



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
Wednesday, November 21, 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 -Present
Council President Greg McPherson -Present
Council Member John Laraway -Present
Council Member Matt Biggs -Present
Council Member Chris Bruce -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
Nathan Stanley, City Clerk
Troy Behunin, City Senior Planner
Paul Stevens, City Engineer & Public Works Director
Jessica Hall, Associate Planner

Mayor Stear All right. We'll go ahead and call this meeting to order. Nathan would you take the roll please?

City Clerk Nathan Stanley Councilmember Bruce.

Councilmember Bruce Here.

City Clerk Nathan Stanley Councilmember Biggs.

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.

Councilmember Biggs Here.

City Clerk Nathan Stanley Councilmember Laraway.

Councilmember Laraway Here.

City Clerk Nathan Stanley Council President McPherson.

Council President McPherson Here.

City Clerk Nathan Stanley Mayor Stear.

Mayor Stear Here.

2. Invocation

3. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:22)

Mayor Stear And if you 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.

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 00:00:41)

- A.** Regular City Council Meeting Minutes Dated November 8, 2023
- B.** Accounts Payable Dated November 15, 2023, in the amount of \$1,783,118.92
- C.** Final Plats
 - 1. Case No. 23-08-FP Valor (FKA Falcon Crest) Golf Village No. 1
- D.** Resolutions
 - 1. Resolution R90-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID VALOR GOLF VILLAGES, LLC, FOR GOLF VILLAGES SUBDIVISION NO. 1 FOR UNCOMPLETED WORK FOR FENCING PURSUANT TO THE TERMS OF THIS RESOLUTION.

2. Resolution R91-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID VALOR GOLF VILLAGES, LLC, FOR GOLF VILLAGES SUBDIVISION NO. 1 FOR UNCOMPLETED WORK FOR LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

3. Resolution R92-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID VALOR GOLF VILLAGES, LLC, FOR GOLF VILLAGES SUBDIVISION NO. 1 FOR UNCOMPLETED WORK INCLUDING STREET LIGHTING PURSUANT TO THE TERMS OF THIS RESOLUTION.

4. Resolution R93-2023

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE AMENDED EMERGENCY MANAGEMENT JOINT POWERS AGREEMENT BETWEEN THE CITY OF KUNA AND ADA COUNTY

Mayor Stear Thank you. First item is the consent agenda. Any questions, comments, things you want pulled for discussion?

Council President McPherson Seeing nothing from the Council, mayor, I'd move we approve the consent agenda.

Council Member Laraway Second.

Mayor Stear Motion is made and seconded. Is there any further discussion? Nathan, would you poll the Council, please?

City Clerk Nathan Stanley Councilmember Bruce.

Councilmember Bruce Aye.

City Clerk Nathan Stanley Councilmember Biggs.

Councilmember Biggs Aye.

City Clerk Nathan Stanley Councilmember Laraway.

Councilmember Laraway Yes.

City Clerk Nathan Stanley Council President McPherson.

Council President McPherson Yes.

Mayor Stear And that motion carries.

(Timestamp 00:01:02)

Motion To: Approve Consent Agenda

Motion By: Council President McPherson

Motion Seconded By: Council Member Bruce

Further Discussion: None

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

Voting Nay: None

Absent: None

4-0-0

5. External Reports

(Timestamp 00:01:24)

A. Youth Council Presentation.

Mayor Stear That takes us right to reports Youth Council presentation.

[Inaudible]

Kuna Youth Council Representative So we are Kuna Youth Advisory Council.

Kuna Youth Council Representative I'm Payton Dollars. Our chairperson, Emily Lane Wright is our vice Chairperson, Henny youngest or other vice chairperson.

Kuna Youth Council Representative Olivia Long, Gator security, and that's your services. Your Treasurer and Hazel Stephens. Stephens is your communication director.

Kuna Youth Council Representative What is this Youth Council? The Youth Council is an organization that provides a way for students to have a voice and engaged in the community, and what is our goal during the 2023 and the 2024 school year, we want to focus on bringing student ideas to the school board and community. By doing this, we can provide a safe and trusted environment for students to express their opinions and goals. The Student Council members have also agreed on specific ground rules as a foundation for all discussions. We feel that this is a good start for our team.

Kuna Youth Council Representative We have made several committees already. The 1st is our Design Committee which is made to design our logo, shirts, signs, and additional Youth Council related items. Our second is our Presentation Committee, this committee was made to make slideshows and present presentations in front of City Council and board meetings about our progress. A new Project Committee was made to start brainstorming ideas for a new project for Youth Council to bring to the team and our Newsletter Committee was created to send out updates on what we're working on and to keep students and parent involved via newsletter. Does anybody have any questions?

Mayor Stear Very nice. Are you all excited to do this?

Youth Council Representative Yes, we are.

Mayor Stear Good

Council Member Laraway Thank you.

Council Member Bruce Thank you for the update.

Mayor Stear Very well done. Good job, by all of you.

Youth Council Representative Thank you.

Council Member Biggs Only one month in so far.

Mayor Stear Nice.

Council President McPherson Good job.

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 00:03:56)

- A.** Consideration to approve Case Nos.22-13-AN (Annexation) and 22-18-S (Preliminary Plat) Applicant requests approval to Annex approx. 4.99 acres and to zone the property R-6; and requests Preliminary Plat approval in order to subdivide the site into 17 single-family lots, and four (4) common lots. The site is located at the northwest corner of Linder and Ardell Roads (APN; S1314142375). – Troy Behunin, Senior Planner **ACTION ITEM**

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Mayor Stear All right, that takes us to public hearings, consideration to approve Case #22-13-AN Annexation and 22-18-S Preliminary Plat. Troy? Have a drink first.

Kuna Senior Planner Troy Behunin Thank you I think I will. Good evening, Mr. Mayor, and members of the Council, for the record Troy Behunin Planning and Zoning staff, Senior Planner, 751 W 4th St. here in Kuna. So, the applications before you this evening are request annexation and preliminary plat approval in order to annex into the city and to subdivide approximately 4.99 acres into 21 total lots, 17 single family new lots or 16 single family, new lots and four common lots and one existing lot that will house the house is already there. It will keep the houses there. The applicant proposes approximately .323 acres, or 8.8% of the project as open space and the gross density is proposed around 3.4 dwelling units per acre. The net density is at 3.9 dwelling

units per acre. Public works does conditionally support the White Rock Subdivision Development with the conditions that are listed in the engineers memo in Section 5, which was based on the completion of the Danskin Force Main project which it was recently completed, the Planning and Zoning department agrees with the engineers department, the Engineering Department staff has reviewed the proposed annexation for qualification and also the preliminary plat for technical compliance with Kuna City Code Title 5 and Title 6, Idaho State Statute 67-65-11 and the Kuna Comprehensive Plan and staff would also like to note that the Commission did recommend approval of the annexation and the preliminary plat if Council does approve this request, staff does recommend that the applicant be subject to the proposed recommended conditions that are outlined in Staff's memo and I believe the applicant is here this evening and I am here for any questions that you might have.

Mayor Stear Okay, questions for Troy?

Council Member Bruce Not at this moment.

Council Member Laraway Yeah Troy, I got one... can't find it on here... The issuance egress and ingress for this is going to be a Linder or is it going to be on Ardell?

Kuna Senior Planner Troy Behunin It's actually going to be on Ardell, and it meets all of ACHD's requirements, but yes, it'll be on Ardell. It's actually going to improve the intersection and the applicant and is also prepared to help ACHD in their endeavor to put a roundabout there.

Council Member Laraway Okay. Thank you.

Mayor Stear Okay, nothing further for Troy? Okay, did the applicant wish to present?

[Inaudible]

Tyler McKinnon Right. Let's see here... just scroll? Okay. So, my name is Tyler McKinnon. Me and my wife are the owners of that section of land there. So, presenting just White Rock subdivision. Kind of our idea for annexation... subdivision...kind of like Troy jumped into...

Mayor Stear If you would just state your name and address for the record, please.

Tyler McKinnon For Yep, Tyler McKinnon, 2561 N Linder Rd. Kuna, Idaho 83634. So a couple of reasons behind this idea. So, annexing our unincorporated island into the city of Kuna we thought would simplify infrastructure public services because we are just an island in the middle of the city kind of complicates how things have been going. Surrounding zones around us are all medium density residential, so R-4 and R-6. We've been requesting R-6 zoning to kind of fit in with that. The plan is to put in just some entry level single family residential lots there. It also corresponds with the comprehensive Plan too, which dictates just medium density residential. So as can be seen here the lot in question is that just the bottom one of those two island lots just right in the middle there. All the surrounding areas are medium density residential R-4 and R-6. Future land use map agrees with that medium density residential designation. So, we meet that as well. The reasons behind kind of the specifics here: There is a continuing need for entry level housing, the city just continues to grow. It's going to continue to grow. There's a lot of people

who are looking for houses still and could use some less expensive housing. The subdivision allows for, as Troy mentioned, the widening of Ardell and Linder.

So, currently the intersection is... has some issues that I'll illustrate here in a second. But it also provides right of way for sidewalks, landscape buffer just to match the adjoining neighborhoods. There's a couple safety issues that exist currently around that intersection. I'm sure everyone's driven around there at one point or another, there is not a sidewalk or a buffer currently, which complicates pedestrian traffic. My family, and in particular we love to go for walks around there and there's nowhere to walk. Obviously on the north side of Ardell right there or along Linder. So would help with that problem, our fence around our property too currently juts into Ardell Rd. which creates that kind of weird jog that's blinded by the fence creates kind of a weird situation where the eastbound in the westbound traffic have to swerve around each other to miss each other and it's just not a not a great situation currently. Also, the location of our driveway currently is a little bit awkward right next to the right north of the intersection. So also, it creates a weird situation where if someone is trying to turn into our driveway, heading north on lender and someone is heading South trying to turn onto our Ardell left, they share a turn lane for 70 feet, and it gets to be confusing. So that could be a safety issue as well.

