

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 17, 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 00:00:19)

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 - Absent

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 Biggs.

Council Member Biggs Here.

City Clerk Nathan Stanley Council Member Laraway.

Council Member Laraway Yes.

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 President Bruce.

Council President Bruce Here.

City Clerk Nathan Stanley Mayor Stear.

Mayor Stear Here.

2. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:31)

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 00:01:07)

- A. Regular City Council Meeting Minutes Dated September 03, 2024
- B. Accounts Payable Dated September 11, 2024, in the amount of \$1,418,724.13
- C. Decision and Reasoned Statement
 - 1. Case No. 24-03-S (Preliminary Plat) Valor West and Valor Classical Academy
- D. Resolutions
 - 1. Resolution R54-2024

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO SETTING FORTH FINDINGS; AND SUPERSEEDING, AMENDING, AND REFORMING CITY COUNCIL RESOLUTION R05-2024; AND ESTABLISHING FEES FOR CONNECTING TO SANITARY SEWER SYSTEM; AND ESTABLISHING MONTHLY SEWER USE FEES; AND ESTABLISHING MINIMUM SEWER LINE SIZES; AND ESTABLISHING OTHER CHARGES; AND ESTABLISHING AN EFFECTIVE DATE.

2. Resolution R55-2024

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING A NEW FEE SCHEDULE FOR TRASH COLLECTION SERVICES THAT REFLECTS A RATE INCREASE OF 3.33% FOR EACH SERVICE RELATED TO THE CITY'S COLLECTION, HAULING AND REMOVAL OF SOLID WASTE WITH ITS CONTRACTOR J&M SANITATION, WITH AN EFFECTIVE DATE OF OCTOBER 1, 2024.

3. Resolution R56-2024

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE COST-OF-LIVING INCREASE OF THREE AND THIRTY-THREE ONE HUNDRETH PERCENT (3.33%) FOR ALL FULL-TIME CITY EMPLOYEES; ADOPTING THE FISCAL YEAR 2025 STEP AND GRADE CHART FOR ALL FULL-TIME EMPLOYEES AS ATTACHED HERETO AS EXHIBIT A; AND DECLARING THE EFFECTIVE DATE.

4. Resolution R57-2024

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO SIGN; AND AUTHORIZING THE MAYOR TO EXECUTE THE ANIMAL WELFARE AND ENFORCEMENT AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

Council President Bruce And make a motion that we approve the consent agenda, as published.

Council Member Biggs Second.

Mayor Stear We have a motion and a second. Is there any further discussion on that motion? Nathan, would you poll the council, please?

City Clerk Nathan Stanley Councilmember 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 00:01:07)

Motion To: Approve The Consent Agenda As Published

Motion By: Council Member Bruce

Seconded By: Council Member Biggs

Further Discussion: None

Members Voting Aye: Council Members Bruce, Laraway, Biggs

Members Voting Nay: None

Members Absent: Council Member McPherson

Approved Via: Roll Call Vote

3-0-1

E. Public Comment

(Timestamp 00:01:31)

Mayor Stear Public comment. We had a few people sign up. Is there anybody didn't get to sign up who wants to?

Unknown Speaker From Background *[Inaudible]*

Mayor Stear Rich Girard.

Rich Girard Thank you, Mayor and Council, for the...

City Clerk Nathan Stanley Sir, just tap the red light there and it'll turn green for you.

Rich Girard Oh, thank you. Okay.

Mayor Stear Yeah.

Rich Girard Thank you, Mayor and Council for letting me talk. I'm Rich Gerard with Kuna Lutheran Church. We're at 128 E. Porter St. and I brought some of our congregation here. Actually, a good share of it. We're not very big.

[Laughter]

Rich Girard I'm here to see if I can list your help in resolving some issues we have in getting in to use our building. I brought a letter with our request and some of the outlines of some of our issues. This may not be the time that you have to want to discuss that. If we don't, maybe you could take some time at the end of the meeting to talk with us on this issue.

We've been... the building has been completed for several couple of months. We've been working on landscaping. Needless to say with the hot weather, we've been doing a lot of that ourselves. We've had some discussion with staff in regard to garbage enclosures. We're a small congregation. We don't have a kitchen, only thing we have is a coffee bar so a \$25,000 garbage enclosure is a lot of money for us, size of our congregation. But we are building it so. But my

request is that you allow us to use the building for four hours on Sunday for our worship service. If you don't mind. I would give you a letter. Would that be okay with you guys?

Mayor Stear Do you have a copy for everybody?

Rich Girard I do.

Mayor Stear Okay. Yeah, if you want to do that and then we'll need one for the Clerk for the record.

Rich Girard Yeah. Thank you, Matt.

Council Member Biggs Thank you, Sir.

Rich Girard Joe, thank you.

Mayor Stear Thanks, Sir.

Rich Girard John, thank you very much.

Council Member Laraway Thank you, Sir.

Rich Girard Chris.

Council President Bruce Yes, Sir. Thank you.

Rich Girard And one for you.

City Clerk Nathan Stanley Thank you, Sir.

Rich Girard And one for Morgan and Doug.

City Clerk Nathan Stanley You got it.

Rich Girard Thank you.

Mayor Stear Have you talked to anybody about a Temporary Certificate of Occupancy and some these things can get kind of?

Rich Girard I have. I have talked to Planning a couple of times.

Mayor Stear Okay.

Rich Girard The last time we talked about being able to have a temporary while the garbage enclosure was being built, the response was that they would talk with the garbage company. The next day I got an e-mail says the garbage enclosure has to be built before we could have an occupancy permit, even the temporary.

Mayor Stear Okay.

Rich Girard I've been over to the garbage company. We are signed up for service. We have a single cart that we're using currently.

Mayor Stear Okay.

Rich Girard We don't need a dumpster.

[Laughter]

Mayor Stear Okay. Alright. Okay. Yeah. I mean, we can take this up and get it figured out. I can talk to staff tomorrow.

Rich Girard Okay. Would you want to talk about it after your meeting or not?

Mayor Stear Um...

Rich Girard We have a bunch of people here and if not that's fine. They could either stay or go.

Mayor Stear Well, so we don't have anybody from building department that's here. We have Planning Zoning, but we don't have the building department here tonight.

Rich Girard That's who I've been talking to is Planning Zoning Department.

Mayor Stear Well, Building Department does the Certificate of Occupancy though so, I mean, they would be the ones that do the final check off, but...

Rich Girard Yes. No doubt, no doubt about it.

Mayor Stear I'll, talk.

Rich Girard You're correct.

Mayor Stear Yeah, I can get.

Rich Girard But we're being held up with Zoning and Planning.

Mayor Stear Okay.

Rich Girard Yeah.

Mayor Stear Alright, I can get with them in the morning and we can go over whatever the issue is and get it figured out. But if you don't need a dumpster, you're just using the tip cart, and I don't know what the problem would be so. We'll get it figured out.

Rich Girard It's kind of it's kind of a city standard type thing, everybody has to have one.

Mayor Stear Yeah.

Council President Bruce They have a way to get in touch with you?

Rich Girard Yes.

Mayor Stear Yeah, I think I still have your e-mail and everything.

Rich Girard Do you still have my e-mail? My phone number? I'm available, even though I live in Star, I'm out here as much as I'm in Star anymore.

[Laughter]

Mayor Stear Okay. Alright, We will get it figured out.

Council President Bruce It's a good-looking building.

Rich Girard Thank you very much. I appreciate you.

Mayor Stear You bet, no problem.

Council Member Biggs I saw the parking lot the other day.

Council President Bruce The building looks good.

Council Member Biggs And the parking lot, too.

Mayor Stear Yeah, looks really nice.

Council Member Biggs Saw it the other day.

Mayor Stear Greta Sinclair.

[Short Pause]

Mayor Stear Yeah. Greta Sinclair.

Unknown Speaker From Background She's just seconding what Rich said.

Mayor Stear Oh.

Mayor Stear Debbie Longenecker.

Unknown Speaker From Background So I'm kind of seconding what Rich said also, but we were talking about the grass.

Mayor Stear Okay.

Unknown Speaker From Background *[Inaudible]*

Mayor Stear All right. Yeah, I'll. I'll work with him.

City Clerk Nathan Stanley Ma'am, if you want to make comment, please go up to the podium.

Debby Longenecker I can do that. So, I know that Rich said something about not being able to have occupancy because we don't have our grass growing yet. And I think we were told that we can't have occupancy until we have the lawn growing and irrigation is going to be shut off on the

6th. We were thinking about hydroseeding and also somebody has said they might be able to help us with the cost for sod. So, I don't know if that's something that you guys would...

Mayor Stear Yeah, we can take care of it tomorrow, we'll get it figured out.

Debby Longenecker Yeah. Sounds good guys.

Mayor Stear Very good

Council President Bruce. Thank you.

Mayor Stear Michael Law.

Michael Law Michael Law, you all know me.

