

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, September 19, 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 September 5, 2023

B. Accounts Payable Dated September 14, 2023, in the amount of \$1,655,877.17

C. Final Plats

1. Case No. 23-07-FP Ashton Estates (East) No. 5

D. Findings of Fact and Conclusions of Law

1. Case No. 22-15-AN (Annexation) – Rising Sun WEST

E. Resolutions

1. Resolution R72-2023

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO:

- PROVIDING RECITALS AND FINDINGS; AND**
- APPOINTING A NEW COMMISSIONER TO SEAT NO. 3; AND**
- DIRECTING THE CITY CLERK; AND**

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.

- PROVIDING AN EFFECTIVE DATE.

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.

- A.1.** Consideration to approve Resolution R60-2023 Adopting new J&M Sanitation Fee Schedule. **ACTION ITEM** - Tabled from September 5, 2023

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING A NEW FEE SCHEDULE FOR TRASH COLLECTION SERVICES THAT REFLECTS UPDATED RATES INCLUDING NEW FEES FOR COLLECTION SERVICES RELATED TO THE CITY'S COLLECTION, HAULING AND REMOVAL OF SOLID WASTE WITH ITS CONTRACTOR J&M SANITATION, WITH AN EFFECTIVE DATE OF AUGUST 1, 2023.

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

- A.2.** Consideration to approve Ordinance 2023-21 Repealing and replacing KCC Title 8 Chapter 4. **ACTION ITEM** - Tabled from September 5, 2023

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO:

- REPEALING ORDINANCE NO. 2020-30; AND
- REPEALING CHAPTER 4 OF TITLE 8 KUNA CITY CODE; AND
- AMENDING TITLE 8 KUNA CITY CODE BY THE ADDITION THERETO OF A NEW CHAPTER 4 PROVIDING A SHORT TITLE, STATING AUTHORITY, PROVIDING DEFINITIONS, STATING FINDINGS OF PURPOSE AND INTENT, ESTABLISHING A SOLID WASTE COLLECTION SYSTEM AND SERVICE, PROVIDING FOR CONTRACTOR FRANCHISE AGREEMENT AND CONDITIONS FOR SOLID WASTE COLLECTION SYSTEM AND SERVICES, PROVIDING FOR CONTRACTOR SERVICES SCHEDULE AND FEES, ESTABLISHING COMPULSORY SOLID WASTE COLLECTION SYSTEM AND SERVICE USE BY PREMISES OWNERS AND OCCUPIERS, ALLOWANCE OF PERSONAL HAULING OF SOLID RECYCLABLE WASTE, PROVIDING FOR SOLID WASTE SANITARY CONTAINER REGULATIONS, PROVIDING FOR VOLUNTARY SUBSCRIPTION FOR COLLECTION OF RECYCLABLE WASTE, PROHIBITING AND DECLARING UNLAWFUL IDENTIFIED TYPES OF SOLID WASTE FROM COLLECTION, DEFINING AND DECLARING THEFT OF COLLECTION SERVICES AS UNLAWFUL, PROVIDING THAT THIS ORDINANCE APPLIES TO ALL CITY

ANNEXATIONS, DECLARING DESCRIBING CIRCUMSTANCES WHERE THE PLACEMENT OF SOLID WASTE AND RECYCLABLE WASTE IS PUBLIC NUISANCE, PROVIDING FOR NOTICE TO VIOLATORS AND DECLARING A CONTINUED VIOLATION AS A MISDEMEANOR, PROVIDING FOR A PENALTY FOR VIOLATIONS OF CHAPTER 4 OF TITLE 8; AND

- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Consideration to waive three readings

Consideration to approve Ordinance

Consideration to approve Summary Publication

A.3. Consideration to approve Ordinance 2023-22 Granting Solid Waste Franchise Agreement with J&M Sanitation Inc **ACTION ITEM** -*Tabled from September 5, 2023*

- AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO:
- FINDINGS OF HISTORY, AUTHORITY, PURPOSE AND INTENT; AND GRANTING TO J & M SANITATION, INC. A FRANCHISE FOR SOLID WASTE AND RECYCLEABLE WASTE COLLECTION SERVICE AND AUTHORIZING THE *FOURTH AMENDED AND REFORMED FRANCHISE AGREEMENT*; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Consideration to waive three readings

Consideration to approve Ordinance

Consideration to approve Summary Publication

B. Consideration to approve Case Nos. 22-12-ZC (Rezone) and 22-05-CPF (Combination Preliminary and Final Plat) – Applicant requests a Rezone and Combo Preliminary and Final Plat approval for 1200 N Black Cat Road for the Vasilij Subdivision. – Troy Behunin, Senior Planner **ACTION ITEM**

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

- C. Consideration to approve Case No. 23-01-OA (Ordinance Amendment): The City of Kuna requests consideration from the City Council for an Ordinance Amendment to combine Title 5, Zoning Regulations and Title 6, Subdivision Regulations into one Development Regulation Title. Doug Hanson, Planning & Zoning Director **ACTION ITEM** – 2nd Hearing.

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

6. Business Items:

A. Domestic Violence Awareness Month Proclamation.

B. Consideration to approve Resolution R71-2023. Morgan Treasure, Economic Development Director **ACTION ITEM**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA:

- SETTING FORTH CERTAIN PURPOSES;
- AUTHORIZING THE MAYOR TO EXECUTE THE INFRASTRUCTURE AGREEMENT BETWEEN THE CITY OF KUNA AND BRISBIE, LLC
- DIRECTING THE CITY CLERK; AND SETTING AN EFFECTIVE

C. Consideration to approve Resolution R73-2023. Morgan Treasure, Economic Development Director **ACTION ITEM**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA:

- SETTING FORTH CERTAIN PURPOSES;
- AUTHORIZING THE MAYOR TO EXECUTE THE INFRASTRUCTURE AGREEMENT BETWEEN THE CITY OF KUNA AND BRISBIE, LLC
- DIRECTING THE CITY CLERK; AND SETTING AN EFFECTIVE

7. Ordinances:

8. Executive Session:

- A. Request to adjourn into executive session pursuant to Idaho Code 74-206 (c) (c) to acquire an interest in real property not owned by public agency.

9. Mayor/Council Announcements:

10. Adjournment: