

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
AGENDA
Tuesday, May 06, 2025

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 00:00:25)

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, Planning & Zoning Director
Bobby Withrow, Parks Director
Nancy Stauffer, Human Resources 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 Yes.

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 Here.

2. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:39)

Mayor Stear And if you 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 April 15, 2025
- B. Accounts Payable Dated May 01, 2025, in the amount of \$537,977.65
- C. Decision and Reason Statement
 - 1. Case No. 24-04-OA (Ordinance Amendment) – Certificate of Occupancy
 - 2. Case No. 24-01-ZC (Rezone) 24-01-CPM (Comprehensive Plan Map Amendment) – Gemstone Technology Park **-MOVED TO BUSINESS ITEM 7.A.-**

D. Resolutions

- 1. Resolution R33-2025

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE REAL ESTATE LEASE AGREEMENT BETWEEN THE CITY OF KUNA, IDAHO AND VETERANS OF FOREIGN WARS.

- 2. Resolution R34-2025

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING IDAHO POWER COMPANY EASEMENT AGREEMENT BETWEEN THE CITY OF KUNA (OWNER) AND IDAHO POWER COMPANY (COMPANY).

3. Resolution R35-2025

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING A PERFORMANCE BOND BY HUBBLE HOMES, LLC, FOR SABINO'S ROCKY RIDGE PHASE 1 FOR UNCOMPLETED WORK FOR FENCING PURSUANT TO THE TERMS OF THIS RESOLUTION.

4. Resolution R36-2025

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING A PERFORMANCE BOND BY HUBBLE HOMES, LLC FOR SABINO'S ROCKY RIDGE PHASE 1 FOR UNCOMPLETED WORK FOR STREETLIGHTING PURSUANT TO THE TERMS OF THIS RESOLUTION.

5. Resolution R37-2025

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING A PERFORMANCE BOND BY HUBBLE HOMES, LLC, FOR SABINO'S ROCKY RIDGE PHASE 1 UNCOMPLETED WORK FOR LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

6. Resolution R38-2025

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO SIGN; AND AUTHORIZING THE MAYOR TO EXECUTE THE RELEASE OF DEVELOPMENT AGREEMENT WITH JAPHETH, LLC, AN IDAHO LIMITED LIABILITY COMPANY ("THE OWNER") AND MIRIAM, LLC, AN IDAHO LIMITED LIABILITY COMPANY ("THE OWNER") AND THE CITY OF KUNA; AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE AND EXECUTION.

Mayor Stear First item is the consent agenda. We do have a request to move item C.2 to be item 7.A under Business.

Council President Bruce I move, we move Item 3.C to business item 7.A...

Mayor Stear B.C.2

President Bruce B.C.2 to business item 7.A.

Council Member McPherson I'll second that.

Mayor Stear Motion and a second. All those in favor?

All Council Members Aye.

Mayor Stear Any opposed? And that motion carries.

(Timestamp 00:01:15)

Motion To: Move Item 3.C. To Business Item 7.A

Motion By: Council Member Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Via: Voice Vote

4-0-0

Mayor Stear That leaves the rest of the consent agenda.

Council Member McPherson *Good.*

Council President Bruce I move we approve the consent agenda, as published...

Council Member McPherson with the exception.

Council President Bruce With the with the amendments.

Council Member McPherson I'll second that.

Mayor Stear Motion is made and seconded. Any further discussion? 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 00:01:43)

Motion To: Approve The Consent Agenda With Amendments.

Motion By: Council Member Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Via: Roll Call Vote

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4. Public Comment

(Timestamp 00:02:09)

Mayor Stear That takes us to public comment. I have Gale Zarr signed up to testify.

