



## 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, October 17, 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 00:00:03)*

#### **COUNCIL MEMBERS PRESENT:**

Mayor Joe Stear -Present  
Council President McPherson -Present  
Council Member Chris Bruce -Present  
Council Member Matt Biggs -Present  
Council Member John Laraway -Present

#### **CITY STAFF PRESENT:**

Marc Bybee, City Attorney  
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  
Chris Engels, City Clerk  
Jessica Hall, City Planner

**Mayor Stear** Roll, please.

**City Clerk, Chris Engels** Council Member Bruce.

**Council Member Bruce** Here.

**City Clerk, Chris Engels** Council Member Biggs.

**Council Member Biggs** Here.

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.

**City Clerk, Chris Engels** Council Member Laraway.

**Council Member Laraway** Yes.

**City Clerk, Chris Engels** Council President McPherson.

**Council President McPherson** Yes.

**City Clerk, Chris Engels** Mayor Stear.

**Mayor Stear** Here.

## **2. Invocation**

### **3. Pledge of Allegiance: Mayor Stear**

*(Timestamp 00:00:15)*

**Mayor Stear** And if you'll join me for the Pledge of Allegiance, please.

**Multiple Speakers** I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**Mayor Stear** Thank You

## **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 00:00:40)*

**A.** Regular City Council Meeting Minutes Dated October 03, 2023

**B.** Accounts Payable Dated October 12, 2023, in the amount of \$2,547,217.36

**C.** Findings of Facts

1. Case Nos. 21-13-AN & 21-09 S Lee Country Subdivision
2. Case No. 23-07-TE Fossil Creek Subdivision No. 2

**D.** Resolutions

1. Resolution R80-2023

**A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A CASH BOND BY HAYDEN HOMES IDAHO, LLC, FOR ASHTON ESTATES**

SUBDIVISION NO. 5 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

2. Resolution R81-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE “*SERVICES AGREEMENT*” WITH CRIME STOPPERS OF SOUTHWEST IDAHO, AN IDAHO NON-PROFIT CORPORATION. AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

3. Resolution R82-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE AGREEMENT BETWEEN THE CITY OF KUNA (OWNER) AND IDAHO SITE WORKS, LLC (CONTRACTOR) FOR CONSTRUCTION CONTRACT FOR THE PATAGONIA PARK, PHASE II, UNDERGROUND AND HARDSCAPE IMPROVEMENTS FOR THE CITY OF KUNA; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

4. Resolution R83-2023

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO:

- MAKING CERTAIN FINDINGS OF AUTHORITY AND PURPOSE; AND
- ESTABLISHING THE KUNA MUNICIPAL IRRIGATION SYSTEM POLICIES WHICH INCLUDE:
  - ESTABLISHING THE KUNA MUNICIPAL IRRIGATION SYSTEM CONNECTION, SERVICE, AND IRRIGATION SUPPLY FEES POLICY; AND
  - ESTABLISHING THE KUNA MUNICIPAL IRRIGATION SYSTEM UNIFORM IRRIGATION WATER SUPPLY ASSESSMENT METHOD POLICY; AND
  - ESTABLISHING THE KUNA MUNICIPAL IRRIGATION SYSTEM CUSTOMER BILLING AND PAYMENT POLICY; AND
  - ESTABLISHING THE KUNA MUNICIPAL IRRIGATION SYSTEM CUSTOMER SERVICE CHARGES POLICY; AND
  - ESTABLISHING THE KUNA MUNICIPAL IRRIGATION SYSTEM LOT AND PARCEL WATER ALLOTMENT POLICY; AND
  - ESTABLISHING THE KUNA MUNICIPAL IRRIGATION SYSTEM IRRIGATION WATER USE AND ENFORCEMENT POLICY; AND

- REPEALING PRIOR CITY AND/OR KUNA MUNICIPAL IRRIGATION SYSTEM RESOLUTIONS R81-2022; AND
- PROVIDING A SEVERABILITY CLAUSE; AND
- PROVIDING AN EFFECTIVE DATE.

5. Resolution R84-2023

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE TRANSMISSION FACILITIES EASEMENT AGREEMENT BETWEEN THE CITY OF KUNA (OWNER) AND KUNA BESS LLC (COMPANY).

**Mayor Stear** First item is the consent agenda. Any questions or comments or things you want hold for discussion?

**Council President McPherson** Mayor, I'd move we approve the consent agenda as published.

**Council Member Biggs** Second.

**Mayor Stear** Motion is made and seconded, is there any further discussion?

**Mayor Stear** Chris, would you poll the Council?

**City Clerk, Chris Engels** Council Member Bruce.

**Council Member Bruce** Aye.

**City Clerk, Chris Engels** Council Member Biggs.

**Council Member Biggs** Aye.

**City Clerk, Chris Engels** Council Member Laraway.

**Council Member Laraway** Yes.

**City Clerk, Chris Engels** Council President McPherson.

**Council President McPherson** Yes.

**Mayor Stear** And that motion carries.

(Timestamp 00:00:52)

**Motion To:** Approve the Consent Agenda

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Biggs

**Further Discussion:** None

**Approved by the Following Roll Call Vote:**

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

**Voting No:** None

**Absent:** None

**Motion Passed:** 4-0-0

## 5. External Reports

(Timestamp 00:01:22)

A. Ada County Sheriff Presentation on Jail Bond Needs. Sheriff, Matt Clifford.

**Mayor Stear** That brings us to Ada County Sheriff presentation on jail bond needs. Sheriff, you look different.

**Lieutenant Joe DeRosier** I am different. Thank you. Good evening. I'm Joe DeRosier, Lieutenant for the Ada County Sheriff's Office, 7200 barrister Boise ID, and on behalf of the Ada County Sheriff Matt Clifford. It is an honor to speak with you, Mayor Stear and City Council. On behalf of what we are doing at the Ada County Jail, I'm here to talk today about the Ada County jail and to provide some history and explain what we need to do to make sure Ada County remains a safe place to live, work, and play. As our area continues to grow. It's no secret that the Ada County population continues to grow, and that doesn't appear to be changing anytime soon. I've been in Kuna for 10 years and we've seen the growth here as well. Now, the jail numbers of beds have been at 116 since 2013, when the Ada County population was 416,000. Today, population is 540,000. COMPASS estimates show that the next in the next decade Ada County will have well over 600,000 residents and we need to keep up. So, what does that mean? Let's take a look at the jail population versus Ada County population in the jail. So, the jail was built. So, our jail was built in 1977. And as you can see; as the years go on, the ratio of jail population versus beds keeps getting further and further apart.

