels, City Clerk~~

Minutes prepared by Nathan Stanley, Deputy City Clerk
Date Approved: CCM 08.01.2023