Like Troy mentioned there, there is plans set aside for right of way for a future roundabout at the intersection, if necessary, too. So, kind of a visual of what we've put together. And the preliminary plat that we've talked planning and zoning about would consist of a north-south kind of through St. And then a street that gets off to the east with the cul-de-sac at the end. Some lofts in the North and South there. It does have some open space with a walkway on the corner kind of to match the other three corners there as well at the intersection. So, here's an aerial view of Ardell Road, and this is that, that jog in the road. So obviously that would improve a lot of things that, that, that section. There's kind of a ground level view of that as well. There's just nowhere to walk, no space there. The road narrows. It's just kind of awkward. Linder Rd. And well, the intersection right here. Linder and Ardell. Obviously, as can be seen from the aerial view, our driveway here on the North is really close to the intersection. Which creates that issue that I was talking about. There's about 70 feet right there and when two people are trying to both turn left, going both directions, it's we've actually already had someone get hit trying to turn into our property because someone behind them thought they were turning into on to our Dell and not our property, so it's just. A little bit complicated.

There are some special considerations that I wanted to mention with our property. There are a lot of large caliper existing trees on the southwest border that make just a straightforward straight sidewalk placement difficult and so to preserve those trees. A side off plan kind of meandering through the trees we believe would be appropriate and would avoid having to take down a lot of those pretty trees right there. So, we think that's important. There is a shared well located on our property that supplies potable water to us and our neighbors. Obviously, the plan is for us to go on city water, but our neighbors would still need Water and so that well would need to remain and we're currently in process of establishing an easement for so that they can access that well permanently. There's also in a related issue, a culvert box at the Southwest corner of the property that I can show you right here. So, this culvert right here along Ardell provides irrigation water to

us and our neighbors and would need to stay. And that's what kind of necessitates the jog in Ardell in the first place. And so, the job would remain, but the road would get widened and be a lot more open, right? There in the process. Here's a picture of the trees that are. Right there too. Doesn't really do it justice. There's a lot of kind of large trees there that we'd like to preserve, as many as possible some will likely have to be removed, but. That's important to us as well, so that is it. Thank you.

Mayor Stear Okay, anybody have any questions for the applicant?

Council President McPherson Not yet.

Mayor Stear Thank you.

Tyler McKinnon Thanks.

Mayor Stear All right, this is a public hearing. Is there anybody who wishes to testify that didn't get a chance to sign in? All right, Beverly Wolf.

Beverly Wolf Beverly Wolf, 3420 W Commemoration Ave. Meridian. Less project slot, nicer than the big developments coming in, but the school issues still on the list and you know density and traffic, I mean I'm beating an old horse here, but it matters because the tax dollars for every development still rests on the rest of us. This one might be fine, but what about the other big ones? What about the three resolutions that got approved tonight for fencing and lighting and other things that bigger development developers aren't doing? I don't understand why there's such a speed moving so much so fast that this city Has grown. To where I don't think everybody can keep up on everything, I mean Your own attorney general said nothing in the United States constitution's 5th amendment requires a government entity to promote the maximum development of a site at the expense of the public purse or to the detriment of the public interest. Taxpayers need not subsidized, unwise development. This one may not be that one, but a lot of them seem to be and there's just so many, so fast. How do you keep up? I'm just asking because it a lot of it keeps falling back on us. I haven't got my tax bill yet. I'm a little nervous.

Mayor Stear Okay, thank you. Todd Lau. I said that right.

Todd Lau My wife and I, Cindy, our neighbors to the north of Tyler and Catherine. So that last remaining island in county, that little white spot that that's our five acres that we have. And they've been very, very positive and very forthcoming on this development with us working through it. But we just wanted to make sure that some things that they've talked about in here that we went on record also stating concerns and that's all selfish concerns, for the most part. It's the irrigation box in the corner that he showed, we want to make sure that, that that does get addressed. We can't lose our water for our livestock and for. The acreage, the shared well, obviously that is a concern that resides on his property. There is a legal easement, a legal agreement between the previous owners that it should stay with the owners of those properties. So, we want to make sure that gets. Documented the road coming off our Dell. It looks like I think it's going to probably meet our needs, but we do have big trailers and farm equipment that still gets into that five acres right there. So, it's we're worried about that being a very tight 90. I think Tyler showed some plans yesterday that may address that, but we do want to go on record.

With that, and then our power lines run down that existing easement. And we just... We want to make sure there's no impact to our power, our existing power because we won't be going to the city power or water at this time. So, we want to make sure all those stay open and then I have to have to mention for my wife, she's very concerned about our address change. So, I did have to bring that up. I think that's it. For the record.

Mayor Stear Okay, All right. Thank you, and that was all I had signed up to testify. Was there anybody else who wished to? All right. You want to testify? Yeah, if you want to sign in...and that's in favor, neutral, and...Okay, and then you just go to the mic and state your name and address for the record and proceed.

Savannah Lynn I'm Savannah Lynn. We live at 875 E Brush Creek St. and I'm actually here because my daughter is on the youth committee. So, I was watching her presentation. But we actually live in this area and this development would be in the Reed Elementary school boundaries and they are already over capacity. I believe the line is lender for the difference between the two middle schools and I believe this just falls into the Kuna Middle School side, which I work at. We are also over capacity. With the bond failing and the lack of construction to be able to handle this, I mean entry level homes means elementary school students where are we going to put them? Like the schools are already full. Based on the choices that the state level made, we actually lost almost 10% of our funding this year. Because it's now based on attendance instead of enrollment. So, I mean, it's not my job to get students into their seats. It's my job to teach them when they're there, but I don't have seats for my students like we already don't have enough room. I already have kids standing and where are we going to put? I mean I that intersection definitely needs improvement and I get like I get it. I just am concerned, like, what are we going to do with these kids?

Mayor Stear Okay, very good. Thank you. All right, questions from Council?

Council Member Bruce I have a question.

Mayor Stear Okay.

Council Member Bruce Mr. Paul, the letter in here states that once the.... let me find it... The completion of the sewer force main, that they can service this. Do we know how many more developments will be using that now that have already been approved?

Kuna City Engineer and Public Works Director Paul Stevens Chris, yes, we do know. I don't have a number for you right now. We have a declining balance and I believe that Doug is the keeper of that declining balance, and we work with him and make sure that we're all on the same sheet of music so that we're staying with the resolution the Council approved.

Mayor Stear And that was Paul Stephens, City Engineer for the record.

Kuna City Engineer and Public Works Director Paul Stevens And I live here. 751 North 4th.

Council Member Bruce And the resolution that was approved, which one?

Kuna City Engineer and Public Works Director Paul Stevens I don't remember what the number is, but it was like last year we had the resolution on how we would divvy up those new EDU's that came through and that we would give 40 per phase first come, first serve. That's why Doug has that declining balance is because of the date of application that gets the first come first serve.

Council Member Biggs Wasn't the last subdivision proposal 30 will serve, was only 30. Is that just by design or is that just?

Kuna City Engineer and Public Works Director Paul Stevens Yes Matt, that was the one up going into Memory Ranch lift station and so that was a different deal. We just...

Council Member Biggs So Danskin gets 40 and then the others will be....

Kuna City Engineer and Public Works Director Paul Stevens Well, the other one was we had 30. So, we said they said that would get them started. And so that was what we happened to have 30 for that one yet.

Mayor Stear Different lines and lift stations.

Kuna City Engineer and Public Works Director Paul Stevens Yes, absolutely. And then other, for example, other developments can't come back with a subsequent phase if no one's in line for it, they can get another phase, but we wanted to give everyone a fair chance to get going.

Council Member Biggs So hypothetical situation and follow up. I guess this is kind of a two-part question, Doug, how many approved homes, I guess, do we have plats? That have not been built or have been started, having gone through the permitting process, they all went online Today, could and then this would go back to you could public works handle if every house was built, you know, snap of the fingers.

Kuna Planning and Zoning Director Hanson For the record, Doug Hanson Kuna Planning and Zoning staff. Are you talking about citywide or in one particular sewer basin? I could that I couldn't answer that question.

Council Member Bruce Or even in that basin. Do you know how many that Not citywide, right. I think with this basin in general say that the market changes and they start building again. Do we have enough capacity for the ones that have already been approved?

Kuna Planning and Zoning Director Hanson So as far as projects to date that have been approved with preliminary plats prior to this resolution being decided upon by the Council. Yes, those were all allocated EDUs for their entire subdivision development. So, all of those units that are in the pipeline that are entitled will be issued "will serves." If there was any event that they couldn't be serviced, we couldn't issue them "will serve", so they wouldn't be able to come online. But everything that has been approved until this resolution was put in place and I can't give you the specific date. I don't know it off the top of my head. EDU's have been allocated for those entire preliminary plats.

Mayor Stear And then again, it's up to the developers that want to connect to the sewer system to put in lines and lift stations and anything they want so they can move forward. But.

Council President McPherson I think just for note it's... it was in the notes on here it was resolution R90-2022. Does that sound right? Since 6.9 public works.

Mayor Stear And then as was mentioned by One of the... In the one of the testimonies with the School had added a letter in packet also.

Council Member Bruce The other paper.

Council President McPherson Sorry, what?

Council Member Biggs One more question for Paul. The big sewer truck that I saw when I went over to the brand new, or a couple years old I guess, now truck as far as how does that, how does that operate, and does it do preventive maintenance throughout the city? I didn't get to see in operation unfortunately, but I'm just curious. The state of everything, sewer, cleanliness, and everything else because we had some issues, you know, in the press that came out a little bit, but that has been satisfied. When I called DEQ. I'm just wondering how does that truck do its... what it's supposed to do?

Kuna City Engineer and Public Works Director Paul Stevens I'm afraid we're getting off our course here, just a little bit.

Council Member Biggs I think it's a very real... I just want to ask the question. It might be a little off course, but I want to know cleanliness of the operation of the sewer. I don't want something to break tomorrow because I've read things online and I've heard things that that have kind of made me a little bit concerned.

Kuna City Engineer and Public Works Director Paul Stevens Okay, well, that truck is used to clean trouble spots that we know about, and they can run, I believe it's up to 800 feet of sewer line and it has all kinds of cool attachments and it can take roots out it. Take plugs out, it can just take all the junk that builds up in there out and it's quite effective.

Council Member Biggs And is it reactive or preventative? Is that what's the purpose of it?

Kuna City Engineer and Public Works Director Paul Stevens It's supposed it's preventative in some cases and reactive in others because you don't always know when a problem is going to occur.

Council Member Biggs Absolutely. I agree with that. Thank you.

Kuna City Engineer and Public Works Director Paul Stevens Sure.

Council Member Bruce And, Mr. Mayor, where was the letter from the school district?

Mayor Stear In the packet? Actually, I probably saw that in the planning and zoning.

Council Member Bruce Because I would. I see the testimony from there that says that they're at capacity.

Mayor Stear Yeah, I think that was okay, that's what it was.

Council Member Biggs Page 2 of 7 of 1.2.

Council Member Bruce Yeah, I found that I just, he said, letter saying.

Mayor Stear Yeah, I misspoke. I knew I read it in there somewhere.

Council President McPherson Nothing further.

Council Member Bruce John, do you have anything?

Council member Laraway I do not.

Council Member Bruce Hold on one second. I think how I look at it is that we come up here and we hear the same thing with School district, sewer. It's always like, hey, can we handle it? We're going to throw 30 at it. Then if we can't serve it, then it'll be stuck at issuing the permit. How many times are we going to go through this? Where we continue to add to it? Add to the system, add to the bulk of the waiting list before we catch up? You know, I mean obviously the schools. There's nothing we can do there, right? We went round and round about mitigating the impact of the schools.

Council Member Laraway Are we still under open public?

Mayor Stear We are still in public hearing, yes.

Council President McPherson Do you want to close it and deliberate or do you need more questions to ask?

[Extended Silence]

Council President McPherson You have more questions, or do we?

Council Member Bruce are you asking me or him? I just stopped talking. Hey, Doug, how many houses do we have that have I've already been approved, but haven't started building citywide? Do you have a guesstimate, just a ballpark?

Kuna Planning and Zoning Director Doug Hanson For the record, Doug Hanson Kuna Planning and Zoning staff. I couldn't give you an exact number. I could approximate it generally, but upwards of 6000 units.

Council Member Bruce 6000 houses that have already been annexed just haven't been built.

Kuna Planning and Zoning Director Doug Hanson 6 upwards of 6000 units approximately that have been through the entitlement process. So, our zoned have been plotted or have preliminary plot approvals. We just need to record a final plot in order to construct.

Council Member Bruce 6000. How many houses a year are built? In a ballpark...

Kuna Planning and Zoning Director Doug Hanson For the record, Doug Hanson, Kuna...

Council Member Bruce on a good year when they're pumping it.

Kuna Planning and Zoning Director Doug Hanson It I don't have that number off the top of my head, it changes. It's all really dependent upon a number of factors.

Council Member Bruce 50? 100?

Kuna Planning and Zoning Director Doug Hanson I don't feel comfortable giving that number off the top of my head. I do... I don't have that information in front of me.

Council Member Bruce How many is enough? How many is it like "Hey, let's think about it?" We just going to keep rolling and then it stops. Here at the at the planning and zoning. We can't issue permits. We can't service the sewer. We can't, I mean... The schools. Yeah, we can say yes, we can let it go and then they end up here at the, you know, trying to pull a permit when we can't issue it. My thought is just are we just going to continue down the same path? And we're going to keep putting kids in this this lady's class sitting on the floor and install. Because she has to take them. She can't say no. 6000.

Council Member Biggs I have thoughts too, I just. When we close the public hearing, I'll bring this up.

Council Member Bruce I'm done with questions, go ahead.

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

Council Member Laraway Second.

Council Member Biggs Second.

00:34:06 Mayor Stear Okay, motion is made and seconded any further discussion? All in favor, say aye?

All Council Members Aye.

Mayor Stear Any opposed? That motion carries.

(Timestamp 00:34:06)

Motion To: Close Evidence Presentation, Proceed to Deliberation

Motion By: Council President McPherson

Motion Seconded By: Council Member Laraway

Further Discussion: None

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

Voting Nay: None

Absent: None

4-0-0

Council Member Biggs So, to answer your Chris and my colleagues, I've done a lot of soul searching over the last actually month or so over exactly what we were just talking about with the amount of plats that already have been approved. We just keep stacking things higher and

higher. Schools are at capacity or very close. I've been in there myself three times during school hours in the last month at Kuna High and it's and its mind boggling. And that alone I don't like us putting the burden of pain, I guess, on the school district. Now, I would like to know is something that we probably would have to Talked to the school district and the trustees about what their way ahead is, because the bond as We all know failed. I'd like to know what their plan is to try and address this, but I don't. I'm not in favor of keep stacking more things as well designed as this as this project is. I think it's time to possibly just pump the brakes. And whether that's a moratorium. I don't know, but I don't. I don't. I don't feel comfortable at this point with anything until some things are addressed.

Mayor Stear Okay.

Council Member Biggs Schools are a big one, obviously.

Council Member Laraway And I've said my little silly two cents. The school district I can't control that's their ballpark. That's their battle. I know we don't help by contributing the growth, but the parents and the students... they have to get that bond passed. I can't do it for them; and I'm all supportive of them doing that, but I don't want the city rotating around the school. The only the only concern I have is that, and I brought it up last time we were out here 2 weeks ago, I'm concerned about the health of our sewage system. I don't... You know... we don't... Paul mentioned the pump truck. I don't know how many times that's been used that that the truck is supposed to clean our system and I don't know how many... When we have 100 miles of pipe, Ballpark figure, we should be cleaning that system 1/3 of the city every year, but we haven't, and to your point we do keep adding these responsibilities to a sewer system that I don't believe is healthy enough to sustain what we have. We just keep adding more to it, but my concern is if the sewer system goes south, we're not affecting the new subdivisions that aren't built yet. We're affecting the people that live in this town and it depends on the flush and they have to work. That's my concern. I'm concerned for the health of the sewage system. The sewage system has been a topic ever since I got elected and we always seem to just keep understanding "Yeah, it's there and it works" but that's not good enough. We need to have a sustainable system that is reliable and can handle growth. I don't think we have that right now, that's just my \$0.02.

Council President McPherson Well, it does help. They did finish that 18-inch main.

Council Member Laraway I'm sorry?

Council President McPherson It helps because they finished that 18-inch Danskin main and so, you know, there's some relief there, so to speak. I get your point about not If it hasn't been being used to its capacity to help ensure that the lines are flushed yearly and whatever its job solely is. I do like if they're really going to help with the Traffic in that area with the roundabout and widening the rest of that chunk of Ardell Rd. That's... it's dangerous. I don't know if you've ever drove through that. It's... That's crazy in there, especially at the wrong time of day with high school kids and whoever. Leaving people living late for work, whatever. So, it's catch-22, it would help improve that. It's not like we're adding 400 houses there. It's what 15, 17 something like that? So, it's not a grossly huge number. I don't know that it's too much of a burden on the system. I get the point of well 17 here, 50 there, 30 here as we can all adds up. So, it's kind of a

Darned if you do, darned if you don't scenario there. I mean, there's... We've always tried to fill in the little empty pockets around town as homeowners wanted to do that, so we weren't reaching out and stealing 40 acres of farm ground constantly and booming the limits farther and farther. We were filling in the dead zones if you will. This is another example of that. So, it's kind of...

Council Member Laraway I completely agree with you.

Council President McPherson And you know the school issue that that's been an issue, I mean 20, however many years ago now, 7 when I was there, it was that way then. Hats off to the school district. They seem to always make it keep working. It's not right. I'm not condoning it. I don't by any means, I mean, I feel for the teachers that are like the one that spoke it's... But I don't know how we get ahead, ever,

Council Member Laraway Well, I mean it's...

Council President McPherson Well, I do. We get the bond passed and, but the schools are like the roads are always a reactive thing, not a proactive thing unfortunately.

Council Member Laraway I do like what you've said about the internal lots like this one we're trying to.... I would rather fill those in and get those developed rather than allow these big ones that are outside that want to annex in, and they have 300, 400 homes in them, and I agree with you on that.

Council President McPherson Fire away, Mr. Bruce.

Council Membre Bruce Just thinking I could... I mean I could argue both factors, right? You are filling it in, but at the same time I do want to make sure that our system has been maintained, even if we approve this one, maybe we should hit the brakes and have it reviewed of what's been going... what's been done for the future, right? I mean, this is 17 houses we're filling in that patch there. I can go back and forth and listen to each direction, but I think it's imperative that we know where the preventative maintenance is. I mean, that's just what we should be doing. I don't know what the process would be to approve this one and then put a cap on a certain amount of time to do a review, or do we just? What are your thoughts, Mr. Mayor? I think that we need an update, maybe an inspection, something to know where we're at, as far as like Mr. Laraway said, I do like...

Mayor Stear So we are in compliance with all of our sewer lines. We don't... The truck hasn't been out on a regular basis doing the cleansing, but our lines are running at enough. If they were running low and we weren't running much through them, then we get that sludge build up and then that's that creates problems. But we're not having any issue with that like Paul had mentioned earlier. If we ever ended up with tree roots or doing something weird with the pipe then that could be a problem, but that wouldn't be something that the preventative maintenance would take care of anyway. So, I think they're very careful in the way they install those, so probably chances of that are pretty nil. But I am confident that our sewer system is working and flushing itself pretty regular like... And we do have the truck and the trucks going to get out and start being used on a regular basis in a routine so that it keeps everything flushed all the time, but

right now we're not having the problem with the sludge build up. So, that's the only difference, there.

Council Member Laraway Do you know if the truck... do we use a camera?

Mayor Stear I'm not sure if they use a camera with the Truck or not? I think the only time they probably use a camera is if there was a plug up or a problem. I think the main reason for the truck is used to wash. But since things aren't sitting stagnant the lines that... so the ones that we probably have the most problem with and smell would be stormwater drains and ACHD takes care of those, and they bring out a back truck and wash those out. Every once in a while, people will complain that they smell, and it's because of stuff sitting stagnant in the Storm drains, but ADHD takes care of them. We have actually gone out and helped ACHD a couple of times because they got behind and we have some lines that stunk so.

Council Member Biggs So the DEQ are they... Do they come out and when they do their annual, I guess their... where this whole report came from. Did they come out and visually inspect and use cameras and stuff like that each year?

Mayor Stear Not that I know of. I don't think so.

Council Member Biggs Because I know we send samples and stuff like that to their leave to our lab, if I remember right, as part of that program. But as far as actually inspecting the lines every year, we have eyes on that every year and that's...I guess wasn't sure if we wait for trouble spots to pop up because or if there's indications that we can get something like that.

Council Member Laraway Reactive.