Gail Zarr Good evening. My name is Gail Zarr. I live at 412 E Boise St. And forgive me, I am not comfortable with being on stage. That's my husband's job. So I have notes to read. My public comment is in regard to the April first meeting, which addresses the rezone request. Both the city and area here in the chambers and in the foyer was filled. There are over 60 testimonials with 30% being in favor. Or should I say not in strong opposition. Of that 33% I would say 1/3 had very close ties to the family and or did not live in Kuna, so that were left 67% that were in opposition. They cited concerns related to the demand on power, negative impact of the traffic, loss of ag, potential health risk, potential for too much residential development, bait-and-switch, benefits to the organizations being greater to the city would realize. And I just wanted to let... Remind you guys that you are elected to represent the citizens they came out and did what they were supposed to do. And I'd like to thank Council Member Bruce and Biggs for listening to the people that came out and for their 'no' votes. And for the Council members McPherson, Laraway, and Mayors Stear, I would just plead with You. And ask for you to reflect on your decision. I know it's too late to change it. It simply did not go against the wishes of the people that you are to serve, but it also showed a lack of respect. A real lack of respect for the time and effort that went into what I'm going to say as a master plan. There was one gentleman who was here who testified in opposition, mentioning the hours that he and other community members invested for planning in the future. And it seems like in the meetings that I attend or I watch, it seems like rezoning is more common when it should be an exception. And that's all I have for you.

Mayor Stear Thank you. Did anybody else wish to speak to the Council? All right. Very good. Thank you.

5. External Reports/Proclamations

(Timestamp 00:04:36)

A. Mental Health Month Proclamation.

(Timestamp 00:04:36)

Mayor Stear Next we have the Mental health proclamation.

This is the proclamation of Mental Health Month,

Whereas there is a proven connection between good mental health and overall personal health; and

Whereas mental health issues affect almost every family in America; and

Whereas people with mental health issues recover if given the necessary services and supports in their communities; and

Whereas people with mental illness make important contributions to our families and our communities; and

Whereas millions of adults and children are disabled by mental illness every year and only one out of two people with a serious form of mental health illness seeks treatment; and

Whereas stigma and fear of discrimination keep many who would benefit from mental health services from seeking hope; and

Whereas good mental health is critical to the well-being of our families, communities, schools and businesses, and greater public awareness about mental health, illness can change negative attitudes and behaviors towards people with mental illness.

Now, therefore, I Joe Stear Mayor of the city of Kuna, Idaho do hereby proclaim May 2025 as Mental Health Month.

And call upon all Kuna citizens, public and private institutions, businesses, and schools, to recommit our community to increasing awareness and understanding of mental illness, reducing the stigma and discrimination, and promoting appropriate and accessible services for all people with mental illness.

And we have Nancy Stauffer as our city representative for this proclamation.

Council President Bruce Thank you, ladies.

[Pictures Were Taken]

Council President Bruce Thank you, ladies.

Council Member Biggs Thank you.

6. Public Hearings:

Public Hearing Process: Items begin with the presentation of the project by staff for up to 15 minutes. The applicant is then allowed 10 minutes to present their project. Members of the public are allowed up to 3 minutes each, to address City Council with testimony restricted to the matter at hand. After all public testimony, the applicant is allowed 5 minutes for rebuttal.

City Council members may ask questions throughout the public hearing process.

Once the public hearing is closed, no further testimony or comments are heard.

City Council may move to continue the application to a future meeting or approve or deny the application.

7. Business Items:

(Timestamp 00:07:22)

Mayor Stear That takes us to item 7.A, which was on the consent agenda as C.2, Marc Bybee.