During the last decade, the Ada County population has increased 33% and we haven't added a single bed to our jail and that gap continues to grow ever wider. Our average daily population currently is 1,000 inmates per day, and at this point there's no sign that that's going to change anytime soon. Now I understand that the bandwidth won't allow us to show the video. But I would encourage you to go to [Adajailproject.org](http://Adajailproject.org) to watch the video of the Sheriff. He does a tour of our jail, a virtual tour of the jail, to talk about the infrastructure of our jail and some of the challenges that we're currently facing. But let me talk about that a little bit. So, like I said, our jail was built in 1977. It's been expanded a few times as you saw in that graph. But in some areas like our kitchen, our jail warehouse, our booking, and our laundry those areas have not expanded and have been the same for the last 20 years. Take for example our kitchen; right now, our kitchen staff

work to do 4,000 meals a day in a facility that's designed for 1,000 meals. Laundry is in the same boat. Our warehouse is 800 square feet. It's been that way for the last 15 years since I've been with the Sheriff's Office.

We have to manage a 2023 jail population with a 1990 infrastructure. So, one of the questions we get asked frequently is, "well, who's in your jail?" Well, on the screen are some of the stats from this year. But really who's mostly in our jail are felonies. Individuals who present an increased risk to public safety. In 2016, the average length of stay for an inmate was 21 days. In the last six months, that number has fluctuated from 30 to 46 days. That means if you're booked into custody now and you do not bond out in the next 24 hours, you will spend about the next 47 days in custody. And then an interesting fact is that the crime rates in Ada County are not going up, but the population is and it's that increase in population that's affecting our length of stay in custody. The next question we get asked after that is, "well, what are you doing to manage your jail population?" Well, we have several innovative solutions, and we've been doing this for a while, so for the last 15 years we've been looking at other ways to keep people out of custody that don't belong in custody and keep the ones that do belong in custody in custody. And we do this while trying to maintain community safety. So, our jail roster shows about 1,000 inmates currently in custody. But we have, current 1,000 inmates in our jail. But we have about 3,000 in custody of Ada County.

Now those 2,000 other individuals are in our alternative sentencing or pretrial or misdemeanor probation programs. And those programs help maintain our jail population low. Now the nice thing about those programs is it allows individuals to stay in the community and be productive members of society; have the support of friends and family, so long as they follow the rules of the court order. And our programs such as: alternative sentencing, our Community Transition Center, our misdemeanor probation and pre-trial, assist them with doing that. Again, we would have a video to show how those programs help them, how we help them maintain that. Again, I would encourage you to visit the website [Adajailproject.org](http://Adajailproject.org) to get more information on how those programs work and how they affect not only community safety but play into our jail population.

So how do we catch up and keep up well into the future? So, the proposed Ada County jail expansion will add 294 beds in a new dorm space and needed infrastructure improvements in the following areas: our booking and intake area, our kitchen, our laundry, already mentioned the housing area, a transport center, a warehouse, and a new secured entrance to the facility. The land to build the new dorm and infrastructure is right next to the jail. If you think where the jail is currently at and, you know where Dairy Gold is at, and the Connector, that dirt space right there. That's where that new facility is going to go. Ada County purchased the land last year and have already paid for the design plans. So, what's left is to pay for the construction. If approved, it will cost homeowners about \$18.00 a year based on Ada County medium home price of \$500,000. So what's next? Election Day. The proposed jail bond will be on November, on the November ballot. What we are asking is for voters to educate themselves on this issue and as always go vote and make your voice heard. And to help with that education, here's the website that I've referred to a couple times during this presentation, [Adajailproject.org](http://Adajailproject.org), which provides more history, context, and financial information on this important topic. And with that, I conclude my presentation and we'll stand for any questions or comments from the Council.

**Mayor Stear** Okay, questions?

**Council Member Laraway** Question.

**Mayor Stear** Yes.

**Council Member Laraway** Yes Lieutenant, how many of your inmates do you have to farm out to other facilities to hold?

**Lieutenant Joe DeRosier** Have to farm out? We don't typically do that on an ongoing basis. Now we do have a good working relationship with a lot of other agencies, and we do swap inmates at times. We are the largest facility in the state. And so most other agencies don't have the ability for us to move inmates from our facility to their facility. It's typically the other way around. They're asking us if we can take theirs. And lately we haven't been able to do that.

**Council Member Laraway** Is there a cost attached to that?

**Lieutenant Joe DeRosier** Yes, every time. Yeah, there is a cost. When we send an inmate to another facility, they usually bill us to whatever it costs them to operate their jail or what their inmate cost per day is. Just like if we took one of their inmates, we would charge them one of our what it would be our cost per day for an inmate.

**Council Member Laraway** Thank you.

**Mayor Stear** Okay, further questions?

**Council Member Biggs** Lieutenant, I have some questions and statements I guess, and thank you for your presentation. The jail is greatly needed. I got to see the other presentation when the Sheriff was here during the Ada County Commissioners...

**Mayor Stear** Town Hall

**Council Member Biggs** Town Hall. First off, when you mentioned we need to educate ourselves, I agree. But I also like to think that I stay on top of the news and social media, relatively well, and I am just not seeing a whole lot of activity coming out, pushing out, saying we need \$50 million dollars Ada County. Now granted, I'm in Kuna, but I also work in Boise. Kuna only makes up about 5% of the population total for Ada County, and so maybe it isn't being pushed out here as hard, maybe as Boise. It's a different demographic, or Meridian, and they're more confident. But I just don't see a lot of "What's this? What's what does it mean the cause and effect? What's going to happen to Kuna streets if this doesn't pass? What's going to happen to our kids if this doesn't pass?" those type of things and I guess I'm almost asking you or pleading to you. We need to do something because I have seen one thing in the news; I think it was on a Channel 7 once I saw a commercial for it, but there's no signs and I guess I'll turn that around to you that Kuna has had some bonds recently that have failed, for our own kids. Going to School District, going for trying to get a school bond passed for our some kids. And now there's a jail that is desperately

needed, but it's 20 miles down the road. It's going to be a hard sell to Kuna, and again, maybe, maybe Kuna is just not looked at as hard as Boise is. I mean, the population is there, but if we want to get this word out; I would, you know, slam that social media, and get and help educate people. Because, you know, you do want to educate people. You want people to educate themselves. That's asking a lot, sometimes.

**Lieutenant Joe DeRosier** And I absolutely agree with you. And I will tell you that when we looked at how to how best to educate the public and we have to be, kind of, I don't want to say... strategic is really kind of the best way to do this and make sure we don't overwhelm the public with a lot of information and do it in a manner that again kind of builds upon itself. There is a plan to do that, and we are doing that. Part of that, first off, is these kinds of meetings. Social media is one way to do that and there that is coming. A lot of it is face to face. I will tell you that just tonight there are seven different meetings going on, that's why the Sheriff is not here tonight. But there's seven of us that have gone out and are doing these kinds of meetings; because for us it's...social media is nice and that will happen, but it's really important to do the face to face, to have conversations, to let people see and hear what that issue is and answer their questions directly. Social media tells you what the issue is. It's hard to get the feedback on really "how does this affect me?" When there's an open forum where you can have those conversations That that gets it sits at home a little bit more. But I will tell you, the social media posts are coming, and Kuna hasn't been forgotten about.

**Council Member Biggs** Well...and I will say, there's about 30,000 people in Kuna. There's about 40 people in here right now. So, there's a challenge and the other part is, is that early voting is already going on. So, we're a little bit, we might be a little behind. But I mean, even billboards or something. But you know I'm just trying to help.

**Lieutenant Joe DeRosier** Nope. I appreciate that. And I will take that back to the sheriff and have him address that as well.

**Mayor Stear** Anything further?

**Council President McPherson** Anything. I don't, I don't have any questions. But thank you for your presentation. Thank you.

**Mayor Stear** Thank you for coming out tonight.

**Lieutenant Joe DeRosier** Thank you very much.

**Mayor Stear** Chief, yes.

**Kuna Chief of Police, Mike Fratusco** Mayor, Council Members. Mike Fratusco, Chief of Police, City of Kuna. 793 West 4th Street. That's our new address.

**Mayor Stear** New address, yeah.

**Kuna Chief of Police, Mike Fratusco** I would also like to say if Lieutenant DeRosier does not stick around, if any of the folks in here have any questions, I will be around after the fact. If you have questions on this, unless Joe's going to stay, I don't like to keep Joe. Joe's been going to a lot of meetings lately. I attended a meeting yesterday. There was another meeting last night, but like Joe said, there has been a lot of meetings, a lot of social media posts shared, but I will be available after City Council if there are any questions that the public might have on this. Just know that we can't advocate for this bond. We are only here to educate. Thank you.

**Mayor Stear** Thank you.

**Lieutenant Joe DeRosier** Two quick things. I do have a flyer that I can leave, and the Sheriff's Office has two other open houses that they're doing at the Sheriff's Office to learn more about the bond, there is one Thursday night at 6:30 and one next Tuesday at 6:30 at the Sheriff's Office, 7200 barrister, where you can come and hear more about what is going on at the jail and more about the actual jail expansion.

**Mayor Stear** Very good. Well, I appreciate the presentation and I also appreciate the Sheriff's Office for doing what they can to help facilitate that other than expanding with the with the work programs and all of the things that you do. That just makes sense to try and keep that population down. I think you've done an excellent job with it. We certainly don't want to end up in the same situation they are in Canyon County. That's been problematic for quite a few years. It's getting worse. So. So thank you very much for coming out tonight. I appreciate it.

**Council Member Biggs** Thank you, sir.

## **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. 23-02-CPF (Combo Plat) & 23-04-ZC (Rezone) for Serving Subdivision – Jessica Hall, Associate Planner **ACTION ITEM**

Applicant requests approval to re-plot a portion of Letha's Subdivision by Combing Lot 1/Portion of Lt 4 (APN: R5225750015), and Lot 2 (APN: R5225750020), and to Rezone from R-6 (Medium Density Residential) to C-1 (Neighborhood Commercial). The subject sites are located near the Northeast corner of N Franklin & W 4<sup>th</sup> Street; Section 23, Township 2 North, Range 1 West.

*(Timestamp 00:16:47)*

*Open Public Hearing*

*Receive evidence*

*Consideration to close evidence presentation and proceed to deliberation*

**Mayor Stear** All right. Consideration to approve case numbers 23-02-CPF and 23-04-ZC rezone for Serving Subdivision. Jessica.

**Kuna Associate Planner Jessica Hall** Good evening, Mayor, and Council. For the record, Associate Planner Jessica Hall, 751 W 4th St. in Kuna. The Alliance Serving Kuna requests approval to replace a portion of Latha's Subdivision, located on the northeast corner of W 4th St. and N Franklin, by combining lot 1 with a portion of lot 4 and lot 2. Then rezone said lots from R6 'Medium Density Residential' to C1 'Neighborhood Commercial.' This request is in preparation to submit a design review application for a standalone building in which to house the Kuna Food Bank, which is operated out of Kuna United Methodist Church since 1994. Upon review, staff finds the request to be compliant with Kuna City code title 5 and 6, the comprehensive plan, and Idaho Code 6765. Thank you, and I will answer any questions you may have.

**Mayor Stear** Okay. Questions for Jessica? All right.

**Councilmember Biggs** No, sir.

**Mayor Stear** All right, this is a public hearing. And is there anybody who wishes to testify in this matter that didn't get a chance to sign in? All right, Bonnie Heinrich.

**Dennis Durrant** *[unclear]*... But she would like you to go.

**Mayor Stear** Well, your names on here too, so that works.

**Dennis Durrant Council** Good evening, Mayor, and Council. My name is Dennis Durrant. I reside at 8352 S Old Farm Place, Meridian ID 83642. I happen to be a member of the...What am I a member of?

**Unknown Speaker** The Alliance Serving Kuna.

**Dennis Durrant** Yeah.

*[Laughter]*

**Dennis Durrant** The Alliance Serving Kuna. We have a board and I'm a member of that board and we're grateful to have an opportunity to serve and partner with everybody in the neighborhood. One of our mantras is 'neighbors serving neighbors.' We want to help Kuna become a much better place, not saying that it isn't a good place already, but we think that together with community and private parties that we can make this a wonderful place to live. Our goal is to just clean up some of the things that have happened in the past with this property. We have a gracious and wonderful donor, Ted Weimer, who has donated the property to the Alliance Serving Kuna so that we can move forward with the Food Bank. And in the process of his acquiring the property and over the years, there's been some things that for zoning and other reasons, they just

weren't quite right for this building. And so our request is that we can clean up the zoning so that we can move forward with the construction of a wonderful building that's going to serve the needs of the need of the community for a long time. And if you have any questions for me, I'd love to answer those.

**Mayor Stear** Okay, questions for Mr. Durrant? Thank you so much. Thank you.

**Council Member Bruce** Thank you for what you do.

**Mayor Stear** Becky Miller, did you want to testify? Is there anybody else who wishes to testify that didn't get a chance to sign in? All right, very good. Well then, I you know, I just. I really want to thank everybody for all the hard work on this. I you know the Methodist Church has been so generous in housing out there for so many years, but man, it's just going into something that is overwhelming. Pretty soon they're going to have to move out of their church, do something different. So, I appreciate, I know all the work that's been going on behind the scenes on this, and I appreciate all you folks for everything that you do. This is such a needed amenity from the city, so. The question is rightfully before Council any further questions or comments when the public hearing is over?

**Council President McPherson** Okay. I would move. We close the evidence presentation and proceed to deliberation.

**Council Member Chris Bruce** I'll second it.

**Mayor Stear** A motion is made and seconded any further discussion? All those in favor say aye.

**All Council Members** Aye.

**Mayor Stear** All opposed? And the motion carries.

*(Timestamp 00:21:32)*

**Motion To:** Close Evidence presentation and to close the public hearing and proceed to deliberation

**Motion By:** Council Member McPherson

**Motion Seconded:** Council Member Bruce

**Further Discussion:** None

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

**Voting No:** None

**Absent:** None

**Motion Passed:** 4-0-0

**Council President McPherson** I mean it seems pretty straightforward. It's a good cause, you know, and it's got good leadership behind it. And from Ted all the way down to everyone helping and it's a very good project, much needed.

**Council Member Laraway** A lot of the Community... and I think it's a great move forward, you know, to help. The church has done so much and now to have an established area to help people come and get nutrition for the kids and their family that are having a hard time. I'm all for it.

**Council President McPherson** Okay. With that, I would move we approve case #23-02 CPF and 23-04-ZC.

**Council Member Laraway** Second.

**Mayor Stear** Motion is made and seconded. Is there any further discussion? All those in favor say aye.

**All Council Members** Aye.

**Mayor Stear** Is there anyone opposed? And that motion carries. Thank you all very much.

*(Timestamp 00:22:26)*

**Motion To:** Approve Case Nos. 23-02-CPF and 23-04-ZC

**Motion By:** Council Member McPherson

**Motion Seconded:** Council Member Laraway

**Further Discussion:** None

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

**Voting No:** None

**Absent:** None

**Motion Passed:** 4-0-0

- B.** Consideration Case Nos. 23-01-CPF (Combination Plat) and 23-03-ZC (Rezone) for Hagler Subdivision – Jessica Hall, Associate Planner **ACTION ITEM** – *Tabled from October 3, 2023*

Applicant requests Combination Plat approval to re-subdivide Lot 2, Block 1 of the Fay Subdivision into three (3) total lots, and Rezone from A (Agriculture) to an R-2 (Low Density Residential) Zone. The site is located at 227 W King Road (APN: R2759000200): Section 35, Township 2 North, Range 1 West.

Jessica Hall

*(Timestamp 00:23:12)*

*Open Public Hearing*

*Receive evidence*

*Consideration to close evidence presentation and proceed to deliberation*

**Mayor Stear** All right, consideration on case number 23-01-CPF and 23-03-ZC rezone for Hagler subdivision. Jessica.

**Kuna Associate Planner Jessica Hall** Hello again, Mayor and Council. For the record, Associate Planner Jessica Hall, 751 W 4th St. Kuna. Applicants request compliant approval to re-subdivide Lot 2 Block 1 of the phase subdivision into 3 total lots and rezone from A 'agriculture' to R2 'Low Density Residential'. The intent of this application is to provide additional lots to the applicant's adult children, so they may care for their parents as they age in place. Lot 1 is proposed to be 1.68 acres, lot 2 1.39 acres and lot 3 1.93 acres which all exceed minimum lot size requirements within the R2 zone. The existing residence is served by a private well and septic system and the future lots are also proposed to be served the same way, which has garnered support by the city engineer due to the distance to city service connections. An east driveway is to be shared by lots 1 and 2 of the subdivision and will be improved at 25 feet wide and the future driveway for lot 3 will be required to be installed near the west property line and will be 20 foot wide. Both driveways are required to be paved at least 30 feet into the site per ACHD. Upon review, staff found the request to be substantially compliant with the comprehensive plan, Kuna City code title five and six, and Idaho Code 6765. With that, I can answer any questions you may have.

**Mayor Stear** Okay. Questions for Jessica? And Jessica was recently married; so, when I looked at the name on the agenda, it through me.

*[Laughter]*

**Multiple Speakers** Congrats. Congratulations.

**Council Member Biggs** I've been a long time no see.

**Mayor Stear** All right. And I didn't have anybody to sign up and to testify on this matter. Is anybody who wishes to that didn't get a chance to sign in? All right, very good. Well, I think this is this is one of those that I think we've always been very supportive of where a family can split their lots in to make them places for their own family members to live, and I think that's something that is something good for us to do so I appreciate that. Anybody have any further questions?

**Council Member Bruce** I did not.

**Council Member Biggs** No, sir.

**Council Member McPherson** I move we close the evidence presentation and proceed to deliberation.

**Council Member Bruce** Second.

**Mayor Stear** Motion is made and seconded any further discussion? All those in favor say aye.

**All Council Members** Aye.

**Mayor Stear** Any opposed? Motion carries.

*(Timestamp 00:25:56)*

**Motion To:** Close Evidence presentation and to close the public hearing and proceed to deliberation

**Motion By:** Council Member McPherson

**Motion Seconded:** Council Member Bruce

**Further Discussion:** None

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

**Voting No:** None

**Absent:** None

**Motion Passed:** 4-0-0

**Council President McPherson** I would move we approve case #23-01C PF and 23-03 ZC.

**Council Member Laraway** Second.

**Mayor Stear** Motion is made and seconded any further discussion? All those in favor say aye.

**All Council Members** Aye.

**Mayor Stear** Any opposed? Motion carries.

*(Timestamp 00:26:12)*

**Motion To:** Approve Case Nos. 23-01-CPF and 23-03-ZC

**Motion By:** Council Member McPherson

**Motion Seconded:** Council Member Laraway

**Further Discussion:** None

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

**Voting No:** None

**Absent:** None

**Motion Passed:** 4-0-0

- 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** – *Public Hearing closed on 09.19.2023 and tabled to a date certain of 10.17.2023.*

*(Timestamp 00:27:00)*

**Mayor Stear** Consideration to approve case number 23-01-OA ordinance amendment. Doug Hanson.

**Kuna Director of Planning and Zoning, Doug Hanson** Good evening, Mayor, and Council. For the record, Doug Hanson, Kuna Planning and Zoning, 751 W 4th St. Kuna, ID 83634. This is a continuation of the request for consideration from the Council for an ordinance amendment to combine Title 5 zoning regulations and Title 6 subdivision regulations into one development regulations title. The changes to the proposed public hearing process procedure, requested from Council at the September 19th meeting, have been updated and included in exhibit 2.15 of your staff memo requiring a public hearing with the City Council for annexations, re-zones, comprehensive plan map amendments, development agreements, planned unit developments, combinations, plats, preliminary plats, ordinance amendments, vacations, and variances as currently established in city code. Exhibit 2.15 also shows two small changes that were only made to correct typing errors on pages 55 and 234. I will stand by for any questions.

**Mayor Stear** Okay, questions for Doug?

**Council Member Biggs** Everything looks in order.

**Council President McPherson** Everything looks good to me.

**Council Member Laraway** You know they fixed what we talked about, so that's all that was concerned.

**Mayor Stear** Okay.

**Council President McPherson** So we can we already closed the public hearing, so we can just vote then, right? It was pending our changes.