Council Member Biggs Yes. And I'm not a, you know, we just had a water main break over on...Or I think it was water main...

Mayor Stear That was hit by construction equipment.

Council Member Biggs Okay. Good. I did not know that.

Council Member McPherson Just for conversation too, why don't you ask about number of feet of sewer main or number of miles. Project I worked on two years ago in March. So, March of '21 we had 37.75 miles of forced sewer main,100.61 miles of gravity sewer mains. Granted, that was two years, two and a half years ago.

Council Member Laraway So 137 total?

Council President McPherson Roughly. Yeah, 138. Yeah. So, but obviously it's been added to since then, but that gives you a ballpark the majority of its gravity and, you know, obviously set to flow, so it helps, like Mayor said with the clean... self-cleaning of itself but there you go.

Council Member Laraway Thank you.

Mayor Stear And I do have a meeting with the school district and developers coming up next week and we're going to Talk through issues and see if we can come up with some solution for developers helping out. Before that gets anywhere out.

Council Member Biggs I think it was brought up. I don't remember who it was, mentioned last meeting about a possible sewer workshop, kind of a thing, education for us would be very much in favor of that. I mean, the wastewater plant is very impressive to go and see you in person. I'd like to see some of the rest.

Mayor Stear Okay.

Council Member Biggs We can work that out with Mr. Stevens to hopefully see that soon.

Council President McPherson His crew can put on a great show for you and display.

Council Member Biggs And drive the truck.

Council President McPherson And drive the truck.

Council Member Laraway And show you how to use that vacuum truck.

Mayor Stear Well, the Statesman did an article here a while back about our wastewater plant and staff met with them last Thursday or so and they were very satisfied when they left. All their questions have been answered and everything they were concerned about was addressed so; I see no reason if Council wants to do that same kind of a thing. We can do that or whatever level you want to get to...

Council Member Biggs Our hats and gloves.

Mayor Stear and Boots.

Council Member Biggs PPE.

Council President McPherson New boots.

Council Member Bruce I don't have anything else.

Council President McPherson Nothing?

Council Member Laraway Back to the case at hand.

Council President McPherson To me it's a good fill in project and it helps the traffic by way of fixing that bad stretch of road, that's my opinion.

Council Member Biggs To me, I still think we have a responsibility to partner with the school district as much as we possibly can and help them, and I just don't like stacking on top. Pushing more kids into a situation. That's becoming less and less controllable. I mean, they're doing a great job right now, but who's to say? In two years, if a bond doesn't but bond fails again. Where will we be? I've seen the numbers; the numbers don't lie.

Council Member Bruce We have the most control at annexations and rezones. Once we annex it. It's just checking boxes, I said. Once we annex it, we're just checking boxes, right? That's 6000 houses that we've already annexed into the city that haven't been built, roughly. Let's say it's 5000. Right, 4000.

Mayor Stear Well, a lot of those were annexed years ago too, so.

Council Member Bruce Right. I mean, I'm not... That's... I get it right? I'm just still saying it's they're there, so.

Mayor Stear Okay, somebody ready to make a motion?

Council Member Bruce What do you think, Mr. John? I mean. I get it it's 17 houses, but I think we need to really take a bigger look at some of the long-term effects of what our plan is. What do we really want Kuna to look like? All right, what's our goal in the future? Because we can make arguments all day long and keep pumping it on there. But you know when you get into the hundreds of houses.

Council Member Laraway Hopefully when they do that future land use map that we've been we're redoing and look into that.

Council Member Bruce Address some of that.

Council Member Laraway That will give us a better picture.

Council Member Biggs Well, this does meet the spirit of the future landings map are variables also: sewer, schools, water, whatever.

Council Member Laraway Well, and what also is allowed I mean.

Council Member Biggs Next, yeah. Well, I'll make a motion that we deny 22-13-AN and 22-18...

Mayor Stear Just annexation.

Council Member Biggs Oh, okay, just annexation.

Council Member Bruce You want to deny it?

Mayor Stear Okay, we have a motion. Do we have a second?

Council Member Bruce Hold on one second.

Mayor Stear I'm sorry, did you say a second?

Council Member Bruce I said hold on one second.

Mayor Stear Okay you said hold on one second.

[Laughter]

Council Member Laraway Technically, he said second.

Council Member Bruce Once. Yeah. Hold on. I, yeah, effectively did, but there were some words before it.

Council Member Laraway I mean, look at it this way. Also, at least they're putting R-6 and an R-8.

Council Member Bruce I just think there's a bigger problem overall. I don't know necessarily this one. You know, this is the one to...

Council Member Biggs I agree with that.

Council Member Bruce And this one's, I mean, it's backfill that...

Council President McPherson So no second from you?

Mayor Stear So if Council would like to, you can also table this to a date certain and gather more information if that's what you'd like to do.

Council Member Bruce I mean, I actually I just have concerns about like what John said, right? We don't really know. I know you said that sludge is not... We haven't noticed it yet, right, but. But we don't know, we haven't. Has it been looked at? Right? Really, the answer is no. We know it hasn't been.

Council President McPherson But we'd know if there was a backup. That's the thing.

Council Member Bruce I mean, yeah, that's the thing. If it breaks, we'll go fix it but... You want to table it? you want...I'm not going to second at all.

Council Member Laraway We don't have a second.

Council Member Bruce Yeah.

Council Member Laraway So I make the motion that we approve case #22-13-AN annexation and 22-18- S Supplementary Preliminary Plat.

Council President McPherson I would second that.

Mayor Stear Okay. So, the first motion died due to the lack of a second. The current motion is for approval, and we do have a second, is there any further discussion? All those in favor say aye.

Multiple Speakers Aye

Mayor Stear Any opposed?

Multiple Speakers Nay

Mayor Stear So we have a split vote. Well, I think that we have enough concerns from Council here that makes it very hard for me to approve this. I think until we until we get some more questions answered, I think that my vote then would be to deny. So, I will vote nay on that.

City Clerk Nathan Stanley Mayor, can we do a roll call vote on that?

Mayor Stear Yeah, let's go ahead and do a roll call.

City Clerk Nathan Stanley Council Member Bruce.

Councilmember Bruce Nay.

City Clerk Nathan Stanley Council Member Biggs.

Councilmember Biggs Nay.

City Clerk Nathan Stanley Council Member Laraway.

Councilmember Laraway Yes.

City Clerk Nathan Stanley Council President McPherson.

Council President McPherson Yes.

City Clerk Nathan Stanley Mayor Stear

Mayor Stear Nay. Do we need a subsequent motion then?

Council Member Bruce That fails.

Mayor Stear That motion was actually failed.

(Timestamp 00:53:50)

Motion To: Approve Case #22-13-AN Annexation and Case #22-18-S Supplementary Preliminary Plat

Motion By: Council Member Laraway

Motion Seconded By: Council President McPherson

Further Discussion: None

Voting Aye: Council Members, McPherson, Laraway

Voting Nay: Council Members Biggs, Bruce, Mayor Stear

Absent: None

2-3-0

Council Member Bruce Yeah, so. If we want to research it more, we could just.

City Attorney Marc Bybee So the yeah, I guess, because I think mayor, you might have said deny is I can't remember, but sorry Mark Bibby, City attorney, so the motion was to approve. And so as of right now that didn't pass and so no action has technically been taken, it hasn't been approved, it hasn't been denied. That's where we're at. So yes, the new Motion would be needed otherwise, otherwise this would need to be tabled for further hearing for more information or a new motion for an alternative outcome needs to be made.

Mayor Stear What would it take for Council to feel better about all this? We want to take a look at sewer system?

Council Member Bruce That's what I want.

Mayor Stear Do we want to talk to the school district to wait till after that meeting to see what is determined?

Council Member Bruce When is that meeting with you?

Mayor Stear 28th, I think.

Council Member Bruce Of December or this next week?

City Attorney Marc Bybee Sorry, Mark Bybee, city attorney. So obviously there's conversation going on about sewer capacity. That's seems to be a concern. You're talking about this site visit. When you're considering an application, you need to be considering facts that have actually and evidence have been presented into the record. And so, the thing I'm trying to capture, if that's essentially becoming part of this hearing, somehow that needs to be captured. If not, it needs to be presented. Something needs to be presented here as a report. I'm a little concerned that we're creating a situation of facts that will be considered, you know, by going to the site visit for this particular application that cannot later make it into the record. Does that make sense? And so.

Mayor Stear Yeah, and that that's what I was trying to come up with a clear direction. If we want to table it, maybe they don't want to, I just want to I mean... So, we need we either need a motion for denial or if you want to table it for some more information just to give direction on what that is. If you want a little clearer vision on what the sewer looks like and then maybe, you see what comes out of the school district developer meeting.

Council Member Bruce And then we would just figure out a way to capture that information too.

Mayor Stear And then we can bring that as a report to the date certain that we table this for and then you can make a determination that way.

City Attorney Marc Bybee Mark Bybee, City attorney, so. Well, that... I'm thinking of like an analogy to like a criminal case, you know, before a jury. If you take the jury to do a site visit, they go there and the whole thing has to be recorded and captured and made part like that. They're all receiving the evidence together. And the thing that's tough here is we have this, you know, duty to deliberate in public, open meetings and we have, if we do this site visit and it's actually towards deliberations towards the decision of this application, if that's the sole, you know, the purpose behind the site visit. I don't know how we do that other than through a public hearing, as otherwise maybe the other mechanism is to record the entire thing and to present the video recording of the site visit as an exhibit that's maybe the best next best thing I can come up with. But it's a challenge because you that's from what I'm hearing, this is the purpose is to make this, you know, evidence that we consider in regards to this application. How do we capture that and at the best I can think is either it's a public hearing that we're, you know, recording the whole thing or.

Mayor Stear Well, I think basically what we're looking... what I would suggest is not wouldn't be a site visit, it would be report on findings for the workshop to what the sewer system is. And what Council gets out of that so we can have a report on that and then a report on any findings that may come from the meeting with the school district. So wouldn't really be any site visits or anything like that. It's just a matter of we're having a meeting. We captured the result of that meeting and then we the workshop and capture the results of that workshop.

City Attorney Marc Bybee And so Marc Bybee the city attorney. The thing I would just say when you said we're having a meeting, I just quantify who the 'we' is or identify who the 'we' is in that and whether we're. Yeah, who is that? Is that the Council? Is that staff with other staff?

Mayor Stear School district developers and my staff.

City Attorney Marc Bybee And sorry, that's the school district, what with regards to the sewer facility.

Mayor Stear So that would be set up through Public Works and Council Members.

Council Member Bruce Probably one or one or two councilmen.

City Attorney Marc Bybee And it doesn't violate like if you wouldn't have a quorum there, so you would be able to deliberate, but it's still.

Council Member Bruce And, we would bring that report back to Council, but you're saying.

City Attorney Marc Bybee That yeah, we need an accurate report of what's actually gleaned from that, that can actually be part of the record. Like applicants, have the right to respond to, you know, evidence, put it in the record. That's being considered against our application. That's the point I'm trying to make, and so the quorum thing solves it, that we'll have a public meeting. But if that's going to be introduced, we have to have something introduced into the record that the applicant actually has the ability to respond to if it's going to be relied upon for decision making. If this isn't going to be relied upon for decision making, then I mean, I don't see how it helps with this. Application at all to do anything with the sewer. It's just kind of a field trip to delay this as opposed to actually getting towards the outcome.

Council Member Bruce And when you maybe when you deny this project what does it take to bring it back before Council?

Mayor Stear They have to start the application process over, which means they have to spend whatever the fee is for Dollar 1500 bucks or something which little spending, I think, and they have to go through the whole process again by three planning and zoning and so that was that was my thought is if you want to get some more information that would possibly preempt them from having to do all of that extra. Then maybe that's the direction where I go. Maybe the results won't be anything that satisfy what you want to do anyway, so.

Council Member Biggs So Marc, if the outcome desired specific to this, the connection to the overall system health, I guess that's our concern is that a valid reason?

City Attorney Marc Bybee Meaning, if you're sewer system, it doesn't have capacity to serve development. Is that a valid reason?

Council Member Biggs Or, the health of the system by, you know maintenance required or whatever.

City Attorney Marc Bybee And it'd be like I think that could be a valid issue in approving or denying an application, just like depending on if it's actually adding users to the system actually

aggravates or increases the problem. It is kind of the way I'd be looking at it and so I think you're getting that stuff that maybe it needed a report like as opposed to a site visit Is it a report about the quality of the system? It doesn't necessarily like, I think. Going into a site visit would inform you on how the system works, but I think you're looking more of an expert opinion on the health of the system and whether additional units and if it's unhealthy if that increases the stress. If that increases the operations, or if it's actually like what the effect of that really would be. Because I yeah, I've learned stuff about sewer systems that have kind of surprised me. As far as adding users and the impact that really has, it isn't kind of what I necessarily assumed it would be.

Council Member Biggs Well, I guess I'll just use an analogy, you know or one that probably I can drive my car probably 15, 20 thousand miles before I had to change the oil, but I'll bet something happen wrong. You know, if I don't, if I'm not in there cleaning the pistons and everything with the new oil and cooling and all that other stuff is going to it could possibly that's I guess that's where I guess I'm implying where we're kind of going with that. I don't want to speak for y'all, but.

Council Member Laraway No, I guess.

City Attorney Marc Bybee I guess it just gets to the issue is that maintenance problem like is it a reason to deny the application or is it a reason to maintain your system you know does the does the new user actually increase the problem or make or somehow you know if we add this user that that's That the maintenance... That, that somehow aggravates the maintenance problem. That's really what I'm asking. I don't know that it does. If you got to maintain your system, you got to maintain it regardless of the number of users. You always have to maintain it.

Council Member Laraway I don't know how to word it.

Council Member Bruce You what?

Mayor Stear Well, that's a valid point. I mean if the sewer system is it, then we need to look at maintenance, rather than denying the application because of that.

Council Member Bruce Right.

Mayor Stear So, that leaves them the school district as the main issue.

Council Member Laraway And no offense, but the sewer system is more important to me. No offense.

Mayor Stear Well it is, but do we deny this because of maintenance, or do we take care of the maintenance problem? Because this has nothing to do with the maintenance.

City Attorney Marc Bybee Sorry, Marc Bybee, City attorney again. Maintenance is something that's important to understand with sewer systems as well. They're operated on an enterprise fund which is a fund like the fees for the system are designed to operate and maintain the system. They're not designed to grow it, and so when you look at it, the responsibility for maintaining the system as it exists today isn't the responsibility of development. It's the responsibility of the current system users. That's why we collect fees; it's an entire separate fund, separate from the

city's general tax fund. It's the fee balance that comes from actual user fees. That and that there's law. There's quite clear case law that those funds must be used towards maintenance of the system, not expansion. And so, when we get into expansion, that's what development typically pays for. System maintenance is the responsibility of the users of the system.

Council Member Bruce I would not like to tie this this applicant up into all that. I think that, you know, on the face value, he's met the requirements of what he needs to. It's not an exceedingly huge project. Maybe we approved this one, but then take the needs. Take the everything that we've discussed under advisement and really make ourselves comfortable with the next one that comes up so that we know in the future where we stand.

Council Member Laraway I think that, that's kind of where I was going when I was speaking is I don't know about this particular one because we I offered to approve it, but I think my words are a salvo of what the future developments that are coming this way, they're that big to where we always have to have the developer add in pumps and on the side and I understand that's your responsibility, but how does that affect our system and the health of it And the maintenance of it. the Clinton inspections that are done and if they're done yearly, are they done every six months? How many of that 130 something miles are being cleaned? That's my concern. This one right here isn't going to concern me that much. That's why I went ahead and made the motion to approve it. But I think the comments that we're having and the conversations that we're pushing forward I think we all have some concerns That's where I'm going with this.

Mayor Stear Okay.

Council Member Laraway I've said enough.

Council Member Bruce I'll change. Let's move this one forward in my opinion.

Council President McPherson Okay then. Mr. Mayor, I would move we then approve case 22-13-AN and 22-18-S with the conditions listed in the staff memo.

Council Member Bruce I'll second it.

Mayor Stear Okay, we have a motion and a second. Any further discussion? All those in favor say aye.

Multiple Council Members Aye.

Mayor Stear Any opposed?

Council Member Biggs Nay

Mayor Stear That motion carries.

(Timestamp 01:08:35)

Motion To: Approve case #22-13-AN and #22-18-S with conditions

Motion By: Council President McPherson

Motion Seconded By: Council Member Bruce

Further Discussion: None

Voting Aye: Council Members, McPherson, Laraway, Bruce

Voting Nay: Council Member Biggs

Absent: None

3-1-0

7. Business Items:

(Timestamp 01:09:13)

- A. Case No. 23-08-TE (Time Extension) for Ewing Meadows Subdivision Preliminary Plat – Jessica Hall, Associate Planner **ACTION ITEM**

Mayor Stear All right, business items case number 23-08-TE Time extension for Ewing Meadows. Jessica Hall.

Associate Planner Jessica Hall Good Evening, Council and Mayor. Jessica Ree-. Oh, I'm not used to my new name yet. My apologies, Jessica Hall. 751 W 4th St. Kuna. So, before you tonight is a request for preliminary plat time extension. It's pretty straightforward. This plat would not hit its expiration date until December. So, they're making a preemptive request to go ahead and get that extended while they are finishing up their review process. It is currently under review. So, if you have any questions, I can answer those.

Mayor Stear Okay, questions for Jessica?

Council Member Laraway Is this the first extension?

Associate Planner Jessica Hall Yes, Sir.

Council Member Biggs And, what is it that they're reviewing?

Associate Planner Jessica Hall So it would be reviewing the plans themselves for the first plat Am I correct? The civils for the for the final platter under review.

Kuna Planning and Zoning Director Doug Hanson For the record Doug Hanson. Kuna Planning and Zoning staff. That is correct. They are in civil plan review with the Public Works department, currently.

Council Member Biggs So, I guess the reason, they said, was because of the housing market isn't so good.

Associate Planner Jessica Hall No, I wouldn't say that.

Council Member Biggs That's what they said.

Associate Planner Jessica Hall I mean, bad, bad wording for sure. You know, they've been diligently working on getting it to the point for review. Other than that, I don't have answers for you for what their reasoning would be.

Mayor Stear Does that matter though? I mean it's just a time extension.

Council Member Biggs I mean, we've had hundreds of this first time. Either some was brutally honest that they said because the housing market or other people are just, you know Honestly, I think. The market, maybe they go back through the process beginning. They're not ready because we're going to have another recession. I don't know we do these all the time and usually for materials or whatever, this is the first time I've ever seen one that says because the housing market and we all know the housing market isn't lively. But is that a reason to just keep throwing, kicking the can down the road?

Council Member Laraway It's called a bad investment.

Council President McPherson Well this one.

Mayor Stear Marc, yes.

City Attorney Marc Bybee Marc Bybee, City Attorney. Council Member Biggs. I know you brought this up before on these previously and for me it kind of rings that maybe something needs to be looked at as just the ordinance under which we approve these extensions. And maybe adding criteria because I know when we've talked about this previously, it's fairly vague and ordinance when I hear you bring this up, I think maybe this is something that deserves some attention as to what the criteria looks like, what the standards look like for approving this. As opposed because the last we spoke about it there wasn't really a list of criteria. So, I think they just sling out anything and that's what you're seeing. And so, maybe it's on us as a city to say, maybe we need to clean up our ordinance to say what we're actually looking for on approving or disapproving these, because if we just all of a sudden start denying them, it's like, are we being arbitrary or are we actually basing it on some criteria?

Council Member Biggs There was a massive project in Meridian, and I understand developers back out. I mean that's that was millions of dollars. They just back right out and now Meridian's trying to figure out what to do. So let the city and hardly This isn't obviously the same thing, but it's something to consider.

Council Member Biggs Well, it also, I guess you're going to speak up at me when I say this so get ready. I guess at some point in time when they start asking for these time extensions, if there was...I hate to use the word legitimate reason, but this is basically because nobody is buying houses, so we don't want to invest and put money... I guess, why can't their EDU's, why can't they fall off the list and go to the bottom of the list now instead of us holding those EDU's?

City Attorney Marc Bybee Council Member Laraway, I know you're looking at me, so this is Marc Bybee...

Council Member Laraway Because I'm waiting for you to yell at me.

City Attorney Marc Bybee Are you hoping I chime in or were you to look into asking me a particular question?

