

OFFICIALS

Joe Stear, Mayor
Chris Bruce, Council President
Greg McPherson, Council Member
Matt Biggs, Council Member
John Laraway, Council Member



CITY OF KUNA
Kuna City Hall Council Chamber, 751 W 4th Street, Kuna, Idaho 83634

City Council Meeting
MINUTES
Tuesday, September 03, 2024

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 00:00:21)

COUNCIL MEMBERS PRESENT:

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

CITY STAFF PRESENT:

Marc Bybee, City Attorney
Jared Empey, City Treasurer
Mike Fratusco, Kuna Police Chief
Adam Wenger, Public Works Director
Doug Hanson, P & Z Director
Bobby Withrow, Parks Director
Morgan Treasure, Economic Development Director
Nancy Stauffer, Human Resource Director
Nathan Stanley, City Clerk

Mayor Stear All right, we will go ahead and call this meeting to order. Nathan, would you take the roll please?

City Clerk Nathan Stanley Council Member McPherson.

Council Member McPherson Here.

City Clerk Nathan Stanley Council Member Biggs.

Council Member Biggs Here.

NOTICE: Copies of all agenda materials are available for public review in the Office of the City Clerk. Persons who have questions concerning any agenda item may call the City Clerk's Office at (208) 387-7726. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at 387-7726 at least forty-eight (48) hours prior to the meeting to allow the City to make reasonable arrangements to ensure accessibility to this meeting.

City Clerk Nathan Stanley Council Member Laraway.

Council Member Laraway Yes.

City Clerk Nathan Stanley Council President Bruce.

Council President Bruce Here.

City Clerk Nathan Stanley Mayor Stear.

Mayor Stear Yep.

2. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:37)

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

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

Mayor Stear Thank you.

3. 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 00:01:00)

- A. Regular City Council Meeting Minutes Dated August 20, 2024
- B. Accounts Payable Dated August 28, 2024, in the amount of \$425,445.03
- C. Final Plats
 - 1. Case No. 24-11-FP (Final Plat) Paloma Ridge No. 6

D. Resolutions

- 1. Resolution R51-2024

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO SIGN; AND AUTHORIZING THE MAYOR TO EXECUTE THE JOINT POWERS AGREEMENT BETWEEN THE ADA COUNTY SHERIFF'S OFFICE AND THE CITY OF KUNA RELATING TO LAW ENFORCEMENT SERVICES FOR FISCAL YEAR 2025 AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

2. Resolution R52-2024

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE FIXED ASSET POLICY; AND AUTHORIZING THE MAYOR TO SIGN SAID DOCUMENT.

Mayor Stear First item is a consent agenda. Any questions, or comments, or a motion?

Council President Bruce Do you have anything? I make a motion that we approve the consent agenda, as published.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded for approval of the consent agenda. Is there any discussion on that motion? Nathan, would you poll the council?

City Clerk Nathan Stanley Council Member McPherson.

Council Member McPherson Yes.

City Clerk Nathan Stanley Council Member Biggs.

Council Member Biggs Yes.

City Clerk Nathan Stanley Council Member Laraway.

Council Member Laraway Yes.

City Clerk Nathan Stanley Council President Bruce.

Council President Bruce Yes.

Mayor Stear And that motion carries.

(Timestamp 00:01:05)

Motion To: Approve The Consent Agenda As Published

Motion By: Council Member Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Roll Call Vote

4-0-0

E. Public Comment

(Timestamp 00:01:30)

Mayor Stear That takes us to public comments. I have several people signed up here. If you would, when you're.... step up to the podium and make sure the light is on by pushing the base of the microphone and I'll just call you up one at a time and you may have the floor. Rochelle Rocco. You wanted to go first, right?

Rochelle Rocco *Not really, but...*

[Laughter]

Rochelle Rocco Okay, thank you. My name is Rochelle Rocco. My address is 1286 E Fort Erie St. Good afternoon, Mr. Mayor, and City Council Members. Thank you for allowing me, a Kuna resident, to publicly share my concern. First, I would like to thank the following individuals for meeting with my husband, over the last 6 months. Stephen Barker, the City Building official; department of the Planning and Zoning members; Director Doug Hansen; Jessica Hall; and Troy B.; Paul Stephens, Retired City Engineer; Adam Wenger, Public Works Director; and Mayor Joe Stear. I'm especially grateful for Mayor Stear and Adam Wenger for visiting the property of concern. That property is the northwest section of the Sterling Ranch development, located at Meridian and Ardell. To be specific, there are 23 homes built by Toll Brothers that are located on E Sweet Pearl, E Fort Erie, and N Thorndale that have experienced water incursion, mold, and damage to their crawl spaces since 2022. 11 of the 23 homes notified Toll Brothers while in-builder-warranty. Toll Brothers hired a third-party remediation company, Northwest Disaster, to dry out the crawl spaces and attempt to resolve future water incursion and damage. As of today, most of these homes continue to deal with water problems. These homeowners have subsequently hired qualified resolution companies, who have spent from \$7000 to over \$30,000, to mitigate this debacle. Thank you for your time. I will let my husband finish the comments.

Mayor Stear Thank you.

Council President Bruce Thank you.

Mayor Stear Michael Rocco.

Michael Rocco Michael Rocco, 1286 E Fort Erie St. in Kuna, also. Follow up with my wife was saying. In conclusion, unfortunately, 13 of those homes did not know of their crawl space damage until their warranty had expired. My heart is tender for these homeowners since they have never had their crawl spaces dried out sufficiently, nor do they know of black mold that is surely present. A handful of these neighbors are single women and/or senior citizens. Toll Brothers Idaho has given the appearance of being resolution oriented, but they simply have obfuscated behind corporate lingo. The original, the front, was stating that this is normal for the Treasure Valley, though 90% of the rest of the treasure of the...It's normal for Treasure valley. However, 90% of Sterling Ranch does not have crawl space problems. From there they hide behind the fact that they hired Northwest Disaster to provide resolution. Lastly, they communicate with corporate confidence and condensation, knowing they possess a superior

litigation posture. Most egregiously and shamefully, Toll Brothers knew they had a problem but chose not to notify the 13 homes that were damaged until the warranty expired.

I have exhausted myself in an effort to find resolution. I can never in good faith state that Toll Brothers is a reputable builder. When I met with the planning and zoning staff, Troy asked me 'what I expected from the city?' I have pondered that question for months and now I know the answer. Mr. Mayor and esteemed City Council Members after the annexation process is approved; after the developer meets with the public; after the planning and zoning staff get the developer to satisfy the City comprehensive plan; after the City Attorney is satisfied; but before you stamp your final approval; please remember you represent the Kuna residents. Look at these developers steely eyed, especially Toll Brothers, tell them 'You have a long memory' and when they don't, especially when they don't treat your residents fairly. Please remember this admonition the next time Toll Brothers comes before you for approval. Thank you.

Mayor Stear Thank you...Laura Smith.

Laura Smith Good evening, gentlemen. Thank you for letting us speak. I'm Laura Smith. I live at 1263 E Sweet Pearl. After a lot of years of working hard and saving money, we bought our forever home. It is now forever wet. We were out-of-warranty by the time we found out we had water incursion under our home. It has not been fixed. We don't know how to fix it in order for it to stop the water coming in. I'm concerned about the future for health problems, structural problems, and if we ever decided to sell somewhere down the road, would any of you buy our home with water underneath it? Toll Brothers has, kind of, ignored us and/or given us things like 'oh, it was a lot of rain,' 'oh, it was a lot of snow.' There's no definite answer here. Nobody seems to be willing to fix it. I don't know what to do at this point. I'm very discouraged with Toll Brothers. You know, it's not just my home, it's 23 other homes. So it's not just 1 person in the Kuna residency here. And for 1, you know, at Toll Brothers came to me and said they wanted to build some more houses, I would say, "excuse me, you have 23 homes that you built that have now problems. So how can we let you build 23 more homes if we're going to have more problems?" It's not fair to the community or the people that are buying these houses under good faith. Thank you.

Council President Bruce Thank you.

Mayor Stear Thank you... Ryan Penny.

Ryan Penny Hello, thank you again for your guys' time. Ryan Penny, 1319 E Sweet Pearl St. Kuna, Idaho. I'm also one of the affected homes in this neighborhood. Luckily, I did fall under the warranty time period. The only reason that I found this out was because I went down and regularly checked my crawl space; just because I have a very pesky and annoying realtor, but I love her for it. So since I got mine under warranty, I did have Northwestern Disaster come out, do the work. What I later realized is that this just kind of pushed the can down the road as soon as I was out-of-warranty. The calls were not responded to emails kind of came up under this corporate, kind of, wall; not getting anywhere. And then now Northwest Disaster has no longer been able to answer my calls, warranty their pumps. There is no warranty for the work that was done down there. So to prevent getting hundreds of gallons a week from piling up into my crawl

space, I had to go out of my way, spend my own money and go that route. So just to speak a little bit more on what some of the neighbors have already said, we're not looking for, you know, just for everything to, I should say like the pumps and everything to be covered. It's more that we're still at this issue where there is no solution. Water is still flooding and still coming in for these 23 affected homes. And then another important context is that our section of the neighborhood is built up anywhere from 8 to 14 feet. Something that the builder and developer did to kind of raise up where ours sit compared to what the existing terrain was. So all the homes that are raised to our knowledge of the ones that are affected. So that's where we asked the builders for some sort of cooperation to be able to look into this. So I've taken on a lot of the non-government, the private company route, of trying to find different solutions having anywhere from retired engineers to esteemed inspectors from the City and the State that are known well in the valley and they've all kind of looked and said, "Hey, this is above our pay grade, you need some sort of higher end engineers someone to really spend time, dig in." What we've found so far is we can go as far as 12 feet deep and still hit just a bunch of clay that we kind of think has a cause to this so. Just in the end, to reiterate, we are just seeking a solution from our builder in order to find this water solution so that we can protect ourselves in the future, future home sales, and just hold these builders accountable for some sort of other thing to not leave these consumers of homes high and dry after that 1-year warranty lapses. We see the fault in that where builders can really move on rather than a 5-to-10-year plan when the Houses actually settle, the true foundations are there and the good bones are there to show. Thank you.

Mayor Stear Thank you...Beverly Wolf.

Beverly Wolf Beverly Wolf, 3420 W Commemoration Ave. Meridian. This makes this subject a little testier because, I'm sorry to inform you, they voted in an 8% property tax increase last...couple weeks ago. I understand this city is trying to run itself smoothly, not in debt. I appreciate how hard all of you work and you make hard decisions. But a lot of this growth has happened really fast and here's another consequence. The other consequences that I think we're going to sit through tonight are additional rate increases, correct? Sewer, water, the size of taxes, and the fact that schools aren't funded, that they're going to be coming after us for more bonds and levies that will all outlast our mortgages, they just will. I've only been here 2 years and I've come and I've learned and I've sat and I've listened and insurance has gone up. Just my car insurance. My little car, I don't drive much. It's over \$200 a year in 2 years. My HOA fees have virtually doubled, doubled and I don't even know who oversees HOA. It appears to be a nonprofit entity. So what recourse do we have? Does the city know? No offense, do you care? The more builders that come in with these are putting other homeowners at risk or having to pay high fees at no, apparently no, point check. I mean, basically the HOA fees went up higher than probably faster than my property taxes. *Am I at my time?* Okay, anyway I understand you have to do things smart for the city, but when you voted in that increase, you voted in a bank roll. I don't know if everybody in this room can say they're going to see an 8% increase in their incomes this year. I don't know anybody who's ever *gotten* an 8% increase in the last couple years. My husband left 'Corporate America' in California, 4 or 5 years ago. The rate of increases had gone up, well, if you got 1 or 2 percent, you were really doing well. So when the city accountant looks at that, do you consider the people there are people behind these numbers? There are families

struggling. Where's the balance? If the Facebook money's coming in next year, why do you need to bankroll us for a year? Take the cut, give it back to the citizens who desperately are trying to pay their bills, fix their homes, feed their kids. Thank you.

Mayor Stear Thank you...Art Brooks.

Ari Brooks Hi, that's Ari Brooks.

Mayor Stear Oh, sorry.

Ari Brooks No worries, 1272 E Fort Erie St. Kuna.

Mayor Stear That's what I get for not putting my glasses on.

Ari Brooks That's understood. No worries. I'm with the Sterling Ranch group as well. And so I just wanted to mention that I've been in Kuna for a few years. My husband and I are... we call Kuna home, right? I am a mental health therapist. My job is to provide therapy for first responders and my husband is also a college professor at College of Idaho. We moved to Idaho to find a place where we belong. We decided to build with Toll Brothers because of their reputation, right? We decided to come to Kuna because of its reputation. And although it took over 19 months to build our home during the height of the pandemic, we were really excited to finally be in a place where we thought 'this is home.' You can imagine how disappointed and disillusioned I felt when, 1 week after signing our closing paperwork our neighbors, not our builder, told us that there was water in our crawl space, which there was. So with that, we did have some pumps installed by Toll. We're like 'cool, that's great.' I don't know anything about sub pumps, but they said "this works." It did not work. Within the first year, not only had they failed, but they had failed catastrophically. This winter when we all had a snow melt. I'm down there looking at lots of water. The electric circuit that both of the pumps on had failed, and when I crawled down there in the mud to plug them into an extension cord, I found that one of the pumps had also failed, right? Toll Brothers did nothing to fix that. Since that time, we have spent over \$14,000 to remediate and we have taken the entire system out and put in a much better system. We're lucky this is something we had in the bank, right? I could pull that out of my pocket and pay for it. What I'm here to ask is the Council and the Mayor to keep in mind that most people in this community cannot pay that amount of money, right? That is just simply not something that they have sitting around. We paid the money because we think of our home as our investment both in financially but also for our children. We want to be here long-term and we want to be in a place where they can grow up healthy without risk of danger from mold. We're asking... We're all here to ask to just hold Toll and all builders accountable for what they actually build. I don't expect to get any money back. I would just like to know that our community has a recourse in the future when inevitably something like this happens again, thank you.