**Mayor Stear** There wasn't any public hearing. Public hearing is closed at this time, so.

**Council President McPherson** Okay. Then I would move we approve case 23-01-OA.

**Council Member Laraway** Second

**City Clerk, Chris Engels** I'm sorry to intervene. We did have a request from somebody in attendance to reopen the public hearing to take more testimony on this matter. If Council chooses to reopen the public hearing for additional testimony, then it needs to be republished. As would a normal public hearing, because the public hearing has been closed. That was the gist of the conversation that was occurring while we were dealing with that, I wanted to make sure Mayor and Council were informed of that request.

**Council President McPherson** Thank you.

**Council Member Biggs** So we made it stricter last time. I wasn't at the 19th of September meeting so.

**Mayor Stear** Yes, everything that you had mentioned that.

**Council Member Biggs** And we actually took a step further, you know...

**Council Member Bruce** Yeah. We continue to have.

**Council Member Biggs** Taking a step further than what I had requested.

**Council Member Laraway** We took it a step further because of public testimony and we went ahead and with what they suggested. So, I'm not quite sure why we're reopening it.

**City Clerk, Chris Engels** They did not provide specifics as to what they wanted to add or change, or to have you consider. I just wanted to make sure that you knew that that request had been made.

**Council Member Biggs** Are they present?

**City Clerk, Chris Engels** We, they are, but we wouldn't be able to take testimony. The best we could do would be to table the matter just to at least move on to the others and perhaps have. The director find out specifics or you can table it into the next meeting, or you can just continue.

**Council Member Bruce** What do you think?

**Mayor Stear** The only other thing would be if we would want to direct that person to meet with staff and see if there's substantial changes or something otherwise.

**Council Member Bruce** Just move it to the end of the agenda. Or just move it to...

**Kuna Planning and Zoning Director Doug Hanson** Mr. Mayor, if I may. Yeah. So, for the record, Doug Hanson, Kuna Planning and Zoning, if we wanted to receive any additional public testimony on this item since it's an ordinance amendment, it would need to run in two consecutive cycles of the Kuna Melba News. So, we couldn't receive any additional testimony until it would be published in the newspaper.

**Mayor Stear** Okay.

**Council Member Biggs** Well, I would assume it's a very good reason. We did have two public hearings already for this, but is it going to hurt anything to run it again up in cost money for pretty much charges? I hope it's a really good reason.

**Council Member Bruce** What do you think?

**Council President McPherson** I'm inclined to just pass it, but it's up to you guys.

**Council Member Biggs** I mean, honestly, it's very similar to what we had been doing and we're pretty good about listening to public testimony.

**Council Member Laraway** You know, you said I'm at a loss because we fixed everything that was brought up in the public testimony. I'm not sure what else there is that we need to delve into. And I hate to prolong this another...

**Multiple Council Members** Month.

**Council Member Laraway** Month.

**Mayor Stear** Well, you know another thing we could do is if, you would like to get through this and not have to go through the expense of advertising, I can meet with the person, find out exactly what the issues are, and then we can look at that and take it up with staff and see if there's something. Then we wouldn't be in the middle of a public hearing testimony type thing. It would just be future.

**Council Member Bruce** I mean, I think that's...

**Mayor Stear** Does that sound reasonable from the Attorney?

**Council Member Laraway** Legal input.

**City Attorney, Kelsey Briggs** Kelsey Briggs, City Attorney, White Peterson, 5700 E Franklin Rd. Just bear in mind that from the information that staff shared with me. Public notice requirements were followed on this so if you do choose to reopen the public hearing obviously, as they mentioned, we'll have to pay the publication cost to re-notice and push this out. Another, you know, at least two to three weeks so we can follow that consecutive weekly noticing. If Commissioners were so inclined to move forward today as was originally planned. Mayor, you would absolutely be free to meet with the individual to speak to them about their, you know, personal concerns. However, if we move on this item and decide based on that conversation Mayor, that there's an issue. We just end up right back in here kind of start all over again, so again.

**Mayor Stear** Sure.

**City Attorney, Kelsey Briggs** I'm not going to go so far as say that there is no correct course of action here. You just have some significant discretion so; it really is just what you feel comfortable with based on the fact that noticing requirements have been followed, public hearings have been held, and you've worked with staff. So really, it's just what you're comfortable with.

**Mayor Stear** Okay, well I just want to hear what the citizens have to say so. I think I can do that afterwards. Would that be... I'm not sure the requester would that sound reasonable? by head nod.

**Council Member Biggs** Mr. Mayor.

**Unknown Speaker from background** It wouldn't change anything... *[inaudible]*... you've already made your decision. *[unclear]*

**Council Member Bruce** We're talking about tabling it.

**Council Member Biggs** No, we could reopen it too. We could have it totally start over the process. But I want to ask Doug, can you give us the cribs notes version of what was and what is supposed to be? Or what would be? We have the big, long version. I don't know if everybody read it; but for people's edification, this is the way it was before. This is what we're doing, what the code is going to change too.

**Kuna Director of Planning and Zoning, Doug Hanson** For the record, Doug Hanson, Kuna Planning and Zoning. So, it would be pretty difficult to give the Cliff notes on everything because I think it's a total of 284 pages of amendments. It is the entire development regulations title. A significant portion of it was not changed. It was just changed to specific code sections, which they were made available. In your packets, they have been on the city website since after the open house. We held an open house on the code rewrite. We had two public hearings of the Planning and Zoning Commission. We had two scheduled public hearings that we held with the Kuna City Council, and then we brought back before you after the public hearing was closed. The specific changes to the public hearing process procedure. But yes, and overarching some of the things that were changed is there were some changes made to definitions. The decision-making authority process table, the public hearing process, which is what we've mostly dived into the past few meetings, the official schedule of district land use regulations, the introduction of overlay districts for a downtown overlay district and an East Kuna Industrial Overlay District changes to some parking requirements. The removal of lot splits from code and the and changes to the lot line adjustment sections and some changes to the landscaping code.

**Council Member Biggs** So I guess, thank you, Doug. If the concern is significant enough, should we pass this? If this is significant enough? We just start the same process that Doug originally went through with this. If it's...

**Mayor Stear** What would still have to be noted and advertised, and all of that...

**Council Member Biggs** Right.

**Mayor Stear** It would just shorten up the discussion than what it is.

**Council Member Bruce** Even if we table it to the next meeting and then you had the discussion with her, is that still? Does that put us back to?

**Mayor Stear** Yeah, I don't know that that's actually going to help because if... then I'm taking testimony, and I can't be.

**Council Member Bruce** Right, that's what I'm asking, yeah.

**Mayor Stear** If we pass it tonight, I could meet with the concerned and find out what that is and then we can even just have a discussion on it later to see if it's something we want to reopen all this for. Either way, we would have to re-advertise and open public hearing and all of that so we could reduce it hopefully from this entire thing to 1 issue.