City Attorney Marc Bybee Thank you, Marc Bybee, City Attorney. So, I requested this be pulled from the consent agenda for two reasons. The first, is Just in regard to the decision obviously a long decision. I worked with your Planning & Zoning Director Doug Hanson to develop the language in here that we believe is consistent with what the Council's decision was and its reasoning. That said, I believe Section 3 of this decision, well Roman numeral 3, and it you guys got a big packet, so it's a lot to review. I want to make sure that a lot of attention and focus of the Council is put on that section and that you're... that it is consistent with your determination and I know we have a split vote, so it obviously I might expect some Council members might not agree with it and some might and just that it's be consistent with what you believed you were approving and the reasoning you made. And so that's one reason I wanted to draw this... your attention to this. The other one and is brought to my attention and that honestly by the applicant. And then the Kuna Fire Chief. That the MOUs that are referenced in this rationale, in this Section 3 are not yet signed by the applicant. It's my understanding that they will be signed, likely this Friday. I know it's the applicants' desire that this still move forward with the decision today. I'm not telling you as a Council have to, you know, approve that this, this decision today or not. I just want you to make to make you aware of this. That it's this circumstance, and if you're not ready to move forward on this decision today that it be continued to the next meeting in order to for there to be time for the applicant to obtain signatures, get the signed MOU's back to the district and city and I'll apologize the applicant because I saw the email from the applicant just before coming here. So I didn't have time to advise their representative that I going to be making this request.

Mayor Stear Okay, what's the wishes of the Council?

Council President Bruce I mean I...

Council Member Biggs I don't know.

Council President Bruce If it hasn't been executed, I mean... How can we approve it if it hasn't been executed?

City Attorney Marc Bybee And that's why I'm drawing it to your attention. I felt that from what I heard from the Council, those MOU's were part of the rationale and approval of those and satisfying the DA. So if they're not yet signed, I felt that would impact, you know, whether this should be at the final decision should be executed or not and that's why I brought it to your attention.

Council President Bruce We just move it to next Week? Two weeks?

Council Member McPherson Until they do their part.

Council President Bruce That's the fire district. Would you say?

City Attorney Marc Bybee The fire district and City, MOU's.

Council President Bruce To a date certain of two weeks?

Mayor Stear Okay.

Council President Bruce Will we have it done by then.

City Attorney Marc Bybee The app I mean it's not me to get it signed. It's the applicant too, but the that what I was told it's on. They said their board, "I'm assuming that's Diode board's agenda this Friday for approval and signature.

Council Member Biggs So, May 20th?

Council President Bruce So is that election? So I move that we move case #24-01-ZC to a date certain of May 20th, 2025.

Council Member Biggs Second.

Mayor Stear Okay, we have a motion and discussion. Any further discussion on that item? Motion and a second, I mean. All right, hearing none, all in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? And that motion carries.

Council President Bruce Thank you, Marc.

(Timestamp 00:11:21)

Motion To: Move Consideration of Decision and Reasoned Statement of Case No. 24-01-ZC (Rezone) 24-01-CPM (Comprehensive Plan Map Amendment) – Gemstone Technology Park to a date certain of May 20th 2025

Motion By: Council Member Bruce

Seconded By: Council Member Biggs

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Via: Voice Vote

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8. Ordinances:

(Timestamp 00:11:48)

A. Consideration to approve Ordinance 2025-14 ACTION ITEM

- AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:
- MAKING CERTAIN FINDINGS; AND
 - AMENDING CHAPTER 8, PART 12 OF TITLE 5 KUNA CITY CODE CERTIFICATES OF OCCUPANCY; AND
 - PROVIDING A SEVERABILITY CLAUSE; AND
 - DIRECTING THE CITY CLERK; AND
 - PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve Ordinance

(Timestamp 00:11:48)

Mayor Stear Ordinances: consideration to approve Ordinance 2025-14. An ordinance of the City Council, the city of Kuna making certain findings and amending Chapter 8 part 12 of Title 5, Kuna City Code certificates of occupancy and providing a severability clause and directing the city clerk and providing an effective date.

Council President Bruce I move we waive 3 readings of 2025-14.

Council Member McPherson Second.

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

All Council Members Aye.

Mayor Stear Any opposed? Motion carries.

(Timestamp 00:12:25)

Motion To: Waive 3 Readings of Ordinance 2025-14

Motion By: Council Member Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Via: Voice Vote

4-0-0

Council President Bruce I move we approve Ordinance 2025-14.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded for approval. 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 00:12:45)

Motion To: Approve Ordinance 2025-14

Motion By: Council Member Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: Council Member Laraway

Via: Roll Call Vote

4-0-0

9. Executive Session:

(Timestamp 00:13:09)

Mayor Stear We have no executive session.

10. Mayor/Council Announcements:

(Timestamp 00:13:13)

Mayor Stear Is there anything? Anyone wishes for announcements?

Council President Bruce The fair was great.

Mayor Stear The hometown fair went very well. Yes, kudos to the parks to park and everybody that helped out with that.

Council President Bruce I saw some new vendors out there that I hadn't seen before. I don't know if that was just me. They almost got me.

Council Member Biggs I wouldn't know because I went out there during the rainstorm.

[Laughter]

Council President Bruce It's probably the best way to save money.

Mayor Stear That is one thing the hometown fair usually brings rain, so...

Council President Bruce Well, my kid went and he called and I said, 'Are you ready to come home?' He said 'no, I need you to bring me new socks and underwear.' He was in the rain. So He wanted to stay. He didn't want to go.

Mayor Stear Awesome. Yeah, and then the Chief made a comment that it was good all the food vendors were out on 2nd St. there instead of out in the park and it made things a lot smoother and easier and less chance of conflict being in there like that and crowding people in so yeah, and appreciate our police being there to keep an eye on things. Far as I know, there wasn't any trouble of any kind, so...

Council President Bruce I have. I want to give a shout out to the fire department. They loaned me all the gear to do Fire Ops, this weekend.

Mayor Stear Oh good.

Council President Bruce So that's going to be interesting. That's a lot of gear.

Council Member McPherson I'm going to call you Monday and see how sore you are.

Council President Bruce It's a lot of gear. Yeah. I mean, you don't think about it until you put it on and pressurize the mask, carry the tanks. I mean, that's... So I'm bringing my son with me because he was my intern, so he'll be able to pull me out if it goes wrong

Mayor Stear And when are you doing that?

Council President Bruce Thursday and Friday.

Mayor Stear Okay. Yeah, that's a lot of work.

Council President Bruce It should be interesting, but yeah, it'll you know, I guess they do it every year. This year it's in Meridian, so, that would be good.

Mayor Stear Yeah. They've been doing that firefighter 101 for a long time and it's very beneficial. I think they just do it mostly so people can actually see what that's like to get into those situations.

Council President Bruce Yeah. And they were. They were great, getting all the gear out, going over it. I mean, it was just a good interaction, so...

Mayor Stear And you'll find it's kind of like a carnival ride trying to do CPR in the back of the evening ambulance. Good. Well, thank you.

Council Member Biggs In my, in my little sheltered world, I've heard nothing but 'thank you's and appreciation for the new stop light at Kay and Avalon.

Mayor Stear That's been working well, yes.

Council Member Laraway Except for *[Inaudible]*.

Council Member Biggs Except for one.

Mayor Stear Yeah, well, there's one person in every crowd.

11. Adjournment:

(Timestamp 00:15:53)

Mayor Stear All right. Anything else?

Council President Bruce No, Sir.

Mayor Stear All right if nothing meeting is adjourned.



Joe L. Stear, Mayor

ATTEST:



Nathan Stanley, City Clerk



Minutes Prepared By Garrett Michaelson, Deputy City Clerk

Date Approved: CCM 05.20.2025



CITY OF KUNA
 751 W 4th Street • Kuna, ID 83634
 (208) 922-5546 • www.kunacity.id.gov



City Council Public Comment Sign-In Sheet
 May 06, 2025

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.

Name <i>Graig Ferr</i>	Name	Name
Address <i>412 E Bore St</i>	Address	Address
City, State, ZIP <i>Kuna</i>	City, State, ZIP	City, State, ZIP
Topic: <i>Rezone in 04/01</i>	Topic:	Topic:
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