Council Member Laraway I just want to ask if what I'm saying is legal. I mean the companies come in here, we want time extension because we're not ready to invest, but yet they're tying up EDU's that we've promised them.

City Attorney Marc Bybee Yeah.

Council Member Laraway Maybe we should put them lower on the list and get the EDUs to other people. Does that make sense?

City Attorney Marc Bybee Yeah. And so, if you were to... if you were to deny it, you wouldn't be. I'm air quoting this "like, putting them lower on the list." But it's you're not like you're not putting them lower on the list, you're completely disapproving their application, essentially. They're removed from the list entirely, and so that the only way they get back in line is to restart the planning process. And so, it's. Yeah. That's the effect of denying one of these and so that's why I kind of get back what I'm saying to Council Member Biggs, do we need to take a look at what our criteria is for this? Because in any government decision making, you should not be arbitrary. Like, that's something that governments always need to avoid. There needs to be criterion reasons for why they're making a decision, you know, and it's if we need to improve the ordinance on this as to what it looks like and why we approve them or disapprove them, I think that's an approach we there's something we that warrants a look especially because this conversation keeps happening. It feels to me like this need's attention in code so that you guys have standards to apply and so that the applicants have standards to look at when they're actually submitting their application. You know, because they're coming up with any reason because we haven't given them the reasons that even matter, right or the ones that won't help them.

Council Member Biggs Or some sort of legal standing, I guess.

Mayor Stear Well, the good news is that means they are not building as quickly.

Council Member Laraway That's true.

City Attorney Marc Bybee I think right now the standard is really you have to request it by a certain time frame and if you request it then we don't have standard for how we review it once it's requested in the time frame. If they're late, you deny because they're late.

Council Member Biggs I mean, there's a possibility also. So, if we if we didn't hide it, they have to start over or they could just back out completely.

City Attorney Marc Bybee That would result in...if they if you deny any plan extension, the plat expires. It's no longer a plat, so they have to reapply and start over is what would be the result.

Council Member Bruce And I think that it's something we should look at. You know we can extend this one, but it's probably something we should look at as a whole.

Council Member Biggs I agree. The local work with Doug on that one probably against the wording for that has some standards.

Council Member Bruce Lucky Doug.

Council President McPherson Okay.

Mayor Stear Okay.

Council President McPherson I would move we approve case 23-08-TE.

Council Member Biggs Second.

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

Multiple Speakers Aye.

Mayor Stear Any opposed?

Council Member Laraway Yeah, that'd be me.

Mayor Stear Okay, and that motion carries 3 to 1.

(Timestamp 01:16:12)

Motion To: Approve case #23-08-TE

Motion By: Council President McPherson

Motion Seconded By: Council Member Biggs

Further Discussion: None

Voting Aye: Council Members, McPherson, Biggs, Bruce

Voting Nay: Council Member Laraway

Absent: None

3-1-0

- B.** Consideration to approve \$108,033.31 from contingency for the completion of the Kuna-Meridian Road Highway 69 Corridor Study – Doug Hanson, P&Z Director **ACTION ITEM**

Mayor Stear Consideration to approve \$108,033.31 from contingency for the completion of the Kuna Meridian Rd. Highway 69 corridor study. Doug Hanson.

Kuna Planning and Zoning Director Doug Hanson Mayor and City Council Members for the record, Doug Hanson Kuna Planning and Zoning, 751 W 4th St. Kuna. Council approved \$362,046 for work to be completed on the Kuna, Meridian Rd. State Highway 69 corridor study with a completion date of October 1st, 2023. A total of \$254,012.69 was spent through October 1st, 2023. The target date for completion was unable to be met and funds were not appropriated within the adopted 2024 budget. Staff requests the Council approve the remaining \$108,033.31

from contingency for fiscal year '24 for completion of the study. I will stand by for any questions.

Mayor Stear And so when things aren't done in the timeline that are requested in the budget is approved for, to keep things clean for the audit, they go back into the budget again and then they have to be re-requested so that keeps the audit clean and We don't look like we're shuffling and stuff around by bringing it into the next budget year when it was approved for the budget year before. So basically, the work didn't get done on time, and so that's why it's moving forward.

Council Member Bruce I have a question.

Mayor Stear Okay.

Council Member Bruce For Jared. If the funds aren't used by the end of the time, don't those roll over these not on the same level as that for the budget?

City Treasurer Jared Empey Councilman Bruce, so a budget is for 12 calendar months. And so, if a project is not completed within those 12 calendar months. The appropriation for those projects and those funds that are tied to that expire. And so, there's really only two mechanisms for reallocating for, for getting that funding. One is to do a contingency request and the second is to do an amended budget and so because of the difficulty in doing an amended budget, you'd have to hold budget hearings and due to the difficulty in that, the process that we have developed is to do the contingency request format and so to answer your question succinctly, when a fiscal year concludes the funding that's approved for that project also expires.

Council Member Bruce Thank you.

Mayor Stear Okay.

Council Member Biggs No contingency. We use a lot of contingency funds. Maybe I don't know about comparatively, but many times we've done it. It's not something I'm used to, probably being a federal guy, we don't have contingency funds.

Mayor Stear Yeah

Council President McPherson Okay I would move we approve the \$108,033.31 from contingency for the completion of the Highway 69 corridor study.

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? That motion carries.

(Timestamp 01:20:04)

Motion To: Approve Contingency Funds

Motion By: Council President McPherson

Motion Seconded By: Council Member Laraway

Further Discussion: None

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

Voting Nay: None

Absent: None

4-0-0

C. Annual Budget Update – Jared Empey, City Treasurer

Mayor Stear Annual budget update, Jared Empey

City Treasurer Jared Empey Good Evening, Council and Mayor. Before you, I presented in the packet a report showing the combined cash and also a report with the budget results. They're about 98, 99%. Complete. However, when I submitted that report, one of the parameters was slightly off and so I delivered to you an updated format that was correct for the budget analysis. To start off, I think it'd probably be best to take a look at the combined cash in statement. So basically, this is kind of like a simplified balance sheet in the sense that it shows which funds have cash allocated to them, where the accounts reside physically, at which institution. As you can see, many of the funds have a healthy amount of cash allocated to them.

I want to point out specifically, since one of the conversations specifically was about sewer fund. When I came on five years ago, roughly, the sewer fund only had about 6,000,000 and that was the service, I believe \$30 million worth, if not \$40 million worth of infrastructure. So, that said, the Sewer fund has grown tremendously and that's thanks to some of the Council Members and the Mayor in 2020 that went through the rate study and really redid that to be able to make that fund much healthier. In the past, prior to 2020, we weren't even capturing depreciation. However, now we are very healthy, and the sewer fund is thriving financially. Then to go over the results, kind of within the income statement, as I always tell you Council that I was always told that you should make the top number bigger than the bottom number. You know, it's pretty simple to be successful in life financially that said, whenever that isn't the case, it warrants an explanation. And so, at the end of each fund you'll find what the what the essentially, the cash position was in that fund. So, for instance, in the general fund it was negative 3.7 million.

The Grant fund was 306,000. The latecomer's fund was 230, and so on. However, the General Fund the reason for it being -3.7 million was because the ARPA funds that we received a couple of years back transferred back over to the grant fund. So, you'll see that the grant fund was used to fund those ARPA funds were used to pay for a sizable portion of the Ten Mile force main. That was, we used approximately \$3,000,000 for that and also used \$1,000,000 to reline one of our pawns out of the lagoons. And so, when you back out the 4.8 million of ARPA funds. That was simply transferred back and forth from the grant fund to the from the general fund. The General

Fund is actually 1.1 million positive and the reason for that is because of 691,000 of interest and investment income that was earned during fiscal '23, which is much higher than we had experienced in the past due to rising interest rates and due to positive investments, that were made through U.S. bonds.

Also, it was due to about 337,000 in in police impact funds that were used to pay back the General Fund for its investment in building the police station and also about so actually was 273,000 that was used to pay back the General Fund and also 64,000 for the cash bond default that you voted on earlier in the, I believe it was in June or July. And so, as I said, really the general fund is actually positive for the year that the negative number is really just due to timing and when those ARPA funds were moved back and forth. Then, as I said, the grant fund was positive 306,000. The 306,000 is opioid money that we received that can be used for making presentations and also mitigating the usage of opioid pharmaceuticals and other things improperly we have we still have about 14,000 in that settlement that we received. There was 25,000 that we received from Ave. E for phase one that was received after the year end that we couldn't count in fiscal '22.

And then for Orchard Crossing we have we're still positive 269,000. We'll have construction costs on that, but that's what makes up the 306,000 in the grant fund. Then, in the latecomer's fund, we're positive 230,000. One thing to consider with this fund is that in the future? We have approximately 6.3 million in obligations that are not guaranteed to developers as a consequence of them receiving reimbursements. 4.9 million for Falcon Crest related projects and 1.4 million in Ten Mile Force main projects. In the past, we tried to pay those off as fast as possible. Lots of times we try and pay them off with between one and three years. However, it may turn into where some of these are four and five years, just depending on when the economy picks back up. The last I looked it looks like the building permit revenues picked up a little bit; however, it's too early to really say how things will end up for the year because we're only in November. Then the water fund the water fund we're positive 867,000. The depreciation, that's the most important number that I track that's not figured into this report, but that depreciation in the water fund is 815,000 every year and that's really the money that you have to focus on when it comes to enterprise funds is depreciation. In other words, the recapture of that cost of infrastructure that you've put in. And so, we're meeting our obligations there with depreciation.

Then the sewer fund, when I first came on the sewer fund at times, is losing on a on a GAAP accrual basis anywhere between 3 and 400,000 a year to maybe up to 1,000,000 a year due to unfunded depreciation, however. I think that we've gotten that under control to where even though the system has grown substantially, it actually is a net positive for the sewer fund. That may be counterintuitive because, you know, you think that the more users you bring on, the worse the situation becomes, however. Due to the high investment cost initially into the sewer system, actually the more users you bring on, the more people you can spread that fixed cost out on so depreciation in that fund is a 2.8 million a year and some of those depreciation schedules are pretty aggressive due to inflation. We want to make sure that we're recapturing that as quickly as possible because by the time you have to replace some of that infrastructure, the cost may be double what we did today. And so, I think that we're meeting our obligation when the sewer fund

and the as I pointed out earlier, the Sewer Fund now has 14,000,000. And when I started it was approximately 6,000,000. Then the Irrigation Fund Irrigation Fund was a positive 1.1 million. Depreciation isn't as big of an issue in the Irrigation fund because the infrastructure is not as expensive, and the sewer fund it's a big concern to always fund depreciation and never get behind the 8 ball. However, in the irrigation fund, depreciation is approximately 400,000 a year and so we're well within our... within a safe margin there.

The solid waste fund. The solid Waste Fund is essentially a franchise agreement that we manage the accounting for with through J&M. As you can see that fund was positive for the year and in which we receive about 10% of any receipts or payments that are made and we and distribute that on a weekly basis to J&M their portion. And so essentially, they get 90% and we get 10% of any payments that are received, so that one looks very positive, and growth definitely plays an important role in that. Then the governmental fund, the Capital Project Fund. Fund 40, this one was negative because we used \$139,000 of funds that were previously already transferred to that fund so that one is a actually a fund that's a net zero. That's essentially that fund receives transfers from the General Fund and also sometimes the Park Impact fund. For instance, we used this fund to pay for the Rising Sun Park that we purchased over the summer as part of a reimbursement program with the M3.

Then the park Impact fee fund. This one's also negative; however, the reason for this one being negative is because if you don't make... if you don't spend the money within a certain amount of time, those amounts that are received sunset and the law becomes a little murky as to how you deal with that if those sunset, I believe it's eight years and then it's possible that you may have to give those back. And so, because of this, it's always important to use these on projects that the Community needs and wants. And so, so far during the so during fiscal '23, we used these for three projects essentially. We... actually it was, it was a few. Sorry I should. So, we had... we purchased a mini excavator that's used through the parks that was budgeted for, for 116,000. The Rising Sun Park was perched... was reimbursed at approximately 1.3 million and I think that park looks pretty good. It has a lot of amenities and I think will be a great asset to the community in the future. We spent a little bit through Ashton Estates to do some minor improvements there. That was 10,500. Then Zamzow's Park we've spent during fiscal '23, 715,000. We use that money too, for equipment, some small equipment purchases to do the development, rental equipment, supplies, everything that's required to develop that park. And then we also refunded 92 thousand for the Sadie Creek Park. The deal with that one was that we refunded the impact fees that were paid for that development, and I believe that was in the development agreement for that particular park. So, all positive developments on account of that, we have essentially 2 finished parks or near finished parks in Sadie Creek Park. Although it may be a little rough around the edges, I think Bobby's team will do a great job in getting Sadie Creek Park looking amazing. Zamzow's Park is the second one, and then the third Rising Sun Park, so essentially 2 finished or near finished parks and one that's in progress. So I think that's great use of those funds.

Then as I said, the police impact fee fund. Whatever money is received from here on an annual basis for the near term will get transferred back to the General Fund to pay back the General

Fund for its investment in the police station, the police station as of my last count had about \$2,000,000 in cost over a couple fiscal years and so with the impact fees that have already repaid that that balance remaining is about 1.5 million. So, I think that that looks really good and hopefully within the next 7 to 8 years or so, we should have that paid off, depending on building activity.

Then the final fund is the urban renewal district. Obviously, these are separate, separate entities but I think that the Council should still be aware of where the urban renewal district sits. For fiscal '23, we had a positive 368,000. It's not really having very many expenses yet, just some minor administrative costs. However, in the future it's expected to be a useful tool to increase development and make some needed improvements. In the city core with the West District and then the East District out in East Kuna and the development in the industrial zone. And then for fiscal '24 though, just as a point of reference, the West District is expected to have a levy of about 465,000 in the east since its first year and didn't have much of an increment. We'll have about 9000 an increment. So, I think that the urban renewal districts will start having good increment and we can get some good projects out there and I'll stand by for any questions you may have.

Mayor Stear That's good.

Council President McPherson Thanks, Jared. That's always interesting where we're at numbers and how we've grown the funds to self-sustain ourselves. Thank you for the update.

D. Consideration to approve Danskin Contingency Request, Paul Stevens, Public Works Director ACTION ITEM

Mayor Stear Consideration to approve Danskin contingency request, Paul Stevens.

Kuna City Engineer and Public Works Director Paul Stevens Paul Stevens, City of Kuna, 751 W 4th. Requesting a contingency fund of \$268,364.75 and a reauthorization of 650,000 from last year's budget to pay the Danskin Irrigation Fund work that has finally been performed and I will stand for any questions or sit for them too.

Mayor Stear Okay, questions?

Council Member Laraway yes, Paul, if you could explain to me. We went out and we contracted with somebody to do a job and I don't mean to be snarky about this, but when did him not being able to finish his job cost us? It was his bid. He said he was going to do X for this amount. He couldn't finish. Now we're having to pay him more.\

Kuna City Engineer and Public Works Director Paul Stevens John, John has not actually correct. In our '21 to '22 budget cycle we had \$1,000,000 set aside for Ashton Pond, which we moved to the Danskin pond to go with what we already had was a \$400,000 carryover for that pump and the bid at that time was 1.2 million and it was DB development, and this is a leftover project from actually Gordon and so they said they could do it for 1.2 million. And so, we moved that money over, fully expecting them to complete the project in '21, '22. But as you know,

there's been a war and a few other things, and we could not get, they couldn't get the pieces and parts or people to work on the project. So, things have finally slowed down a little bit. So, we were able to get them working on it and we fully expected them to complete the project in 2023 in the 2023 cycle. And so, we said it thinking that it would be about a 50/50 split between the '22, '23 cycle. We put about 650,000 in for this year, for '22, '23 to go with the '21, '22 money, but they were not able to finish, and they just finally have finished. They have a little bit of cleanup left to do and it's going to be a functioning system, so it's didn't go up. It's just that the monies got moved around such that it looks like that.

Council Member Laraway Thank you.

Kuna City Engineer and Public Works Director Paul Stevens So we're, we're actually on, we're at...I haven't been able to go back in and check every little box, but I think we're actually a little under budget.

Council Member Laraway Okay, thank you.

Kuna City Engineer and Public Works Director Paul Stevens Sure.

Mayor Stear Okay, further questions?

Council Member Biggs So that all the costs came from, you said it was Gordon?

Kuna City Engineer and Public Works Director Paul Stevens Can you speak up a little bit, Matt?

Council Member Biggs Yeah, the high inflationary rates and the other work, I assume there's labor parts and other things like that...

Kuna City Engineer and Public Works Director Paul Stevens Yes and there was a more sludge in the bottom that we just didn't know about. This is a pond that has been converted from Danskin you they used to have their own sewer plant sort of thing there and it just they just didn't know about that. So, it was an estimate, and it took a little bit more money to get that out of there. But like I said, I still think we're just a little bit under budget overall.

Mayor Stear And so that project did start. I mean that was eight years ago probably, at least.

Kuna City Engineer and Public Works Director Paul Stevens Yes, and that's why DB development is involved. They thought they could do it quicker and more efficiently than the city, and so they wanted to do the job. And that was before I got here.

Council Member Biggs Is this something the city would normally do? I mean, if you had the manpower out your, you know, full manpower and everything like that.

Kuna City Engineer and Public Works Director Paul Stevens We didn't do this though, as far as...

Council Member Biggs Or would you normally do this, I guess?

Kuna City Engineer and Public Works Director Paul Stevens Typically these guys are pretty specialized. They did have to have a line of crew coming because this pond is lined with high density polyethylene, the same as the Lagoons. The new one that we just did and the newer ones and so it's the same type of liner. So, they had to have specialized guys come in and do that and they had to have a specialized, maybe not specialized, but people that were really good at concrete work to do some of the concrete work. So that would be over and above what our crews typically can do. We're pretty good at fixing pipe and laying pipe, but we're not something like this is a little bit beyond us.

Council Member Bruce I have a question, Mr. Mayor, how often does this? Is this? The first time that we've done the sludge removal and how many years does it does it take to get to that point like? Well, we need to do this in another 5 or 10 or?

Kuna City Engineer and Public Works Director Paul Stevens No, Chris. No this used to be a sludge pond for Danskin subdivision. It no longer is there they this is not used anymore. Now it's an irrigation pump so there won't be sludge build up the same.

Mayor Stear So Danskin...

Council Member Bruce Just renovating it.

Mayor Stear Danskin used to be a county subdivision, and they have their own wastewater system and it was put in as a temporary system and eventually they needed to tie into the city. So, the city annexed them in, and this pond was left over from that. We needed more irrigation ponds so that we can not use potable water for irrigation, but actually use irrigation water. So, we needed that storage, so it made sense for the city to have this and turn it into an irrigation pond. That this isn't something normally done. We use the irrigation ponds are built to be irrigation ponds and this was just one of those things that happened because of that annexation. What's that?

Council Member Laraway That's the one the DEQ shut down.

Mayor Stear Well, they were getting too much. We actually had to help start hauling truckloads of waste out of there because it was over full, getting over full and so yes, they would have been shut down. We saved them and so basically, they annexed in so they could hook into our system.

Kuna City Engineer and Public Works Director Paul Stevens Any other questions? I'd be happy to answer whatever you've got, or if I if I can? And this should be a win for the city and for DB development and for Danskin. So, I think it's one of those projects that was well intended and so I think it's good for the city overall.

Council President McPherson Okay, I would move we reauthorized the \$650,000 from last year's budget and add \$268,364.75 from contingency.

Mayor Stear Okay, do we have a second?

Council Member Biggs Second.

Mayor Stear Motion and a second. Any further discussion?

Council Member Bruce I have a question.

Mayor Stear Okay.

Council Member Bruce So this this project obviously was from the previous engineer. Is that what you're saying, Gordon? Is that the previous?

Kuna City Engineer and Public Works Director Paul Stevens Yeah.

Council Member Bruce And so how long has this project been going on? That we started to convert this.

Kuna City Engineer and Public Works Director Paul Stevens Eight years, maybe.

Mayor Stear It was very reliant on the developer. There was a there was a strange. I don't know exactly how to even get there to the way this story worked, but we had one developer starting a new development. We had the county development. It behooved the developer to take care of some of these issues so that he could develop that pawn got involved. That developer was supposed to take care of a lot of that. We ended up waiting for years for this because of the way. Because of the way the public works many years ago set up that contract, they didn't put a timeline on it, and so the developer took his time and it's been like pulling teeth to get this project done. Paul's been as insistent on getting it done as He possibly could. It was still reliant basically on them taking care of a project that needed done and we didn't have any teeth to make them do it any quicker, so that's kind of how this one happened that I would certainly hope that doesn't ever happen again, but.

Council Member Bruce Yeah, I don't want to be in this position again, I think if...

Mayor Stear Yeah, that's many years ago.

Council Member Bruce If they don't come to do it, then we find someone else to do it and move on. You know.

Mayor Stear Well, it was basically was that developer that had to make this move forward. We didn't have any control over that. So, it wasn't a matter of us changing people to get it done. It was a matter of that developer making sure this project got finished.

Council Member McPherson And we're, I would add, we're much more thorough. This started right when I first got on Council and Mayor was first elected and way too many handshake deals were done then and didn't have, you know, the overlook on the contracts and end dates and penalties if they're not done, which with our legal now we're way better with all that kind of thing. This is just one of those that's lingered on and here are.

Mayor Stear We will have to clean up a mess that's somebody else made.

Council President McPherson Essentially, yeah.

Mayor Stear But we're in good shape now. Moving forward, we have irrigation funds.

Council Member Bruce We sure have... We've said that a lot tonight, haven't we?

[Laughter]

Council Member Bruce You have a first and a second, right?

Mayor Stear Yeah. Any further? All those in favor say aye.

All Council Members Aye

Mayor Stear Any opposed? That motion carries.

Kuna City Engineer and Public Works Director Paul Stevens Thank you very much.

(Timestamp 01:44:39)

Motion To: Approve Contingency Funds

Motion By: Council President McPherson

Motion Seconded By: Council Member Biggs

Further Discussion: None

Voting Aye: Council Members, McPherson, Biggs, Bruce

Voting Nay: Council Member Laraway

Absent: None

4-0-0

- E. Consideration to update City Council compensation. Chris Bruce, Councilmember
ACTION ITEM

Mayor Stear Consideration to update City Council compensation. Chris Bruce.

Council Member Bruce I just wanted to direct Nancy to look at an overview of what the compensation is across the valley. We haven't looked at it in 17 years for council and so I thought that it would be ideal to go over and look at that to make sure that we're all in the same realm as the rest of the valley. I know that you'll have time to do it. We'll look at it at this next budget section and then it'll take effect the year after. So, you have some time to look into it.

Mayor Stear Actually, it would be... You can't do it right after an election cycle it, so it would be two years before.

Council Member Bruce Two years.

Mayor Stear Actually, a year and a half, you could start the discussion, but the law was written specifically so that people can't be put in office and then give themselves a raise.

Council Member Bruce I'd like to know too if there's a process for reviewing it, you know if they go through and have You know, because we do COLA adjustments for other Staffs pay, I don't know what the process is of looking at that 17 years seems like a long time without looking at it. So, I don't know if there's it may not need an answer just.

Kuna Human Resources Director Nancy Stauffer Nancy Stauffer, HR. It hasn't been looked at... as far as I can go back was 2008 because that's when we started using Caselle, so.

Council member Bruce I just wanted it on the radar.

Kuna Human Resources Director Nancy Stauffer Yeah...

Council Member Bruce That's all.

Kuna Human Resources Director Nancy Stauffer And I do evaluate, every two years, all salaries and do a valley wide and I base it off of population. So as, so you know how I choose what cities to look at for their Mayor salary, Council salaries, and Directors and employees.

Mayor Stear In 2015 was the last time that Council discussed it and decided not to do anything with it.

Kuna Human Resources Director Nancy Stauffer Correct.

Council Member Biggs You know, I know I when I saw, so I looked around a little bit just looking at, I looked at Eagle, who's very close in population. Little bit different demographic but very similar like we're only about 2000 people different and Mountain Home which is a lot smaller and Caldwell, Meridian, and I guess you get the point, and star, I think was the other one I looked at and all of them. We are very low on the I guess the lowest For City Council part timers. I'm not saying we deserve it, but it's... I guess, I would be in favor of looking at it. And if there's somewhere that there's, you know, but budget, that's not an additional burden onto the taxpayer somewhere we can move something around. I don't know that can be budgeted. I'd be in favor of something like that.

Council Member Bruce So I don't think there's an...

Council Member Biggs I don't know if there's a budget. If there's not, I'm not going to say fluff, but if there's a budget item that can, that could be brought out of something that something else doesn't necessarily if they don't need, you know if ...

Mayor Stear If you don't increase the levy.

Council Member Biggs Right. Sorry.

Mayor Stear You're fine.

Council Member Bruce Thank you, that's all. Just want it on your radar, Miss Nancy.

8. Ordinances:

(Timestamp 01:52:45)

A. Consideration to approve Ordinance 2023-23A 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

Mayor Stear All right, Ordinances. Consideration to approve ordinance 2023-23A. 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 Valdeen M. Swanson within the unincorporated area of Ada County, Idaho and contiguous to the corporate 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 date. I think this is one that we can certainly can fast track and Greg needs to abstain on this.

Council President McPherson Yep. I'll be out on this one, guys.

Council Member Laraway Mr. Mayor, make a motion that we consider the waiving of 3 readings.

Council Member Bruce I'll second it.

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 carry.

(Timestamp 01:53:42)

Motion To: Waive 3 Readings

Motion By: Council Member Laraway

Motion Seconded By: Council Member Bruce

Further Discussion: None

Voting Aye: Council Members, Laraway, Biggs, Bruce

Voting Nay: None

Absent: None

3-0-0

Council Member Laraway Mayor also consider... make a motion we consider and to approve the ordinance.

Council Member Bruce I'll second it.

Mayor Stear Motion is made and seconded for approval. Any further discussion? Nathan, would you call the Council, please?

City Clerk Nathan Stanley Councilmember Bruce.

Councilmember Bruce Aye.

City Clerk Nathan Stanley Council Member Biggs.

Council Member Biggs Aye.

City Clerk Nathan Stanley Council Member Laraway.

Council Member Laraway Yes.

Mayor Stear And that motion carries.

(Timestamp 01:53:57)

Motion To: Approve Ordinance

Motion By: Council Member Laraway

Motion Seconded By: Council Member Bruce

Further Discussion: None

Voting Aye: Council Members, Laraway Biggs, Bruce

Voting Nay: None

Absent: None

3-0-0

B. Consideration to approve Ordinance 2023-24 ACTION TIME

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 NOS. R8372000058, R8372000055 AND R8372000052, OWNED BY STEVEN WEEKES AND MARGARET WEEKES, 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

Mayor Stear Consideration to approve Ordinance 2023-24, 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 numbers R87, excuse me, R8372000058 and R8372000055 and R8372000052 owned by Stephen Weeks and Margaret Weeks within the 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 effective date.

Council Member Laraway Mr. Mayor make a motion that we consider to waive the three readings.

Council Member Bruce I'll second it.

Mayor Stear Motion is made and seconded to waive the three readings. All those... Any further discussion? All those in favor say aye.

All Council Members Aye.

Mayor Stear Any opposed? That motion carries.

(Timestamp 01:55:27)

Motion To: Approve Ordinance

Motion By: Council Member Laraway

Motion Seconded By: Council Member Bruce

Further Discussion: None

Voting Aye: Council Members, Laraway Biggs, Bruce

Voting Nay: None

Absent: None

3-0-0

Council Member Laraway Mr. Mayor, I make a motion that we approve the ordinance.

Mayor Stear Do we have a second?

Council Member Bruce I'll second it.

Mayor Stear Motion is made and seconded for approval, any further discussion?

Mayor Stear Nathan, would you poll the Council, please?

City Clerk Nathan Stanley Councilmember Bruce.

Council Member Bruce Aye.

City Clerk Nathan Stanley Council Member Biggs.

Council Member Biggs Aye.

City Clerk Nathan Stanley Council Member Laraway.

Council Member Laraway Yes.

Mayor Stear Motion carries.

(Timestamp 01:55:41)

Motion To: Approve Ordinance

Motion By: Council Member Laraway

Motion Seconded By: Council Member Bruce

Further Discussion: None

Voting Aye: Council Members, Laraway Biggs, Bruce

Voting Nay: None

Absent: None

3-0-0

9. Executive Session:

10. Mayor/Council Announcements:

A Thanksgiving greeting by the Mayor

An update on a fundraiser by Council Member Biggs and Kuna Police Chief Fratusco

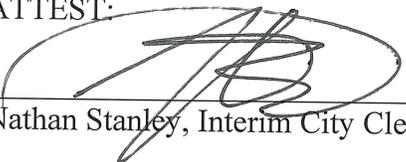
11. Adjournment:

Adjournment 7:58PM



Joe L. Stear, Mayor

ATTEST:


Nathan Stanley, Interim City Clerk

Minutes prepared by Garrett Michaelson, Kuna City Clerk's Office

Date Approved: CCM 12.05.2023



CITY OF KUNA

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SIGN-UP SHEET

November 21, 2023 – Council, Public Hearing

Case Name: Whiterock Subdivision

Case Type: Annexation and Preliminary Plat Request.

Case Nos.: 22-13-AN (Annexation) and 22-18-S (Preliminary Plat).

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Commission/ **Council**.

IN FAVOR		NEUTRAL	IN OPPOSITION		
<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input checked="" type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input checked="" type="checkbox"/> <u>Not Testify</u>
Print Name		Print Name		Print Name	
Print Address		Print Address		Print Address	
City	State, Zip	City	State, Zip	City	State, Zip
<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input checked="" type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>
Print Name		Print Name		Print Name	
Print Address		Print Address		Print Address	
City	State, Zip	City	State, Zip	City	State, Zip
<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input checked="" type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>
Print Name		Print Name		Print Name	
Print Address		Print Address		Print Address	
City	State, Zip	City	State, Zip	City	State, Zip
<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>
Print Name		Print Name		Print Name	
Print Address		Print Address		Print Address	
City	State, Zip	City	State, Zip	City	State, Zip

Jodi Harelda
Kuna ID 83634

Cristin Sands
Kuna ID 83634

Savannah Winn
85 E Brush Creek St
Kuna ID 83634

Beverly Wolf
3120 Comm.
Meridian

Todd Lau
2655 N. Linden
Kuna ID 83634