**Council Member Biggs** So you were saying, Chris, that you would table to the next meeting?

**Council Member Bruce** I mean, we want to make sure that we...

**Council Member Biggs** And based off the feedback that the Mayor gets and make the decision then?

**Council Member Bruce** Well, that's what he's saying is that we can't. Yeah, because they're just taking testimony. Yeah, that's what I was thinking.

**Council Member Biggs** Thank you.

**Council President McPherson** Mayor I would amend my agenda to include that you just meet with the concerned and report back to Council and motion stands to pass current 23-108.

**Council Member Bruce** What? What was the motion?

**Council President McPherson** To pass the current motion, direct the Mayor to meet with the concerned citizen and then he can report back to us if it's something we need to revisit or maybe it's something they can figure out.

**Council President Biggs** Or if it is something we have to revisit it right back, right, go right back above.

**Council President McPherson** We'd have to redo it anyway so.

**Kuna Director of Planning and Zoning, Doug Hanson** And I can touch on that, if that's alright for a second. So yeah, for the record, Doug Hanson, Kuna Planning and Zoning after the Mayor met with it. And if it if we decided that was something we wanted to change in code, it would actually have the opportunity to be heard once again by Planning and Zoning Commission and City Council to make that specific change to whatever code section if the Council wants to move in that direction.

**Council President McPherson** Right. Thank you, Doug.

**Council Member Laraway** I look at this two ways, and I'm perplexed. One, we wanted to address the issues that were brought up and we fixed them. So, I'm not quite sure what else we need to bring up. But then again, it's just words on paper, and if the citizens want to redo it.

**Council Member Bruce** We want...

**Council Member Laraway** It's just, it's just paper.

**Council Member Bruce** So you want to...

**Mayor Stear** And ink.

**Council Member Bruce** Yeah. You want to open the public hearing you want to pass it and then them speak? Or if we decide to open the public hearing, we would just table it until you noticed it.

**Kuna Director of Planning and Zoning, Doug Hanson** Again, yeah. So, for the record, Doug Hanson, if we decided to reopen the public hearing this soonest, we could get it on another agenda with noticing requirements would be November 21st.

**City Clerk, Chris Engels** I have to go back... *[inaudible]*

**Council Member Bruce** It would go back to P&Z?

**Kuna Director of Planning and Zoning, Doug Hanson** That would all depend on the nature of the changes proposed. If there's substantial changes, it would likely have to go back to P&Z, which means it's likely that we wouldn't see this again at City Council till New Year.

**Council Member Biggs** Is the world going to stop if we don't change this today?

**Council President McPherson** It might look at the way things are going.

*[Laughter]*

**Council Member Bruce** I can't even figure out a speaker up there. I mean, I'm open for hearing what they have to say, and you know.

**Council Member Biggs** Time too. It must be important, is what I keep thinking.

**Council Member Laraway** Doug, I appreciate all your work you've done on this, and we just haven't got very far with it.

**Kuna Director of Planning and Zoning, Doug Hanson** For the record, Doug Hanson Kuna Planning and Zoning. Would you prefer that the item be re-noticed and be remanded back to Planning and Zoning so that they can hear what the concerns are so that if it is a substantial change it doesn't have to be noticed for Council, then back to P&Z, and then back to Council? It would just go would be remanded straight back to the Planning and Zoning Commission to hear the concerns and then back to the City Council?

**Council Member Biggs** Just come straight back to Council.

**Kuna Director of Planning and Zoning, Doug Hanson** If... even if it comes straight back to the City Council, if it's a substantial change to the material, Planning and Zoning Commission would have to hear it again, so then we'd have to notice for the Planning and Zoning Commission.

**Council Member Laraway** So this could be addressed at the Planning and Zoning level.

**Kuna Director of Planning and Zoning, Doug Hanson** It could either be heard by you if it's a substantial change, anything other than essentially typing errors, any substantial change it would then need to go back to the Planning and Zoning Commission and then back to you for your final decision, or if you if you want the public testimony to be delivered, you could remand it directly back to the planning and Zoning Commission now, so we could notice for the next Planning Zoning Commission hearing possible and then they would hear that testimony and then it would come back to the City Council. So, it would go Planning and Zoning Commission, City Council, not City Council, Planning and Zoning Commission, City Council, does that make sense? It would be a two-step process as opposed to a three-step process.

**Council Member Biggs** I just kind of look at it if it did come back just like did this were the public, if it was still open today, we would be hearing it right now.

**Mayor Stear** Right.

**Council Member Biggs** That's why, I guess, I'm not as concerned with sending it back to P&Z.

**Council Member Laraway** It sounds like the quickest way.

**Council Member Bruce** Is that what you want to do?

**Council Member Laraway** Yeah.

**Mayor Stear** Okay. So, we had a motion. Did we have a second on that motion?

**Council Member Biggs** What was the motion?

**Multiple Council Members** To pass it.

**Council Member Biggs** No.

**Council Member Bruce** And then have them meet with the Mayor?

**Mayor Stear** Okay, so that motion dies due to lack of a second. Do we have a subsequent motion?

**Council Member Laraway** I guess my motion would be for us to resend it back to Planning and Zoning for it can be opened up and the citizens could voice their opinion. And then if it's anything changeable, they can do it and it will be brought back to us, for approval or disapproval.

**Council Member Biggs** So you want to send it back to P&Z then?

**Council Member Laraway** Correct.

**Council Member Biggs** Okay, so I thought we were going to just got to come back to Council, table it, and have it come back up to us.

**Council Member Bruce** *[inaudible]*... it has to go to P&Z.

**Council Member Biggs** Because, that's what I'm saying. If the public hearing were open today, if it was still open right now.

**Council Member Bruce** We could hear it, but yeah, we've already closed it unless we open...

**Council Member Biggs** Okay.

**Council Member Bruce** Unless we can open it back today and listen to her, or do we have to notice.

**Council President McPherson** It can't be reopened because it wasn't another thing.

**Council Member Bruce** Yeah. Okay, yeah.

**Mayor Stear** Otherwise, the rest of the public isn't aware that it's a hearing.

**Council Member Bruce** Yeah, let's do that.

**Council Member Laraway** There might be 400 people that want to join, or not.

**Council Member Bruce** Second.

**Mayor Stear** All right, so the motion is to send it back to Planning and Zoning for consideration.

**Council Member Laraway** Does that work, City Attorney? I love it when the plan comes together.

**Mayor Stear** All right. And did we have a second?

**Council Member Bruce** Second.

**Council Member Laraway** He seconded it.

**Mayor Stear** Motion and second, any further discussion? All those in favor say aye.

**All Council Members** Aye

**Mayor Stear** Any opposed? Motion carries

*(Timestamp 00:43:58)*

**Motion To:** Remand Case No. 23-01-OA back to Planning and Zoning Commission

**Motion By:** Council Member Laraway

**Motion Seconded:** Council Member Bruce

**Further Discussion:** None

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

**Voting No:** None

**Absent:** None

**Motion Passed:** 4-0-0

## 7. Business Items:

- A. Consideration to approve Park Impact Fee Contingency Request for Helen Zamzow Park, Bobby Withrow, Parks Director **ACTION ITEM**  
(Timestamp 00:45:25)