[Laughter]

Michael Law I'm here for a different reason and it's going to be following shortly thereafter and that's a happy Constitution Day. As constitutional representatives, you represent the people. But the thing with the Constitution Day that I have a little bit of trouble with every year is, do we really put any importance in it? Do we draw nearer to the Constitution with our mouths and with our lips? Honor the Constitution, but our hearts are far from the Constitution. I think we have to do more than just read because we talk about, you know, getting Congress and everybody else to read the Constitution. But I think we have to go further than just read the Constitution. We have to understand it and how it applies to us. Quick example, we the people give you authority and power and any authority or power that we as individuals do not have, we cannot give to our representatives. We have to understand that vital most important part of the Constitution, which is in the preamble, we the people, do ordain and establish this Constitution for the United States of America. And I think we fail miserably from top to bottom on that. And so, I think with this Constitution Day, I hope we will resolve more, not just to read it, but to understand the principles behind it and follow it because that is where our problem is, is we're not following it. And so, with that, I hope you will also push not just for reading it and making a Constitution Day or Constitution week, but entail learning about it and applying it. That's all I have to say.

Mayor Stear Well said, thank you, Sir.

Michael Law I appreciate that.

Council President Bruce Thank you.

Mayor Stear Beverly Wolf.

Beverly Wolf Good evening, Beverly Wolf, 3420 W Commemoration, Meridian. Thank you for always letting me speak and hearing me. I know I can't always make a big difference, but I have things to say because I am a taxpayer here. I've been here for a couple of years now and I see more fees are going to be voted in tonight and the full amendment on the sewer. So, question I have, which I know this is not Q&A, but maybe you can tell me who to talk to after, is I was

researching on the latecomers fund, and the fact that the sewer line gets put in at a larger size by the developers because you ask them to and that they get a kickback for later. It's kind of a sticking in my craw because most of the developing going on here is on farmland. So, who pays for the loss of farmland? It seems to me that the sewer lines they put in for their developers, and I've heard a lot of their arguments and oh, what woe is us? We have to pay for this. We have to pay for that. The bottom line is they wouldn't be here doing it if they weren't making money, and most of them make money and take it away, right? How many of them actually live here?

So, my question is, who can I talk to? And maybe somebody can tell me after the meeting about latecomer's fund to explain that to me because my sewer bills going up everybody's sewers bills going up everybody's water bills going up, everybody's taxes are going up and we're not all making the increase in percentage that you're taking from us. So, people are going to struggle. People are going to hurt. And even the developing that's happening so quickly here, why doesn't that keep up? Why aren't the addition of homes and families here paying the difference that's needed on utilities? I just have a lot of questions. I always appreciate that you hear me, and I thank you for your time.

Mayor Stear Of you are more than welcome to come in and visit with me anytime you would like. I'll be happy to do that.

Beverly Wolf Thank you.

Mayor Stear So, yeah. And that's all I had signed up. Was there anybody else who wanted to address the Council?

[Brief Pause]

Mayor Stear All right. Thank you very much.

F. External Reports

(Timestamp 00:13:35)

A. Constitution Week Proclamation. Mayor Stear.

Mayor Stear Next, we have Constitution Week proclamation. I enjoy this one. This is good.

Whereas the Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law. And whereas September 17th, 2024, marks the 237th anniversary of the drafting of the Constitution of the United States of America, by the Constitutional Convention, and whereas it is fitting and proper to accord official recognition of this magnificent document and its memorable anniversary and to the patriotic celebrations which will commemorate the occasion. And whereas public law 915 guarantees the issuing of a proclamation each year by the President of the United States of America, designating September 17th through September 23rd as Constitution Week. Now,

therefore, I Joe Stear, Mayor of the City of Kuna, Idaho do hereby proclaim September 17th through the 23rd, 2024, as Constitution Week in the City of Kuna, and urge all citizens to study the Constitution and reflect on the privilege of being an American. With all the rights and responsibilities which that privilege involves.

And we have Linda Tomlinson here from DAR. She's the one that brings us this proclamation each year. I'll go ahead and sign this and get you a copy of it right now.

Council President Bruce Thank you, miss Linda.

[Presents Proclamation]

Mayor Stear Thank you so much.

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 00:16:19)

- A.** Consideration to approve Resolution R53-2024 Water System Fees and Policies. Jared Empey, City Treasurer. ACTION ITEM

A RESOLUTION AMENDING PORTIONS OF RESOLUTION R04-2024 SETTING FORTH THE AUTHORITY FOR ADOPTING WATER CONNECTION FEES AND MONTHLY WATER SERVICE RATES; ESTABLISHING FEES FOR CONNECTING TO THE WATER SYSTEM; ESTABLISHING WATER USE FEES THAT ARE NOW AMENDED WITH WATER RATE CHANGES FOR ALL CUSTOMERS; PROVIDING FOR MISCELLANEOUS WATER CUSTOMER SERVICE POLICIES; SETING FORTH MINIMUM LINE SIZES; REPEALING FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETING AN EFFECTIVE DATE.

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Mayor Stear All right, that takes us to public hearings. Item GA consideration to approve Resolution R53-2024 water system fees and policies, Jared Empey.

City Treasurer Jared Empey Good evening, Mayor and City Council, Jared Empey City Treasurer. Before you tonight is Resolution 53-2024. This is similar to the resolution on sewer rates and trash rates in that the user rate, so the base rate is scheduled for a 3.33% COLA increase. This was calculated based on the CPI change for the month of, from the prior year. And

this is to pay for operations and maintenance only within the water system as it as it is existing, it's not to increase the system or to expand the system. With this, the only reason that this is coming before you as a public hearing is because one of the fees, the water meter fee, which is paid at the time of building permit by builders is increasing beyond the 5% number. The required 5% increase. It's because we hadn't updated it in quite a while and so I got the updated numbers from *core and main* and that is the reason for the public hearing. And so the only fee that's truly increasing beyond the 5% required number is, as I said, the water meters and the main one that people use is the three-quarter inch meter. Which is increasing from about \$290.00 to \$662.00 and that's a reflection on the fact that we haven't increased it in quite a few years. So that's the reason for the public hearing. So with this, a typical customer should expect the water bill to increase about \$0.64. If that customer uses 5,000 gallons or less per month, and if you're a senior residential that should be about \$0.50 per month. And so the cumulative effect of these three resolutions that come before you today, if you're a residential user it's uh, \$2.82 and senior residential is \$2.36. And so again, we want to make sure that we're staying ahead of inflation and making sure that we take increases slowly instead of making large increases to make up for not increasing as we go along and if you have any questions, I'd be happy to stand for those questions.

Mayor Stear Okay, questions for Jared?

Council Member Laraway I got one, yes, might be a silly one, but how do we identify senior?

City Treasurer Jared Empey I believe that 'senior' is anyone who is over the age of 65 and who is using that home as his as his primary residence. In other words, if you're renting or a landlord, then it doesn't count, but if you're using that as your primary residence, then it does count.

Council Member Laraway So I qualify?

[Laughter]

City Treasurer Jared Empey Well, I won't. I won't comment on your age, but...

Council Member Laraway I was just curious how we how we found out what 'the seniors' is.

City Treasurer Jared Empey So we did a study in 2020 with Keller Engineering, and we developed that rate and since then, we've taken a COLA rate each, a COLA rate increase per year.

Human Resources Director Nancy Stauffer Do you want to know how we identify who the senior is, you come to us and bring us your driver's license.

Council Member Laraway Okay.

Human Resources Director Nancy Stauffer We make a copy of that. It goes in the file and then we change the rate.

Council Member Laraway Is that information put out to the public?

Human Resources Director Nancy Stauffer We're going to tell everyone how old you are.

[Laughter]

Council Member Laraway Okay, I didn't hear you.

[Laughter]

Council Member Biggs Something like that, calling all 65 and older. Please come into the City and register.

Mayor Stear All right, any further questions.

[Short Pause]

Council Member Biggs Not at this time, Sir.

Mayor Stear Okay, this is...

Council President Bruce I have one.

Mayor Stear Oh, I'm sorry. Go ahead.

Council President Bruce I have one. What's the standard for all the other cities? Do they all do the COLA every year, is this? Because I know we've seen a lot of rate increases since I've been here. And I don't remember, is it just every year that we see them or have we raised it more than one time in a year, in the last few years?

City Treasurer Jared Empey So Council President, we have not increased more than one time per year. In fact, I believe on the water rates, we did skip one year. So, since we enacted the change in January of 2020.

Council President Bruce And this is the standard that most cities in the valley use is the COLA after the annual COLA, or?

City Treasurer Jared Empey So I couldn't speak to exactly how other cities do it, I can only speak to how we've done it so.

Council President Bruce No, nothing further at this time.

Mayor Stear Okay, this is a public hearing and I did have one person to sign up to testify. Was there anybody else who wishes to testify in this matter and that didn't get a chance to sign in?

Mayor Stear Okay, Beverly Wolf.

Beverly Wolf Thank you. Beverly Wolf, 3420 W Commemoration Ave. in Meridian. While I can appreciate that you're increasing the rate of small amount, any rate increases effects everybody who's on limited incomes and it seems to me with all the developing that's been going on and the

houses coming in, I still don't understand why things are happening so fast and so expensive when there's so many issues to address. I really wish you would slow down. And I'm in state this quote yet again, because I'm hoping that eventually you'll hit everybody's heart and not just your head. Nothing in the United States Constitution's Fifth 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 subsidize unwise development. Now I get that there's a lot you guys want to do. And you want to grow, and you want to build. I've been here for two years. I read documents; I see what's happening. I see the citizens who stand up here and talk about leaking in their foundations or please, this road is too busy. Don't do this. There's so many things that you have to balance and weigh. I also see stuff like using my tax dollars, I'm assuming. To file eminent domain lawsuits, right? Doesn't that come out of my tax dollars? I don't know what to tell you. I don't have an answer. I don't know everything. I just know what I hear. I know what I've been watching. I know what I've observed here. And I wish you would slow down and look back at what you've done. Have you done it because you fear lawsuit? Because the property owner gets to say what they do and don't want to do with their land. What happens to the people who are here first? And I'm not talking about me. I'm talking about other people who've been here, who are getting pushed off their land. You know a lady not too far from where I live. Who it appears, is getting pushed out because the developer doesn't like the way her land looks. I've even seen Animal Services called on her and all she does is look like because all she wants to just live and take care of her horses. I don't know, when do you look at the people, when do you consider the citizens over the developers? Thank you.

Council President Bruce Can I say...

Mayor Stear So just a couple of points. One, there was no eminent domain lawsuit filed. We had discussed it at one time, but we didn't follow through with that.

Beverly Wolf Okay.

Mayor Stear And if people were being pushed off their land, I would have a real problem with that. People generally sell their land. So, I don't know who's been pushed off their land, but I haven't seen it.

Beverly Wolf It's an outside observation, it what it looks like based on what I see. You know, it's just an observation.

Mayor Stear Okay.

Beverly Wolf [*Inaudible*] It's just an observation.

Mayor Stear Okay. Yeah. Chris, did you have something you wanted to say?

Council President Bruce No, no, it's Okay. I was just addressing the growth issue. We've denied more projects recently than ever before. So.

Mayor Stear Yeah.

Beverly Wolf And I appreciate that, too. I just...

Mayor Stear If you want to talk some more, you'll need to come up to the... All right. Was there anybody else who wishes to testify? Yes. I'll just change your name over to the next one.

Michael Law Michael Law and I'm at 892 Cranesbill Ave. here in Kuna. I'll just make it real quick again, Constitution Day we're talking about. So, the Declaration of Independence started this whole thing, and in there it talks about every man created equal and everybody should be equal. Here I am hearing that which I already knew, that seniors get a little bit of a discount compared to the rest of us. So that makes them more equal than the rest of us? I understand the situation, but we have to treat everybody equally and while I'm speaking of the Declaration, the Constitution is the consummation of that Declaration. And so treating somebody with more equal than others, like giving them a discount because either they're a senior or they're a veteran or disabled, it doesn't matter. Everybody should be treated equally. And when we start having government go, and we're going to give you a discount, we're going to give you a discount. We're going to charge you. We're not going to charge you, this person. We start doing things unequally and that's what leads to inequality, not only in how government is treating others legislatively, somebody a benefit that somebody else doesn't get, we start getting unequal and that is, I believe, in violation of the very constitution that we're that we're celebrating today. Thank you.

Council President Bruce Thank you.

Mayor Stear Thank you very much. Anyone else? All right. The question is rightfully before Council.

Council President Bruce Do we need to close evidence presentation? Mr. Mayor, do I need to?

Mayor Stear Yeah.

Council President Bruce Do you have it? Do you guys have anything else? Any other questions to ask before?

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

Council Member Biggs Second.

Mayor Stear Motion is made and seconded any discussion on that motion?

Mayor Stear All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? That motion carries.

Mayor Stear Any opposed? That motion carries.

(Timestamp 00:28:28)

Motion To: Close Evidence Presentation And Proceed To Deliberation

Motion By: Council Member Bruce

Seconded By: Council Member Biggs

Further Discussion: None

Members Voting Aye: Council Members Bruce, Laraway, Biggs

Members Voting Nay: None

Members Absent: Council Member McPherson

Approved Via: Voice Vote

3-0-1

Mayor Stear Well, I think in this case like the reason he said this one was coming up for the public hearing was meter fees that were way behind what we're actually. Want to make sure that developers pay and builders pay for their fair share of these so that people aren't supplementing those costs, so, that's why this one went that's this time.

Council President Bruce I've always been one to add that you know the increased costs we're adding to the system, so continuing to charge for the user, for the system has always been something I've had an issue with but, I understand what he's saying with the cost-of-living adjustment. Is there any way to break that out? Where we don't raise the cost of living on the residential user but can but keep the rest of the stuff. Or is it? Do we? Have to have it all.

Council Member Biggs Keep the development fee.

Council President Bruce Right. Because some of those fees haven't been raised in a while, right? The construction, new development. Is that a Marc question?

City Attorney Marc Bybee Are you asking if you can charge new system users a greater rate than existing system users?

Council President Bruce No, if we can just raise the fee like we're going to, except for the end user of the residential user and not take the coal adjustment on them.

City Attorney Marc Bybee And so only take it on commercial users and industrial users is that what you're getting at?

Council President Bruce The rest of what's here. Or is it all in one?

City Attorney Marc Bybee Let me look at what your what page are you looking at in the packet.

Council President Bruce Starts on 137. Because I know some. Like you said, some of the fees haven't been raised in years. So, I understand that to bring them in line with the other.

City Attorney Marc Bybee And so what fee are you not talking about because you say the residential one?

Council President Bruce The cost of living for the end user, for residential users.

City Attorney Marc Bybee That is, which part of the resolution that that specific line appears, that line item.

Council President Bruce Jared, do you know exactly where it's at?

City Treasurer Jared Empey Yeah, it's on.

Council President Bruce Page one thirty, bottom of 139 the top, or top of 139, bottom of 138.

City Treasurer Jared Empey Yeah, so it says standard water use fee.

City Attorney Marc Bybee And so, I'm just looking at this paragraph. I'm sorry, Councilman Bruce, I didn't review this paragraph before we got in here. So, if I'm understanding right, you're asking if we can parse out residential users and not increase it for them.

Council President Bruce Right, and not take the cost-of-living adjustment on that user, on the standard water user?

City Attorney Marc Bybee But this standard water use fee does, is not only for residential users. Correct, Jared?

City Treasurer Jared Empey So Marc, so we have a residential rate, we have a senior residential rate and then we have commercial rates.

City Attorney Marc Bybee Okay, and so the concern I have with doing this, like Mr. Law actually stated that all users are users of the system and if we're users of the system, the purpose of these fees is not to pay for growth of the system. It actually can't be for that. But to pay for the maintenance of the system, to ensure it actually keeps performing. And I can think of in other cities to pay for when you actually have to redesign your chip system because of changes in law, those kinds of things that just come up and have to happen. And the way fees are designed to be, you can't, you know, fund a system on the back of one user to the detriment of another user, if that makes sense. So if you're going to do a fee increase. I wouldn't parse out residential users different from others, and if you choose not to do a fee increase, that would be I'd say, that it would need to go to everyone, but there's not a fee increase and then that just becomes an issue of.

Council President Bruce Right.

City Attorney Marc Bybee What Jared was getting out of falling behind inflation and what I.

Council President Bruce I understand that too. My thought is that, you know, everyone to experiencing inflation right now, not just the city, right? You know, we just passed a budget with

so much money in the bank and then we're still, I mean, I voted 'no' on the budget as it was so. Just continuing to raise the fees for people, it's just a, it's a struggle for me. But I understand what you're saying.

Council Member Biggs Okay. So, and I think Jared already geared, created this, I pulled up from 2023 rates just for your own edification, just and as a recap, because I know I heard Jared say it, but the monthly base rate for this is everything 5,000 up to 5,000 gallons, everything else stays exactly the same. So, anything above 5,000 gallons usage the same rates apply, but residential goes up by \$0.64 and then the senior residential goes about \$0.50 for up to 5,000 and then commercial goes from \$19.30 to \$19.94 which is the same rate as residential and commercial oversized goes. That's the big one that goes from \$137.35 up to \$141.92.

Council President Bruce It's just 3.3.

Council Member Biggs Yes.

Council President Bruce Yeah.

Council Member Biggs I think, is the commercial a little more? Commercial is 5.54, that's why that one is much bigger, right?

City Treasurer Jared Empey So, Councilman Biggs, so, all of them should have received an increase of 3.33%.

Council Member Biggs Okay. It's just bigger because it's a bigger number to start with.

Mayor Stear Yeah.

Council President Bruce That's all I had.

Mayor Stear Okay. Any further questions?

Council President Bruce You guys have a motion? John?

Council Member Biggs So, I guess, I don't have a motion yet. But the consequences of not taking the increase holes from what? I guess, we, the city continues to pay higher.

Council President Bruce It just uses the funds that we have in the bank.

Council Member Biggs Right. And I just wonder what that cost is over the year, if we, if that happened? I guess it's a question for Jared.

Mayor Stear I think the last time we did that.

Council Member Biggs Where we skipped a year?

Mayor Stear We, and part of that was my fault, because we, I kept postponing making those increases because of the way the economy was. I didn't want to raise everybody's fees. Let that go too long and then it created a substantial increase after a period of time. And so what Jared's

been doing is following the trends so that we don't get behind and we don't have to have a substantial increase like the last time we did that. I think it's a bit more shocking to have to make up a deficit than it is to keep up in the first place so we can use funds that we already have to make up for our costs that we're putting out, but eventually that starts going in a negative direction. And we end up with bigger increases.

City Treasurer Jared Empey Yeah, agreed. So, as was stated, you know the scheduled increase is \$0.64 per month. So what that entails is if you add up all of our users, I think I had it calculated out to where it was about 130 to 140,000 in revenue that we'd go without, without the increase.

Council President Bruce And I don't look at it as necessarily just the amount of increase. I look at it more as, you know, it just continues to grow every year, right. And we're adding users to it. So what in turn happens is the City's accounts continue to grow, which is government. That's why I didn't want to vote for the budget increase this year because I'd rather carry a lower balance in the account funds that we have, rather than continuing to grow it. That's why I voted no. So, it does not a dollar amount for me it was just a continued growth of fees in general. But I see what they're saying that way they're not breaking off more to someone else.

City Attorney Marc Bybee If I might, Mayor, so Councilman Bruce asked a question about whether this is common in other cities. And I do represent other cities. So, I get to see it, and I'd say fee increases on these user fees are very common in other cities on an annual basis. So that's something I see is it always the COLA, no, I've actually seen some cities have to take a larger than COLA because they did not increase in other years, right and so.

Council President Bruce The foregone.

City Attorney Marc Bybee I get where you're coming from as far as you know, to kind of get to that question you had, that's at least something I've experienced in other cities.

Council President Bruce Any other questions?

Mayor Stear Okay.

Council President Bruce I just think it's something we should look at further down the line, right? When we approve budgets from here on out, we should look at the balance that we have and maybe necessarily not continue to grow our budget every year. So. I'll make a motion that we approve resolution R53-2024.

Council Member Laraway Second.

Mayor Stear Motion is made and seconded for approval of resolution R53-2024. Is there any further discussion? All those in favor say aye. Anyone opposed?

Mayor Stear All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? That motion carries.

(Timestamp 00:38:39)

Motion To: Approve Resolution R53-2024

Motion By: Council Member Bruce

Seconded By: Council Member Laraway

Further Discussion: None

Members Voting Aye: Council Members Bruce, Laraway, Biggs

Members Voting Nay: None

Members Absent: Council Member McPherson

Approved Via: Roll Call Vote

3-0-1

8. Business Items:

9. Ordinances:

10. Executive Session:

11. Mayor/Council Announcements:

(Timestamp 00:39:16)

Mayor Stear Just give you a little bit of an update we had. There's some funding. It wasn't really a grant funding, but it's funny money that's distributed to cities or health districts for education on avoiding opiate use and opioid use and we got together with the Police Department. The other, we've been using that funding here and there for things. But I think we're looking at putting together a program to work within the school district to get some resources going and do some educational series on that money, on that on that topic, using that money. It's money that they're giving out. It either goes, we can use it or it goes to health districts so with the help of Sergeant Keen and our police chief here. We're working on a program to kind of be a groundbreaker on. Putting that educational program into the school district, and I'm real pleased about that and it's not huge amounts of money, but it's enough that we can actually make a difference I think so. Real pleased with that, we're, we met this week and I think we're going to get that all started and going good so.

Council President Bruce Sorry, I turned it off. I remember we had D.A.R.E. when we were younger, do you remember D.A.R.E.?

Mayor Stear Yes.

Council President Bruce Yeah. Brain on drugs. The eggs.

Mayor Stear Yeah.

Council Member Biggs and M.A.D.D.

Council President Bruce So it's good to see, you know, the outreach to the community.

Mayor Stear I'm old enough, we just have blood on the highway. Just kidding. Yeah. Anyway, so that was all I had. Thanks.

Council President Bruce Thank you.

12. Adjournment:

(Timestamp 00:41:23)

Mayor Stear Anybody else have anything?

Council President Bruce No, Sir.

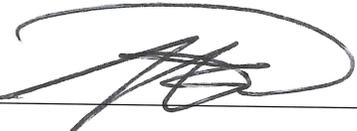
Mayor Stear Okay. Well, I appreciate it very much and have a great rest of your evening.

Mayor Stear Meeting adjourned.



Joe L. Stear, Mayor

ATTEST:



Nathan Stanley, City Clerk



*Minutes prepared by Cortnee Manning, Kuna City Clerk's Office & Gurrell Michaelson, Deputy City Clerk
Date Approved: CCM 09.24.2024*



CITY OF KUNA
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SIGN-UP SHEET

September 17th, 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

✓ RICH GERRARD
 Print Name
128 E. PORTER
 Print Address
KUNA ID
 City State, Zip
KUNA LUTHERAN CHURCH
 Topic

✓ Deborah Longenecker
 Print Name
Deborah Longenecker
 Print Address
Kuna ID 83634
 City State, Zip
 Topic

✓ JANEY WOLF
 Print Name
3420 W. Comm.
 Print Address
Meridian
 City State, Zip
 Topic

✓ Greta Sinclair
 Print Name
1105 E Shady Ridge Dr
 Print Address
Kuna, ID 83634
 City State, Zip
 Topic

✓ Michael Law
 Print Name
872 N. Cranosbill Ave
 Print Address
Kuna, ID 83634
 City State, Zip
 Topic

Print Name
 Print Address
 City State, Zip
 Topic

September 17, 2024

Mayor and Council
City of Kuna
751 W 4 Street
Kuna, ID 83634

RE: KUNA LUTHERAN CHURCH

Dear Mayor and Council Members:

We with Kuna Lutheran Church are here to enlist your help to enable us to use our church building for worship on Sundays. We have tried to work with your staff to understand our situation and issues along with our willingness to complete the final two requirements, which are the installation of the lawn and the concrete trash enclosure.

The building has been completed for several months with various inspections approved, and the parking lot and lighting are finished. The final inspection from the Fire Department was completed last week. Our request is to be allowed to use of the church for worship for **four hours on Sunday morning**, until we resolve the final items.

Our first situation is that if we put the lawn now with the irrigation season ending in two weeks that the lawn may not survive the winter. We hired, a contractor to install the pumping station for our irrigation system in May, however they finally received all their material and started just last week. All the required Trees and plants have been planted.

Our second concern is that we cannot even have a temporary occupancy permit until the trash enclosure is completed. We are a small congregation; our building has no kitchen with only a coffee bar. Our current garbage service is a single garbage cart, which we keep in our storage building for now. The required City's trash enclosure was estimated to cost \$25,000, with this in mind our General Contractor tried to come up with less costly options that would be acceptable to the City, this has led to delays. We are now starting construction of the required enclosure with the foundation being completed this week depending on weather.

We thank you for your time and consideration of our request,

Sincerely:

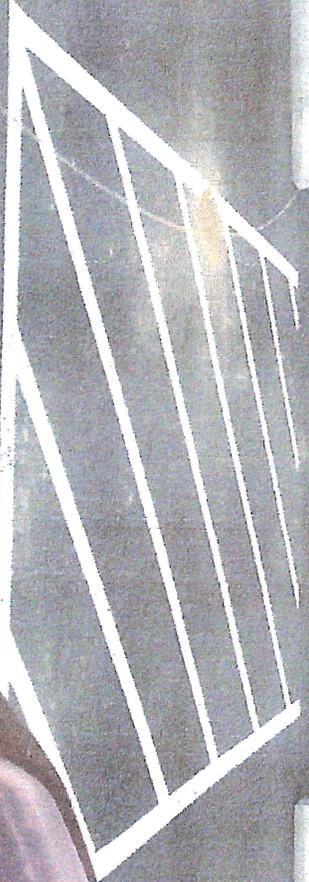
Kuna Lutheran Church





GURUH JAMAT OF
KUNA LUTHERAN
CHURCH
TANAH BAYAN DUKIT, GABUS, ENAB
KULU, SAMPAL, KEMALING, KEMALING, KEMALING

128



Seven Day Adventist Church
With a full kitchen





CITY OF KUNA
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City Council Public Hearing Sign-In Sheet
 September 17, 2024

Case Name: Water System Fees and Policies
Case Number: Resolution R53-2024

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

IN FAVOR	NEUTRAL	IN OPPOSITION
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name <i>Michael Law</i>	Name <i>Gwenly Wolf</i>
Address	Address <i>292 N Coatesbill Ave</i>	Address <i>320 W. Comm</i>
City, State, ZIP	City, State, ZIP <i>Kuna Id 83634</i>	City, State, ZIP <i>Meridian ID</i>
<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
City, State, ZIP	City, State, ZIP	City, State, ZIP