Mayor Stear Thank you.

Council Member Biggs Can I ask the time frame, I mean the timeline here when it was first, I guess, discovered and then, you know, to where we are now?

Ari Brooks All right, so we moved in in September of '22, so about two years ago to this week, actually. We were told by our neighbors within a week that they had many of them experienced water. So I crawled down in my crawl space every single month after that. And within a month, I found that there had been water. I could see where it had dried and pooled on top of the vapor barrier. I had Toll put in... They came in and put in their pumps in the Spring and oddly, we didn't receive any water in our house at that time. Many of my neighbors did, gallons upon gallons, hundreds of gallons of water. The majority of ours came in the fall and then last winter and we've had pretty consistent water until spring again. We had an entirely new system put in. We haven't had any water since then, especially none that has pooled above, but I can tell that it's still plenty wet down there. It's squishy. It's uncomfortable. I have more faith in the new system, but you can imagine it just doesn't feel good to know that this is a lingering problem in the background. Does that answer your question?

Council Member Biggs Yes, Ma'am. Thank you.

Ari Brooks Thank you.

Council President Bruce Thank you.

Mayor Stear Thank you... Was there anybody else who wished to? Okay.

Susan Peterson *I got stuck in traffic, sorry.* Hi, my name is Susan Peterson. And I live at, oh God, what's the address? 1320 Sweet Pearl here in Kuna. And I'm a part of this. When I bought my house, well, I... I went them into the building before I actually purchased it in 7 of '22 and there was a huge swell gap... swell up on the subfloor. I let the builder know they said they took care of it. I've went ahead, that was in about July, I had a full out inspection done before I moved in and about 9 of... September 9th of '22 what they found, *got it here*, what they found at the time, and they said that there was notable water in the crawl space that had been. Possibly because of the winter, but this was September. We've just gone through summer and there was no irrigation. They've found that the downspouts discharge, well it's right next to the foundation. There was no elbows and no extensions. They went on with other things too. But I signed the papers on 9 of 29. And I moved in. I signed on good faith. I've signed based on their literature. That states that everything is graded away from the house, so it doesn't go under. When I... so I went about business. I'm not, I'm not in construction. I do not fall into to crawl spaces. I would get stuck down there, especially without my phone. I'm too old for that. Advance to a year later, during home warranty. I had... on 9, as the warranties closing, 9 of... 9/13 of '23 I had an inspection done. Toll Brothers accepted that that full inspection report on 9 of 18. That it showed was there was large amounts at this time. There were so large amounts of water in this crawl space. That's when I notified them. Fast forward to November of '23. They send out their vendor. Their vendor installs 2 pumps. I've had electricians down there installing lines. People down there with pumps from November 'till May. Electricians at least 4 times. Those pump people down there probably 6 to 8, because the pumps failed. I have never once, in all the time that they were in there, heard them come on and I kept telling them that 2 of them actually blew wet motors. On... Okay, that was between November and May. Toll Brothers has already said that...

So by June I was tired and I hired a vendor that had the answer to me. They went in. They found my insulation was wet. They found that there was standing water. They found the humidity. There was nothing you could have done about the humidity on the. So I hired him. I said fix it. The time that Toll Brothers came out, never once could tell me where that water was coming from, even though I asked him, as a matter of fact, they actually said to me at one point "*I can't talk about it. I can't tell you.*" 'Well, then what good are you, you know?' So one of my vendor came in. I asked him again where is this water coming from and we walked the house and what he said was #1 you're not graded. There's nothing graded up against the house. He also said that, you know, that was 1 of them. I asked, and I consistently have asked if there's any mold... *did I go over? I'm sorry.* But there was mold. No mold. Nobody ever said anything. That's what they said about the insulation, by the way, was. It doesn't look wet, but they're looking from this side. The wet is coming from this side down. So they came out, they installed this whole system. It's a semi-encapsulation. I now have a humidifier. I have a pump and a backup pump to the tune of about \$30,000, which I can't afford. August, this past August, I had both sides of my houses graded. And what we found is their extension that they put in that faced toward the house, were 8 inches long, they were dummies, they were put in there, they were 8 inches long and they exited directly into those vents. Both of them. *[Unintelligible]*. Tomorrow, I have an inspector coming out that's going to take a look at my the beams And anything underneath that subfloor. And I hope it comes out good, you know, but, you know, I'll find out and try. But I actually want my money back. I'm not nice. I want my money back. And anything you can do, I would love it. Thank you.

Council President Bruce Thank you.

Mayor Stear Thank you. Was there anybody else that wanted to? Okay. I've talked to her before. But if you would sign in here on this sheet, I'd appreciate it. Okay, so we got a record.

Gene Boyd *I wasn't planning on talking tonight.*

Mayor Stear *Yeah, just name an address here on one of those.*

Gene Boyd My name is Gene Boyd, and I'm here on behalf of my daughter, Jordan Boyd, 1259 E. Fort Erie St. I don't have exact dates. Like I said, I wasn't even planning on talking tonight, but this is really frustrating. She was a 23-year-old, girl, single bought her first house on her own. I was very proud of her, had the house built. I was there for the final well, not final inspection, but the year warranty inspection. And I know the guy from Toll Brothers never went under that house. We never opened the crawl space, never went under there. 23-year-old girl is never going to think to go under her house to look for anything. She was never advised to never talk to about. This issue, didn't even become... We weren't even aware of it until other people started asking. So she called me up. She can't get under the house and look she wouldn't even. She tried but didn't have any idea what she's looking at. So I came here, looked, sure enough, she has water in her house too. Toll brothers do nothing. Your warranty is expired. So just frustrating. Like everybody else is asking. They need to be held accountable, at least to do the right thing for people. It doesn't matter if She's only 23. I'm just a proud dad that my daughter was able to do this. Now she doesn't know if she can ever sell her house. Can't move. She's afraid of the mold.

She can't afford to spend \$30,000, let alone \$10- or \$15,000 to have it fixed. So, I hope, I hope there's some way you can hold future people accountable so this doesn't happen to others. Thank you.

Mayor Stear Okay, thank you. Was there anybody else who wished to testify?

Unknown Speaker From Audience You want to hear more? I can give you a whole lot more if you want.

Mayor Stear Well, I don't blame you even a little bit, so...

F. External Reports

G. 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 00:26:58)

Mayor Stear All right, and that takes us to public hearings...

Council President Bruce Can I ask one thing?

Mayor Stear Yeah, you bet.

Council President Bruce Marc, can you find out what the what the process is for multiple complaints like that just so you could e-mail it to me? Like do we deal with that at a city level? How can we deal with it? What...?

City Attorney Marc Bybee Yeah, I can follow up with you in an e-mail on that. That's fine.

Council President Bruce Thank you.

Mayor Stear And we've been looking into it.

Council Member Laraway I got a question, too.

Mayor Stear Yeah.

Council Member Laraway Doug is... *this might be another one and I don't know if I'm asking you...* do we have a building inspector that's with the city?

Planning and Zoning Director Doug Hanson For the record, Doug Hanson, Kuna Planning & Zoning. Yes, we have a building inspector.

Council Member Laraway Does this person? Identify with this stuff or... I know... I guess the house is built, we get an approval of it, they move in and then it floods. That's after the fact, but

now that you have this information, is that something the building inspector can forewarn or somewhat prevent it?

Planning and Zoning Director Doug Hanson I don't really have enough immediate information on the subject, so I'd rather not speak to it at this time. I'm... I'd happily set something up with you and the building official to actually talk about it and how we can look at these sort of things in the future, but I don't have enough of like the background information in order to give you the right answer that I'm comfortable with.

Council Member Laraway I appreciate it.

- A. Consideration to approve Case No. 24-03-AN (Annexation) – Applicant requests approval to Annex approx. 10 acres into Kuna City Limits with a M-1 (Light Industrial/Manufacturing) zone. The subject site is near the intersection of S Curtis and W Barker Roads and is currently zoned RP (Rural Preservation) in Ada County; Section 8, Township 1 North, Range 2 East. – Troy Behunin, Senior Planner ACTION ITEM

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

(Timestamp 00:28:35)

Mayor Stear Okay. Item A; Consideration to approve case #24-03-AN. Applicant requests approval to annex approximately 10 acres into Kuna City limits with an M-1, light industrial manufacturing zone, Troy.

Senior Planner Troy Behunin Good evening, Mr. Mayor, and Members of the Council. For the record, Troy Behunin Kuna of Planning & Zoning Department. *Take care of this real quick.* So the application before you this evening is only for annexation at this time. If they would like to do anything for future land uses, they'll have to come back through the public hearing process. But tonight is only for annexation. If the annexation is approved, this will add additional industrial acres directly adjacent to previously annexed properties that are known as case numbers 21-11-AN and 22-08-AN. This particular site touches the city limits on the east, the north, and the West side. It is located adjacent to the approved East Urban Renewal District and it is within the Industrial Overlay District of the city and would provide zoning consistency for the area; as well as, consistent land uses with adjacent approvals and adjacent lands. Staff has reviewed the proposed annexation for compliance with Kuna City Code, Idaho State Statutes, and the Kuna Comprehensive Plan, and should the Council approved this staff recommends that the applicant be subject to the proposed recommended conditions that are outlined in staff's memo. The applicant is here tonight and I will also be here for any questions you might have.

Mayor Stear Okay, thank you. Questions for Troy?

Council Member Laraway No, sir.

Council Member McPherson No.

Mayor Stear All right, Brian Frost. Are you the one? Are you the applicant? I meant to call the applicant. How's that?

Brian Frost, Star Acres Property I am the applicant, Brian Frost, with Star Acres Property. I actually wasn't set to speak. Billy was. But I can just tell you this is a 10-acre parcel that is completely landlocked. It's my property. Current property touches it on two sides. Property came up to offer months after already owned the other pieces around there, and I been just asking for annexation. As I said, and there's no way to get to this property without going through my property on it.

Mayor Stear Okay, thank you. Yeah, so this is public hearing. Beverly Wolf signed up to testify.

Beverly Wolf Beverly Wolf, 3420 W Commemoration Ave. So this caught my attention because of the rating of Rural Preservation under Ada County, which doesn't exist in Kuna. So you're going to take Rural Preservation and make it Light Industry. Now, I get it's not too far from META. It's also not too far from some other branch properties, and once you flip the switch on this, because it's not just annexation it says right here you're going to zone it. And that's my issue because I sat through one of these in Planning and Zoning, and they're like, "oh, no, no, it's just annexation. And it was this, this." But then they sat down and they're like, "oh, but now it's going to be zoned this." So, I don't like that. But I'm just wondering, how much rural? How much ag? How much more do you flip before the city is ready? There's a lot of other components. I don't know. I mean, I hate to see so much land getting slipped away. And who's going to develop it? Is it being developed by American citizens? Is it being developed with non-toxic waste? How close will it be to other homes? It didn't look too far away from a body of water. I'm not sure if it was a part of a lake or reservoir, so I'm just wondering. There's lots of ramifications to industrial. There's lots of potential toxic consequences. I'd like to know what's going to go in this area. Thank you.

Mayor Stear Okay, thank you. And that's all I had signed up to testify. Is anybody else who wishes to testify in this matter? All right, seeing none, did you want to say anything and are you good to go? You can if you would like.

Billy Edwards Billy Edwards, 706 S Willis Ave. I'm working with the property owner on a planning aspect. As Troy pointed out, a couple years back, as you'll see from the case numbers we came in with 65 acre annexation. As the owner, Brian, has pointed out this 10 acres is land locked. It is surrounded on two sides by his property and the property to the West is actually City of Kuna Sewer District. Regarding the zoning, the zoning classification that we're requesting is compliant with the Future Land Use Map that's approved by the City of Kuna, so anything going into that property, at that point in time, will comply with the in one designation which the city code requires. Reviewing all agency comments or total compliance with all comments by agency, including City of Kuna as well. Currently, right now, it's not being actively architectural, *architectural*, agricultural as it just it is a landlocked piece with no farming really happening around it, so at this point we are just looking at annexation. At which point when we decide what's going in, we will come back in front of Planning and Zoning and yourselves for design

review and preliminary plat, at which point in time we'll present everything compliant with that use. If there is any further questions you have, I can stand for those.

Mayor Stear Okay, questions?

Billy Edwards Thank you.

Mayor Stear Thank you very much. All right. So the question is rightfully before Council.

Council President Bruce I make a motion that we close the public hearing and move to deliberation.

Mayor Stear Do we have a second?

Council Member McPherson Second.

Mayor Stear Motion is made and seconded to close the public hearing and move to evidence presentation. All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? Motion carries.

City Attorney Marc Bybee It's... Mayor, if I might. Marc Bybee, the City Attorney. Just for the record, you said we're you're moving into evidence presentation and I think you meant deliberation.

Mayor Stear Oh Yes, I did.

Council Member McPherson Good catch.

Mayor Stear Close evidence presentation and proceed to deliberation, there.

(Timestamp 00:35:45)

Motion To: Close Evidence Presentation And Proceed To Deliberation

Motion By: Council Member Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

Council President Bruce Unless you guys had questions for...

Council Member Biggs My only thought was I didn't see a public works statement in the in the package.

Council President Bruce Yeah, you want to hold that? First, you can go ahead, Matt. That's the only question you had?

Council Member Biggs That's my only question.

Mayor Stear And I don't think there really will be until there's something there to look at.

Council Member Biggs The DEQ just said water and their statement did say that water and sewage have to be compliant or capacity is there and or there will be. This will be in the East, East Sewer, and Water District. So I imagine that's to come.

Public Works Director Adam Wenger Yes, Council Member Biggs, this is Adam Wenger, Public Works Director. This just being an annexation that is not the scope of this step of the process. When, if it were to be approved annexation, further plan review would require that it meets all those requirements for being on city sewer, water, pressurized irrigation, et cetera, as necessary.

Council Member Biggs Thank you.

Mayor Stear And for the record, that was Adam Wenger, Public Works Director. Further questions?

Council President Bruce Actually, I do have one now. I know that Mr. Marc, when we talk about annexation and, you know, we get back and forth with once it's annexed we... we're just checking boxes from there out. Do you see that being any kind of issue from here moving forward with the industrial side? I know residential, we do, we've run into that before where we've had something that we've annexed and then had issues with being able to deny it if something comes up.

City Attorney Marc Bybee Yeah. Marc Bybee, City Attorney. So what you're getting into is the difference between plat approval versus annexation approval and it and it is an industrial plat, it is still a plat, it will still go through planning approval. The requirements for approval are quite distinct from a residential plat, obviously because you're going to be having quite distinct uses, but we'll still follow a similar process. I think the significant thing though is rezone. While it's a LLUPA application, there's still discretion associated with rezoning that's different from plats. So if the concern were that this were to become something other than industrial, there would have to be a rezone which would still be a discretionary matter. And again, compliance with Future Land Use Map would be required and you think about this is if I understood right, it is in East Kuna which is intended to be industrial uses and so it'd be a stark shift from where the city is headed with that area has suddenly shifted to some different use such as residential or even commercial. And so there would have to be changes to the comprehensive plan to accommodate for a rezone of that type. I think it'd be pretty problematic. I mean, unless some future Council just disregards Future Land Use Mapping, but I think that's unlikely.

Council President Bruce I just wanted to make sure I had it correct. Thank you.

City Attorney Marc Bybee Yeah.

Council Member Biggs Good question, because the future land use map is a committee that's under review...

Council President Bruce Yeah.

Council Member Biggs So and we go throw a high rise building there for something. I understand the rezone power...

Council President Bruce Well, it's got this before, right?

Council Member Biggs versus the annexation power, right?

Council President Bruce Anyone?

Mayor Stear And there's quite a bit of restrictions on light industrial. Also, it's not heavy industrial, so. That that cuts back on some of those uses. People would be concerned about.

Council President Bruce And this falls into the place of what? Well, do you guys have any other questions?

Council member McPherson No, I do have a comment. The parcel numbers wrong on the staff memo. It should read as 200-823-3000, not 822. Because I'm going to type that in, nothing came up, but I found it so... Just to, I'm sure, error with the finger, typing too fast on keyboard.

Mayor Stear Good catch.

Council President Bruce Any other questions?

Council Member McPherson I don't have anything else right now.

00:00:46 Council President Bruce Okay, now I make a motion that we close evidence presentation and move to deliberation.

Council Member McPherson Second stands.

Mayor Stear Motion is made to close evidence presentation and proceed to deliberation. Is there any further discussion on that motion? All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? That motion carries.

(Timestamp 00:40:46)

Motion To: Close Evidence Presentation And Move To Deliberation

Motion By: Council Member Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

Council President Bruce Anyone have any thoughts about it, or?

Council Member McPherson I'm fine with it. It's...

Council President Bruce It's in the industrial area that we decided when we took on this project and that's where...

Council Member McPherson And it will probably looking at the map the way it sits, it'll tie in with their other project at some point most likely and...

Council President Bruce Mr. Biggs?

Council Member Biggs Same.

Council Member Laraway I have nothing.

Mayor Stear And we just need to put in the motion then to correct that number that. Council Member McPherson found.

City Attorney Marc Bybee Yeah, I'd make. I'd want to make sure we identify the correct parcel we're annexing, for sure, in motion and then in the written decision that staff prepares.

Mayor Stear Okay.

Council President Bruce Councilman McPherson, what did you say the correct parcel number was?

Council Member McPherson S200-823-3000, I believe. Let me double check the thing.

Mayor Stear Well, I think we can just request that staff correct the parcel number, with the... when they come back with the decision, written decision.

Council President Bruce I'll make a motion that we approve Case #24-03-AN with the update to the parcel number per staff, by staff.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded any further discussion on that motion? All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Is there anyone opposed? And that motion carries.

(Timestamp 00:42:53)

Motion To: Approve Case #24-03-AN With Update To The Parcel Number Per Staff, By Staff

Motion By: Council Member Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

- B.** Consideration to approve Resolution R47-2024 (East Kuna Water System Rates) and R48-2024 (East Kuna Sewer System Rates). Morgan Treasure, Economic Development Director. ACTION ITEM

Resolution No. R47-2024

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO SETTING FORTH FINDINGS; ESTABLISHING THE WATER SERVICE RATE STRUCTURE; ESTABLISHING TYPES OF WATER USE FEES; ESTABLISHING FEE TYPE FOR THE INDUSTRIAL FACILITY; PROVIDING FOR MISCELLANEOUS WATER CUSTOMER SERVICE POLICIES; SETTING FORTH MINIMUM LINE SIZES; PROVIDING FOR RE-EVALUATION AND ADJUSTMENT OF SAID FEES; AND PROVIDING AN EFFECTIVE DATE.

Resolution No. R48-2024

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO SETTING FORTH FINDINGS; ESTABLISHING THE SEWER SERVICE RATE STRUCTURE; ESTABLISHING TYPES OF SEWER FEES; ESTABLISHING FEE TYPE FOR THE INDUSTRIAL FACILITY; PROVIDING FOR MISCELLANEOUS SEWER CUSTOMER SERVICE POLICIES; PROVIDING FOR RE-EVALUATION AND ADJUSTMENT OF SAID FEES; AND PROVIDING AN EFFECTIVE DATE.

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

(Timestamp 00:43:21)

Mayor Stear That takes us to item B. Consideration to approve Resolution R47-2024 the East Kuna Water System rates, and R48-2024. The East Kuna Sewer System rates, Morgan Treasure.

Economic Development Director Morgan Treasure Thank you, Mayor, and Council. Per State Code, whenever we're doing any kind of fee adoption or change, the rate study has to come all the way back through a noticing period and a public hearing. These rates that are before you tonight in this rate study are the initial rates that we have set up for the East Kuna Water and

Wastewater System. So we took the construction documents and the proposed operations for META and handed them over to Keller, who's been preparing our water and wastewater rate studies for the city for quite some time to set the base rates that were required so that after the city accepts dedication of that system, we have something in place so we can legally bill them. So those are the rates we're looking at tonight is just that initial set point of the bills that META will be paying. So when you look at these fees that are in the resolution that is based on 1 ratepayer covering the entire operation of the system, that's why it's set up with that fixed monthly cost and then that usage rate. And the water and the wastewater are both structured that way. I'm happy to answer any questions. Adam and Jared are also here if you have anything very technical because that's not my part of it. But happy to answer any questions. I... just this is our initial rates that we have to get established so we can start billing META when the system comes over to the City.

Council President Bruce Go ahead.

Mayor Stear Yeah, go ahead.

Council Member Laraway Question, As far as the rates receiving, does the money we received go into the General Fund or does it go back into the Urban Renewal District Fund?

Economic Development Director Morgan Treasure Those will actually go into the system funds, and I will let Jared explain how that works, more specifically.

City Treasurer Jared Empey Jared Empey, City Treasurer. So, Councilman Laraway, if you remember, during the budgeting process we had the East Water Fund and the East Sewer Fund. So those funds will stay within those respective funds.

Council Member Laraway Okay, thank you.

Mayor Stear And those are actually enterprise funds, so they won't intermingle with your regular property tax budget or anything like that. And then this is the East system, so it doesn't affect anything to do with current users in the City of Kuna. This is that system only.

Council President Bruce That's what I was going to ask. I was going to make sure that this was paying for itself. The users... That way we're not asking the rest of the citizens to carry the burden for their for their usage.

Economic Development Director Morgan Treasure Yes, Councilman Bruce. That's exactly...the systems don't tie together. That's why this has a separate entire rate structure.

Council Member Biggs And the only property zoned are industrial that will be utilizing this.

Economic Development Director Morgan Treasure Correct. As of today META is the only user that's connected to the system. We can't even contemplate connecting other users to the system until after we take it on as a city asset.

Council Member Biggs Thank you.

Mayor Stear And the nice thing about this is, also, that META is the only user. They're the ones that will be paying the rate, so it's easy to say that they need to pay for the whole thing, so it won't be a matter of trying to figure out if it's exactly right or not. It just will be, so...

Council President Bruce Well, I'd like to say "thank you" to Morgan too. I know that we went back and forth about that, you know, them using it and paying to use it. And I'm glad that it's come back to us for this. So, thank you.

Mayor Stear Anything further? All right, so this is...

Council President Bruce It's a public hearing.

Mayor Stear So this is a public hearing. We have it on the signup sheet as two separate items. So we'll begin with R47-24. Which is for the water. Yes. So the only person I had signed up to testify was Beverly Wolf. Is there anybody else who wishes to testify in this matter?

Mayor Stear Okay, Beverly, you may have the floor.

Beverly Wolf Beverly Wolf, 3420 W Commemoration. Thank you for answering all my questions because I thought this was going to affect residential, but you've clarified that it's META only, so I will not have any complaints. I just don't want to see anybody's water, sewer bill go up. So thank you for clarifying that. And with that, just sit down.

Mayor Stear Okay, thank you...anyone else? All right. I guess we probably want to do these one at a time, so let's just go ahead and do it that way and...

Council President Bruce So, I'll make a motion that we close evidence presentation and move to deliberation.

Council Member Biggs Second.

Mayor Stear Motion is made and seconded to close evidence presentation and proceed to deliberation on resolution number R47-2024.

Mayor Stear Any further discussion on that motion? All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? Motion carries.

(Timestamp 00:49:05)

Motion To: Close Evidence Presentation And Proceed To Deliberation On Resolution R47-2024

Motion By: Council Member Bruce

Seconded By: Council Member Biggs

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

Council President Bruce I make a motion that we close evidence presentation and move to deliberation for R48-2024.

Mayor Stear I haven't called that one up yet for public hearing.

Council President Bruce Okay.

Mayor Stear That's why I'm separating. I've got 2 sheets here so.

Council President Bruce Yeah.

Mayor Stear I just wanted to make sure we got that clear. Or, if you would like Beverly, did you wish to testify on the sewer rates?

Beverly Wolf *[Inaudible]*.

Mayor Stear Okay. So we can do both. Was there anybody else who...

Council President Bruce Yes, yeah, I jumped the gun. That's what I.

Mayor Stear wishes to testify on the sewer rate? All right. Thank you. All right, now you can go ahead and do that, I guess.

Council President Bruce My motion stands.

Council Member Biggs Second.

Mayor Stear All right. We have a motion and a second to close evidence presentation and proceed to deliberation on R48-2024, also. Is there any further, any further discussion on that motion?

Mayor Stear All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? Motion carries.

(Timestamp 00:50:13)

Motion To: Close Evidence Presentation And Proceed To Deliberation On Resolution R48-2024

Motion By: Council Member Bruce

Seconded By: Council Member Biggs

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

Council President Bruce I make a motion that we approve resolution number R47-2024.

Council Member McPherson Second.

[Microphone Prompt Sound]

Mayor Stear Yes, Marc?

City Attorney Marc Bybee Marc Bybee, City Attorney. Doug noted on at least one of these resolutions, the date was wrong. So I just say it. It says August 20th on the one that's in the packet. So just verify and update the approval date to the correct date. I don't know if it looks different on the one that you're holding Mayor, or not.

Mayor Stear Okay.

(Timestamp 00:50:38)

Motion To: Approve Resolutions R47-2024

Motion By: Council Member Bruce

Seconded By: Council Member McPherson

Further Discussion: Yes

Members Voting Aye: None

Members Voting Nay: None

Members Absent: None

Approved Via: None

0-0-0

MOTION AMENDED

Council President Bruce So, how did you want that?

Mayor Stear To the current date tonight.

City Attorney Marc Bybee Yeah. Update, I just amend the resolution by striking the incorrect date writing and writing in the correct date. You see what I'm talking about?

Mayor Stear So just amend it to say September 3rd, 2024?

City Attorney Marc Bybee Yes.

Mayor Stear And is that the same on both of them?

City Attorney Marc Bybee Doug just pointed out one I haven't seen. I haven't checked the other one yet. It's both, yes.

Mayor Stear Okay.

Council President Bruce Can we approve these as... Do you want to do these in separate motions or you want to?

Mayor Stear I think since we've got them together now...

Council President Bruce We can just do it.

Council President Bruce I make a motion that we approve resolution R47-2024 and R48-2024 with the date of September 3rd, 2024.

Council Member McPherson Second.

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

All Council Members Aye.

Mayor Stear Any opposed? That motion carries.

(Timestamp 00:52:15)

Motion To: Approve Resolutions R47-2024 And R48-2024 With The Date Of September 3rd, 2024.

Motion By: Council Member Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

8. Business Items:

9. Ordinances:

(Timestamp 00:52:43)

A. Consideration to approve Ordinance 2024-28 ACTION ITEM

A MUNICIPAL REZONE ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS AND DECLARATION OF AUTHORITY; AND
- REZONING CERTAIN REAL PROPERTY, TO WIT: ADA COUNTY ASSESSOR PARCEL NOS. R5225750015 AND R5225750020, OWNED BY ALLIANCE SERVING KUNA INC, SITUATED WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO; AND
- AMENDING THE ZONING MAP; 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, that takes us to ordinances. Consideration to approve ordinance 2024-28. A municipal rezone ordinance of the City Council of the City of Kuna: making certain findings and declaration of authority; and rezoning certain real property, to wit: Ada County assessor

parcel numbers R522750015 and R5225750020, owned by Alliance Serving Kuna Incorporated situated in the corporate limits of city of Kuna, Ada County, Idaho; and amending the zoning map; and directing the City Engineer and City Clerk; and providing an effective date.

Council President Bruce I make a motion that we waive 3 readings of Ordinance 2024-28.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded waive the 3 readings. All those in favor say ‘aye.’

All Council Members Aye.

Mayor Stear Any opposed? Motion carries.

(Timestamp 00:53:43)

Motion To: Waive 3 Readings of Ordinance 2024-28

Motion By: Council Member Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

Council President Bruce I’ll make a motion that we approve Ordinance 2024-28, as published.

Council Member McPherson Second.

Mayor Stear Motion made seconded for approval of the ordinance. Is there any further discussion on that motion? Nathan would you poll the Council, please?

City Clerk Nathan Stanley Council Member McPherson.

Council Member McPherson Yes.

City Clerk Nathan Stanley Council Member Biggs.

Council Member Biggs Yes.

City Clerk Nathan Stanley Council Member Laraway.

Council Member Laraway Yes.

City Clerk Nathan Stanley Council President Bruce.

Council President Bruce Yes.

Mayor Stear And that motion carries.

(Timestamp 00:53:55)

Motion To: Approve Ordinance 2024-28, As Published

Motion By: Council Member Bruce
Seconded By: Council Member McPherson
Further Discussion: None
Members Voting Aye: Council Members Bruce, Laraway, Biggs, McPherson
Members Voting Nay: None
Members Absent: None
Approved Via: Roll Call Vote
4-0-0

B. Consideration to approve Ordinance 2024-29 ACTION ITEM

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

- MAKING CERTAIN FINDINGS AND DECLARATION OF AUTHORITY; AND
- ANNEXING CERTAIN REAL PROPERTIES, TO WIT: ADA COUNTY ASSESSOR'S PARCEL NO. S1313212400, OWNED BY RICHARD E. MORINO, 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

(Timestamp 00:54:16)

Mayor Stear Consideration to approve ordinance #2024-29. A municipal annexation and zoning ordinance of the City Council of the City of Kuna; making certain findings and declaration of authority and annexing certain real properties, to wit: Ada County Assessor's parcel number S1313212400. Owned by Richard Marino 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 an effective date.

Council President Bruce I make a motion that we waive 3 readings of Ordinance 2024-29.

Council Member McPherson Second.

Council Member Laraway Second.

Mayor Stear Motion's made and seconded to waive the 3 readings. Is there any further discussion on that motion? All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? That motion carries.

(Timestamp 00:55:06)

Motion To: Waive 3 Readings of Ordinance 2024-29

Motion By: Council Member Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

Council President Bruce I make a motion that we approve Ordinance 2024-29, as published.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded for approval of the ordinance. Is there any further discussion on that motion? Nathan, would you poll the Council?

City Clerk Nathan Stanley Council Member McPherson.

Council Member McPherson Yes.

City Clerk Nathan Stanley Council Member Biggs.

Council Member Biggs Yes.

City Clerk Nathan Stanley Council Member Laraway.

Council Member Laraway Yes.

City Clerk Nathan Stanley Council President Bruce.

Council President Bruce Yes.

Mayor Stear And that motion carries.

(Timestamp 00:55:24)

Motion To: Approve Ordinance 2024-29 As Published

Motion By: Council Member Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Roll Call Vote

4-0-0

C. Consideration to approve Ordinance 2024-30 ACTION ITEM

A MUNICIPAL REZONE ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS AND DECLARATION OF AUTHORITY; AND
- REZONING CERTAIN REAL PROPERTY, TO WIT: ADA COUNTY ASSESSOR'S PARCEL NOS. S1422131512, S1422244700, S1422428000, S1422315100 and S1422449550, OWNED BY FALCON CREST, LLC, AND PARECL NO. S1422315500, OWNED BY FALCON CREST CLUB PARTNERS, LLC SITUATED WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO; AND
- AMENDING THE ZONING MAP; AND
- DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve Ordinance

(Timestamp 00:55:50)

Mayor Stear Consideration to approve Ordinance 2024-30. A municipal rezone ordinance of the City Council of the City of Kuna: making certain findings and declaration of authority and rezoning certain real property, to wit: Ada County Assessor's parcel numbers S1422131512; S1422244700; S1422428000; S1422315100 and S1422449550, owned by Falcon Crest LLC and parcel number S1422315500 owned by Falcon Crest Club Partners, LLC situated in the corporate city limits of the City of Kuna, Idaho and amending the zoning map; directing the City Engineer and City Clerk; and providing an effective date.

Council President Bruce I make a motion that we waive 3 readings of Ordinance 2024-30.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded to waive the 3 readings of the ordinance. Is there any further discussion on that motion? All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? That motion carries.

(Timestamp 00:57:01)

Motion To: Waive 3 Readings Of Ordinance 2024-30

Motion By: Council Member Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

Council President Bruce I make a motion that we approve Ordinance 2024-30, as published.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded for approval of the ordinance. Is there any further discussion on that motion? Nathan, would you poll the Council?

City Clerk Nathan Stanley Council Member McPherson.

Council Member McPherson Yes.

City Clerk Nathan Stanley Council Member Biggs.

Council Member Biggs Yes.

City Clerk Nathan Stanley Council Member Laraway.

Council Member Laraway Yes.

City Clerk Nathan Stanley Council President Bruce.

Council President Bruce Yes.

Mayor Stear And the motion carries.

(Timestamp 00:57:14)

Motion To: Approve Ordinance 2024-30 As Published

Motion By: Council Member Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Roll Call Vote

4-0-0

10. Executive Session:

(Timestamp 00:57:44)

- A. Enter into executive session under 74-206 (c) To acquire an interest in real property not owned by a public agency

Mayor Stear And that is the last thing we have on the agenda with the exception of an executive session. We're going to enter into executive session and we'll come out. We won't make any decisions and there will be no more discussion on that after we come out of executive session. So anyone who would like to can certainly hang around, but there won't be anything to say after that, so...

Council President Bruce I make a motion that we enter an executive session under 74-206(C); and who do we need? Council, Mayor...

Mayor Stear Myself, Council, Morgan, Marc, Jared, do you want to come in? Okay, Jared. All right, so we have a motion to adjourn to executive session. All those in favor say 'aye.'

All Council Members Aye.

Council President Bruce And add them to the public works director.

(Timestamp 00:58:07)

Motion To: Enter Executive Session Under Idaho Code 74-206(C)

Motion By: Council Member Bruce

Seconded By: *Dispensed With By General Consent*

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

Pursuant To Idaho Code §74-205 (2) The Minutes For The Executive Session May Be Found Below:

Authority:

Enter into executive session under Idaho Code § 74-206 (c) To acquire an interest in real property not owned by a public agency

Persons Present:

Mayor Stear

Council President Bruce

Council Member McPherson

Council Member Laraway

Council Member Biggs

City Treasurer J. Empey

Public Works Director A. Wenger

Economic Development Director M. Treasure

City Attorney M. Bybee

Information Received; No Action Taken.

11. Mayor/Council Announcements:

12. Adjournment:

7:15PM



Joe L. Stear, Mayor

ATTEST:



Nathan Stanley, City Clerk

Minutes prepared by Garrett Michaelson, Kuna City Clerk's Office
Date Approved: CCM 09.17.2024





CITY OF KUNA
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SIGN-UP SHEET

September 3rd, 2024 – City Council Public Comment

The City of Kuna welcomes Public Questions and/or Comments during the Public Comment Session, as noted in the agenda.

In accordance with Idaho State Code, Public Comments may NOT include specific land use issues or cases. All comments regarding specific land use issues or cases MUST be heard in their associated Public Hearing(s). Idaho State Code also requires all comments and/or complaints regarding City personnel to be heard in Executive Session.

In all instances The Mayor and City Council may determine if your comments are appropriate for the Open Comment Session, particularly if your comments are covered by Idaho Code § 74-206(1), and may notify you accordingly. If you are recognized to speak you may "have the floor" for up to three (3) minutes unless a separate time duration is determined by The Mayor and/or City Council.

Public Comment Sign Up

✓ Rochelle & Rocco
Michael Rocco
 Print Name
1086 E. Fort Erie St
 Print Address
KUNA ID 83634
 City State, Zip

Ryan Penny
 Print Name
1319 E Sweet Pearl St
 Print Address
Kuna ID, 83634
 City State, Zip

Susan
 Print Name
1032 Sweet Pearl
 Print Address
Kuna ID 83634
 City State, Zip

Topic

Topic

Topic

Michael Rocco
 Print Name
1286 E. Fort Erie St
 Print Address
KUNA ID 83634
 City State, Zip

BEVERLY WOLF
 Print Name
3420 Comm.
 Print Address
Meridian
 City State, Zip

Gene Boyd
 Print Name
1259 E FORT ERIE
 Print Address
KUNA
 City State, Zip

Topic

Topic

Topic

LAURA Smith
 Print Name
1283 E Sweet Pearl St
 Print Address
Kuna ID 83634
 City State, Zip

Ari Brooks
 Print Name
1272 E. Fort Erie St.
 Print Address
Kuna ID 83634
 City State, Zip

Print Name
 Print Address
 City State, Zip

Topic

Topic

Topic



City Council Public Hearing Sign-In Sheet September 3, 2024

Resolution No. R47-2024 East Kuna Water Supply System Fees & Policies

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

IN FAVOR	NEUTRAL	IN OPPOSITION
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name <i>ZAVERY WOLF</i>
Address	Address	Address <i>3420 W. COMM</i>
City, State, ZIP	City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP



City Council Public Hearing Sign-In Sheet September 3, 2024

Resolution No. R48-2024 East Kuna Sewer System Fees & Policies

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

IN FAVOR	NEUTRAL	IN OPPOSITION
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	<i>JERRY WOLF</i>
Address	Address	<i>3420 W. Comm. Meridian</i>
City, State, ZIP	City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
Address	Address	Address
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Name	Name	Name
Address	Address	Address
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Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP



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SIGN-UP SHEET

September 3, 2024 – City Council, Public Hearing

Case Name: Star Acres Properties, LLC – Barker Road:

Case Type: Annexation into City Limits Request.

Case Nos.: 24-03-AN (Annexation).

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

IN FAVOR	NEUTRAL	IN OPPOSITION
<input type="checkbox"/> Testify <input checked="" type="checkbox"/> Not Testify <u>Brian Frost</u> Print Name Print Address <u>Star Acres Prop</u> City State, Zip	<input type="checkbox"/> Testify <input type="checkbox"/> Not Testify _____ Print Name _____ Print Address City State, Zip	<input checked="" type="checkbox"/> Testify <input type="checkbox"/> Not Testify <u>Beverly Wolf</u> Print Name <u>3750 W Comm</u> Print Address <u>Murdan</u> City State, Zip
<input type="checkbox"/> Testify <input type="checkbox"/> Not Testify _____ Print Name _____ Print Address City State, Zip	<input type="checkbox"/> Testify <input type="checkbox"/> Not Testify _____ Print Name _____ Print Address City State, Zip	<input type="checkbox"/> Testify <input type="checkbox"/> Not Testify _____ Print Name _____ Print Address City State, Zip
<input type="checkbox"/> Testify <input type="checkbox"/> Not Testify _____ Print Name _____ Print Address City State, Zip	<input type="checkbox"/> Testify <input type="checkbox"/> Not Testify _____ Print Name _____ Print Address City State, Zip	<input type="checkbox"/> Testify <input type="checkbox"/> Not Testify _____ Print Name _____ Print Address City State, Zip
<input type="checkbox"/> Testify <input type="checkbox"/> Not Testify _____ Print Name _____ Print Address City State, Zip	<input type="checkbox"/> Testify <input type="checkbox"/> Not Testify _____ Print Name _____ Print Address City State, Zip	<input type="checkbox"/> Testify <input type="checkbox"/> Not Testify _____ Print Name _____ Print Address City State, Zi