**Mayor Stear** Now consideration to approve park impact fee contingency request. Bobby Withrow.

**Bobby Withrow** Mayor and Council for the record, Bobby Withrow 371 Shortline. In March, Council approved \$500,000 to start Helen Zamzows Park, I want to report that we accomplished what we set out to do. Unfortunately, I did go over budget and so tonight I'm requesting funds to cover what we went over budget wise; some of the, I don't want to say 'reasons', but some of the contributing factors was the price of concrete, the city pressurized irrigation system that is up to Public Works standards, and the equipment rentals. As you know, we don't have a lot of the big equipment that we needed, so we did have to rent that stuff and we used it longer than anticipated. I tried to get most of you out there before making this request so you can see what we've been able to accomplish. Mr. Councilman Biggs, I don't need to get you out there. I will note that looking over the projected or how much it would cost from JUB originally, we did the work of about \$2.2 to \$2.5 million, so far. We're saving the money or, excuse me, or saving some money doing it in house. With that, I stand for questions.

**Council Member Bruce** Well, we added the playground in the pickleball court too, right?

**Bobby Withrow** We have not yet, that will be in phase 2.

**Council Member Bruce** That would be part, okay.

**Council Member Laraway** The bigger equipment you use, is that to rent?

**Bobby Withrow** Yeah.

**Council Member Laraway** Okay.

**Bobby Withrow** In our rental costs, we had close to \$100,000 in rental costs this year for the project.

**Council Member Bruce** And that project was originally budgeted at \$10 million?

**Bobby Withrow** Yes.

**Council Member Laraway** We really can't leave a park unfinished, can we?

**Bobby Withrow** No, and we'll be, we'll continue to work on it.

**Council Member Biggs** Is this work that you can still accomplish when the weather starts getting worse?

**Bobby Withrow** Councilman Biggs, yeah.

**Council Member Biggs** Thank you.

**Council Member Bruce** It looks great over there. I think the kids... adults, kids all of them.

**Mayor Stear** Well, there was enough requests for those types of fields last year that we were even out helping the School District to do some maintenance on some of theirs so that they could get more fields opened up and there's definitely a huge need for it, so.

**Council Member Bruce** For the recreation areas, for the kids.

**Council Member Biggs** From the housekeeping standpoint, Jared, where do we stand on contingency funds if we accommodate this request?

**City Treasurer, Jared Empey** So Councilman Biggs, so I believe that this is meant to be a park impact fee contingency request and currently there's about \$2,000,000 of park impact fees that remain. So that's how much we have in the fund currently.

**Council Member Bruce** Thank you, Jared.

**Council Member Biggs** Thank you, sir.

**Council Member Bruce** Any other questions?

**Council President McPherson** Nope. Okay, I would move we approve the park impact fee contingency request to remain working on the Helen Zamzow Park.

**Council Member Biggs** Second.

**Mayor Stear** Motion is made and seconded any further discussion? All those in favor say aye.

**All Council Member** Aye

**Mayor Stear** Any opposed? And that motion carries.

**Bobby Withrow** Thank you.

*(Timestamp 00:49:40)*

**Motion To:** Approve Contingency Funds from Park Impact Fee for Helen Zamzow Park

**Motion By:** Council Member McPherson

**Motion Seconded:** Council Member Biggs

**Further Discussion:** None

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

**Voting No:** None

**Absent:** None

**Motion Passed:** 4-0-0

**B. Consideration and Ratification of Contingency Funds, Chris Engels, City Clerk**

**ACTION ITEM**

*(Timestamp 00:50:07)*

**Mayor Stear** Item B, consideration and ratification of contingency funds. Chris Engels.

**City Clerk, Chris Engels** Thank you Mayor, Council. Before you there was the request for ratification of contingency fund use for the Kuna Police Station. Construction is complete and the only other thing that we're waiting for is the generator, which is on back order. We are finishing up with Compunet, Computech. But we already have a contract with that that's already been allocated in the budget, beginning the budget amount is for 95... that the 9 the budget for. Tonight ratification is \$37,733.32. As of this date, we've used a total of \$95,812.08. You originally allocated \$440,174.70; that was 30% of the budget. The remaining that we are not using and is not being allocated anywhere else is \$344,362.62. That money just stays in the contingency fund, and I stand for any questions.

**Mayor Stear** Okay. Questions for Chris?

**Council Member Biggs** Thank you.

**Council Member Bruce** How do you like it over there, Chief?

*[Laughter]*

**Kuna Chief of Police, Mike Fratusco** Councilman Bruce, I don't know if you've been at our old substation, but it is night and day.

*[Laughter]*

**Mayor Stear** For sure.

**Kuna Chief of Police, Mike Fratusco** No basement, no spiders, and no mice. *[unclear]*

**Council Member Bruce** Yeah, we can get you some of those.

*[Laughter]*

**Mayor Stear** All right, so we just need a motion to ratify.

**Council Member McPherson** Okay. I would move we approve the ratification of contingency funds.

**Council Member Biggs** Second.

**Mayor Stear** Motion is made and seconded, is there any further discussion? All those in favor say aye.

**All Council Members** Aye.

**Mayor Stear** Any opposed? And that motion carries. It's good to put those back in.

*(Timestamp 00:52:10)*

**Motion To:** Approve Ratification of Contingency Funds for the Kuna Police Station

**Motion By:** Council Member McPherson

**Motion Seconded:** Council Member Biggs

**Further Discussion:** None

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

**Voting No:** None

**Absent:** None

**Motion Passed:** 4-0-0

## **8. Ordinances:**

### **A. Consideration to approve Ordinance 2023-23 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 PROPERTY, TO WIT: ADA COUNTY ASSESSOR'S PARCEL NO. R7321000501 OWNED BY JOHNNY T. SWANSON AND VALDEEN M. SWANSON, 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 Publication  
(Timestamp 00:52:31)*

**Mayor Stear** All right. Consideration to approve ordinance 2023-23. 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; Ada County Assessor's parcel number R7321000501, owned by Johnny T Swanson and Valdine M Swanson, within the unincorporated area of Ada County and contiguous to the corporate city limits of the City of Kuna, into the City of Kuna, ID and establishing the zoning classifications of said real property and directing the city engineer and the city clerk, and providing an effective.

**Mayor Stear** Okay.

**Council President McPherson** Mayor, this was part of my annexation, so I should probably recuse from voting on this.

**Mayor Stear** Okay.

**Council President McPherson** That... this was the touch that put me in the city limits, so it's all part of my deal, so I'll abstain from voting on this.

**Mayor Stear** And so this is just a ratification of action that was taken?

**Council Member Bruce** I motion that we waived 3 readings of ordinance 2023-23.

**Council Member Biggs** Second

**Mayor Stear** Motion is made and seconded to waive the three readings. All those in favor say aye.

**All Council Members** Aye.

**Mayor Stear** Any opposed? Motion carries.

*(Timestamp 00:53:54)*

**Motion To:** Waive 3 readings of Ordinance 2023-23

**Motion By:** Council Member Bruce

**Motion Seconded:** Council Member Biggs

**Further Discussion:** None

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

**Voting No:** None

**Abstained:** McPherson

**Motion Passed:** 3-0-1

**Council Member Bruce** I motion we approve ordinance 2023-23.

**Council Member Biggs** Second.

**Mayor Stear** Motion's made and seconded and for approval. Chris, would you poll the Council?

**City Clerk, Chris Engels** Councilmember Bruce.

**Council Member Bruce** Aye.

**City Clerk, Chris Engels** Council Member Biggs.

**Council Member Biggs** Aye.

**City Clerk, Chris Engels** Council Member Laraway.

**Councilmember Laraway** Aye.

**City Clerk, Chris Engels** Council President McPherson, you're abstaining.

**Council President McPherson** Correct.

**Mayor Stear** And the motion carries.

**Mayor Stear** And we need a motion for summary publication on this one?

**City Clerk, Chris Engels** No, sir. *cause* it's a land use.

*(Timestamp 00:54:11)*

**Motion To:** Approve Ordinance 2023-23

**Motion By:** Council Member Bruce

**Motion Seconded:** Council Member Biggs

**Further Discussion:** None

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

**Voting No:** None

**Abstained:** McPherson

**Motion Passed:** 3-0-1

## **9. Executive Session:**

## **10. Mayor/Council Announcements:**

*Council Member Biggs: Update Regarding Kuna Mayor's Youth Council  
(Timestamp 00:55:32)*

**Council Member Biggs** For discussion on that real quick before that I just want to give an update on the County Youth Council. We had 19 applications and we're planning to review those applications on Thursday and decide from there how many kids will represent. I mean, we have...we've got a basic framework of how we want it to go, but you have to strike a balance between how many there are, and we do want to try and involve all of the kids who applied that, that's going to be the top priority. But we'll be meeting with the Superintendent Johnson on Thursday, Council Member Bruce and Myself.

**Council Member Laraway** Are the kids going to get school credit for this participation?

**Council Member Biggs** I don't know. That's a great question, but one of the things that they're going to be tasked with right off the bat, once they're selected, is to make a presentation to City Council and ask for money for some projects and what-not and stuff. So, it'll be a great way to involve the kids in the community, not only with what city government is, but they can also have some projects, you know, out in town to beautify the community or...

**Council President McPherson** I mean that there's a ball field that needs finish, so they could just go help Bobby.

**Council Member Laraway** You know, I like when you said they're *gonna* ask for money Jared made no eye contact.

*[inaudible background]*

**Unknown Speaker** We just gave Bobby money.

**Mayor Stear** Good. Well, thank you for that, that's good.

**Council Member Bruce** Yeah, I was actually glad that 19 people, that's a good start.

**Council Member Laraway** Yeah. Yeah, my kid was involved in that. He did. He liked it.

**Council Member Biggs** It will be nice getting this rolling again.

**Mayor Stear** Have you guys, have you been able to figure out a date or days and times you can have meetings? That was always a huge problem.

**Council Member Biggs** So the School District has offered... Is Danielle here?

**Multiple Council Members** She's gone.

**Council Member Biggs** Okay, so the School District offered the time and the place where we were throwing two weeks having the meet every couple of weeks at Kuna High School. And the School District would pay for lunch, and they would have an advisor or somebody. So, one day, you know, I might be there; the next, you know, Jared might be asked to come there and talk about money and et cetera.

**Council Member Bruce** Or even, you know, representatives up the line or local representatives, things like that.

**Council Member Biggs** Yeah.

**Council Member Bruce** That way they can get a feel of civics.

**Council Member Laraway** Is Laurie Weatherby involved?

**Council Member Biggs** Not that I'm aware of.

**Council Member Laraway** She was the government teacher. That's why I...

**Council Member Biggs** Well, she might... I think that's *[Inaudible]* but it would be great to get her involved to 'cuz I told him to throw up my name out there, but she would, you know, we'd like to partner on things, and this would be a great thing.

**Mayor Stear** Well, good, and so lunchtime *kinda* is when that's awesome that was.

**Council Member Biggs** And they're going to bus them over there where the kids from other schools.

**Mayor Stear** That was always the problem we had was trying to do it after school and then we had after school activities and we can never get to.

**Council Member Biggs** Yeah, they're trying to make something solid so they can be excused from whatever they're doing. They can come over and do this for an hour and have lunch or something.

**Mayor Stear** Good, great job. Great work. All right, well, that's all we have for tonight, so this meeting is adjourned. Thank you.

**All Council Members** Thank you.

**11. Adjournment: 7:01 pm**

*(Timestamp 00:58:56)*

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Joe L. Stear, Mayor

ATTEST:

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Chris Engels, City Clerk

*Minutes prepared by Garrett Michaelson, Kuna City Clerk's Office*  
*Date Approved: CCM 10.XX.2023*



# CITY OF KUNA

751 W 4<sup>th</sup> Street • Kuna, ID 83634  
 (208) 922-5274 • www.kunacity.id.gov  
 City Council Public Hearing Sign-In Sheet  
 October 17, 2023

**Case No.: 23-02-CPF (Combo Plat) & 23-04-ZC (Rezone)**

**Case Name: Serving Subdivision**

Please print your name below & indicate if you would like to Testify or NOT Testify regarding this item.

IN FAVOR	NEUTRAL	IN OPPOSITION
<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Bonnie Heinrich		
Name	Name	Name
1672 N. Calaveras		
Address	Address	Address
Kuna ID 83634		
City, State, ZIP	City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input checked="" type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
JOE FOSOR		
Name	Name	Name
2600 W KUNA MORA		
Address	Address	Address
KUNA 83634		
City, State, ZIP	City, State, ZIP	City, State, ZIP
<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
DENNIS DURBAUT		
Name	Name	Name
8352 S. OLD FARM PL		
Address	Address	Address
Meridian, ID 83642		
City, State, ZIP	City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Becky Miller		
Name	Name	Name
1908 N. Lyde Ave		
Address	Address	Address
Kuna ID 83634		
City, State, ZIP	City, State, ZIP	City, State, ZIP



City Council Public Hearing Sign-In Sheet  
October 17, 2023

*Tabled from October 3, 2023*

**Case No.: 23-01-CPF (Combo Plat) & 23-04-ZC (Rezone)**

**Case Name: Hagler Subdivision**

Please print you name below & indicate whether you will or will NOT testify.

IN FAVOR	NEUTRAL	IN OPPOSITION
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP