

OFFICIALS

Joe Stear, Mayor
Richard Cardoza, Council President
Briana Buban-Vonder Haar, Council Member
Pat Jones, Council Member
Greg McPherson, Council Member



Kuna City Hall Council Chamber, 751 W 4th Street, Kuna, Idaho

**City Council Meeting
MINUTES
Tuesday, April 4, 2017**

6:00 P.M. REGULAR CITY COUNCIL

(First ten minutes of meeting not recorded due to a problem with the system)

1. Call to Order and Roll Call

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear
Council President Richard Cardoza
Council Member Pat Jones
Council Member Briana Buban-Vonder Haar - Absent
Council Member Greg McPherson

CITY STAFF PRESENT:

Richard Roats, City Attorney
Chris Engels, City Clerk
Wendy Howell, P & Z Director
Gordon Law, City Engineer
John Marsh, City Treasurer
Bobby Withrow, Parks Director
Bob Bachman, Facilities Director
Troy Behunin, Planner III
Antonio Conti, City Engineer

2. Invocation: Karen Hernandez, United Methodist Church

3. Pledge of Allegiance: Mayor Stear

4. Consent Agenda:

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.

A. City Council Meeting Minutes:

- 1. Regular City Council Minutes, March 21, 2017**

B. Accounts Payable Dated March 30, 2017 in the Amount of \$347,356.36

C. Alcohol Licenses:

- 1. Conpaz INC dba Enrique's Mexican Restaurant 482 W Main Street – On Premise Beer & Liquor-by-the-Drink**
- 2. Cuda LLC dba Big Mic's 459 W Main Street – On Premise Beer & Liquor-by-the-Drink**
- 3. Fiesta Guadalajara 780 E Avalon Street – On Premise Beer & Liquor-by-the-Drink**
- 4. Grantura dba Kuna Event Center 321 W 4th Street – On Premise Beer & Liquor-by-the-Drink**
- 5. Kuna Super C Store 331 Avenue D – Off Premise Beer & Off Premise Wine**
- 6. Ridley's Food Corp 1403 N Meridian Road – Off Premise Beer & Off Premise Wine**

D. Resolutions

- 1. Consideration to approve Resolution No. R28-2017 – Approving Resolution for Form of Letter of Credit for Memory Ranch Subdivision No. 1**

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE KUNA CITY ENGINEER TO ACCEPT AN IRREVOCABLE LETTER OF CREDIT IN LIEU OF CONSTRUCTION FOR THE MEMORY RANCH SUBDIVISION NO. 1 UNDER CERTAIN TERMS AND CONDITIONS SO THE FINAL PLAT MAY BE RECORDED PRIOR TO COMPLETION OF CONSTRUCTION.

- 2. Consideration to approve Resolution No. R29-2017 – Approving Century Link Utility Relocation Agreement**

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE UTILITY RELOCATION AGREEMENT BY AND BETWEEN THE CITY OF KUNA, IDAHO AND CENTURY LINK, INC. TO RELOCATE CENTURY LINK'S COMMUNICATIONS AND/OR FIBER OPTIC LINES AT CENTURY LINK'S EXPENSE.

E. Findings of Fact and Conclusions of Law

- I. Consideration to approve Findings of Fact and Conclusions of Law for Case No. 16-09-AN (Annexation) Michael Robinson

Council Member Jones moved to approve the consent agenda. Seconded by Council Member McPherson. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Jones, and McPherson.

Voting No: None

Absent: Council Member Buban-Vonder Haar

Motion carried 3-0.

5. *Direction on Public Hearings and Agenda Items – Mayor Stear*

Mayor Stear stated that he wanted to review the process for public hearings. In the last meeting it was said that the City takes away the Council's legislative powers by advertising the fee before Council gets to decide what that fee should be. The City was required by law, in certain matters, to hold public hearings. The purpose of a public hearing is for the citizens, who elect the City's officials, to make meaningful comment and to be a part of that legislative process. The City did not always get to speak for them. Just as in land use issues, Council did not get to have discussions before a public hearing that could cause them to come into a public hearing with minds already made up. This was where a little bit of faith and trust in staff came into play. There were 4 staff members tasked with determining what a fair and reasonable fee would be and they did so. That part, the formula, was explained to Council at the public hearing. That was what the discussion and the decision should have been about. If staff did as was requested and had meetings to determine what a fee should be before advertising and before holding a public hearing, it would deprive the citizens of their right to be part of that legislative process. That was why it was done the way it was and why it would continue to be done that way. Council spent 50 minutes on that public hearing. Only about 5 minutes were actually devoted to the fee and about 45 minutes were spent on other discussion. That led him to his next point; Agenda Items.

Mayor Stear said Council Meetings had been getting way off track with side bars during agenda item discussions. From that point on Council would need to stick with the items on the agenda and, if other questions were to arise, jot those down, get them to him, and he would see about getting them answers. He would expect Council to do their due diligence in researching items on the agenda before Council Meetings. If there were questions in regard to procedures, policies, ordinances, code sections, or any of those types of things that need to be answered before a decision could be made, Council could get those to him ahead of time and he would make sure that they got an answer.

6. *Community Reports or Requests:*

- A. Farewell from Chief Dusseau and a Warm Welcome for Chief McDaniel – Justin Dusseau, Chief of Police
(Recording starts during this item)

Chief Dusseau discussed his honor and appreciation for serving Kuna. He thanked Council and City staff for the relationships and quality work done.

Chief McDaniel thanked Mayor Stear and Council for welcoming him and he was excited to continue moving forward with Kuna.

Mayor Stear thanked Chief McDaniel and welcomed him to Kuna. He asked Chief Dusseau to come forward. He expressed his appreciation of Chief Dusseau's leadership especially during the tragic incidents that happened during the first part of the year. He also appreciated how the officers handled themselves during those situations. He could not express enough thanks for that. He presented Chief Dusseau with a certificate of appreciation and a large coin with the City of Kuna's emblem on it.

Chief Dusseau thanked everyone for the gift.

B. Discussion on Air Quality Board – Kent Goldthrope, Interim Director of the Air Quality Board
(Timestamp 00:03:53)

Kent Goldthrope, Interim Director of the Air Quality Board, explained he was given a number of tasks to accomplish. Direction was given to him a couple weeks prior to this meeting by the Ada County Commission to discuss with Kuna the subject of how it might or might not be possible for the City of Kuna to enter into the Joint Powers Agreement currently enforced between the other cities in the County, Ada County, and ACHD concerning the Board that operates the Ada County Emissions Testing Program. Currently, Kuna participated in the Canyon County program. He was familiar with most of the reasons for that participation. Those reasons from the past seemed to no longer exist; in so far as there did not seem to be anything that could be done about them. He agreed with Kuna's decision and would have done the same. No one wanted to initially participate in a mandatory, compulsory, and often times punitive emissions testing program but they were forced into it one way or another. One of his biggest tasks at the Air Quality Control Board was to streamline operations and increase efficiency. One of their staff takes time each month to go through every single record they receive from ITD. Once they separate the 83634 vehicles out every month she separates the addresses that are within the Kuna City boundary manually. This was so no one receives two notices from two different entities; causing confusion. There may be other advantages to joining the Joint Powers Agreement and it appeared many of Kuna's citizens already figured that out as Ada County does a large percentage of the testing for vehicles in Kuna. His goal that evening was to simply start a dialogue with the possible end goal being that the Council pass a resolution to adopt the Ada County Joint Powers Agreement, adopt a clean air ordinance similar to what Ada County or some of the other cities in the County have, and adopt a second joint powers agreement with the department of environmental quality. After that the City of Kuna would officially be a part of the AQB and would still have the freedom to choose any test station in either county. He

would be happy to provide everyone with a copy of both joint powers agreements and the ordinance. He stood for questions.

Mayor Stear said as he researched this there was not a lot of information within the City about it because when this action was taken it was done legislatively. Through research and calling the DEQ he found it was a bit complicated. There were some issues that would need to be sorted through and figured out. He said copies of those agreements and any other information Mr. Goldthrope could provide would be appreciated.

Mr. Goldthrope agreed to get those to Council. He shared that the cost would be the same and the Air Quality Board's plan was one that fosters free enterprise and the private sector solution. Their stations pay them a certificate fee of \$3.50 and the total charges for their testing goes from \$8.88 up to the state allowed maximum of \$20.00. Several charge \$10.00 or less. In the Canyon County program the station owners receive \$3.00 of the \$11.00 that is charged. His opinion was that was a little more of a government program instead of one that fosters the private sector. Kuna's program offers an Ag Exemption. He could find out how many truly agricultural vehicles there are within the Kuna city limits and exempt them. That would not include vehicles like an F-350 being driven all over the valley and only occasionally used on the farm. The State Implementation Plan would have to be amended with the EPA to allow for an Ag exemption in their program. It would cost them about \$400,000.00 which is why they didn't do that. Another difference between the programs was that Ada County's stations can't do repair work which takes away a huge conflict of interest; a testing station can flunk someone and offer to fix the problem for a few hundred dollars. Mr. Goldthrope said it was possible to manipulate a test so their ordinance prohibits this. Their repair shops get plenty of referrals as well so they don't complain about not doing the initial testing. Their waiver threshold for repair costs in \$300.00 while Kuna's is \$200.00. The DEQ would rather see this happen when the A+ Technologies contract is over in several years and then would like the whole process to go out to bid. They have asked many times if they would bid and take over both programs but he has declined because he will never be the low bidder. They are already charging less than many Kuna citizens were paying. He added that because of the rest of the situation they would make it work. Those were the only questions and answers he brought. He thanked Council for their time.

Mayor Stear stated they would have more discussion regarding this and work through some of the issues. The City Attorney had already done some research on it and the City would be contacting them again.

Mr. Goldthrope said he would also get everyone's e-mail.

Mayor Stear thanked him.

7. **Public Hearings:** (6:00 p.m. or as soon thereafter as matters may be heard.)

- A. Public Hearing and consideration to approve Resolution No. R30-2017 - Approving Springhill Subdivision Development Agreement Amendment – Richard Roats, City Attorney

(Timestamp 00:13:48)

City Attorney Richard Roats explained that he had included a memo in the packet to explain the reason for the amendment.

Council President Cardoza asked if the items he listed included all the changes in the development agreement.

Mr. Roats responded it was for the roundabouts.

Council President Cardoza clarified that nothing else would be varying from the development agreement and it would still have the same amount of homes.

Mr. Roats said that was correct.

Mayor Stear opened the public hearing.

Tim Eck, 6152 W Half Moon Lane, Eagle, Idaho, requested Council's approval of the amendment. He explained how codes and design requirements for roundabouts had changed in the ten years since the Springhill Subdivision was approved. As a result of a request from ACHD and their willingness cooperate, they were requesting to remove the roundabout in phase 1 and replace it with a cross intersection. A document in the Council Packet reflected the landscaping that would be in Phase 1. All the landscaping that would have been in the landscape roundabout would be within the landscape features around the intersection.

In Favor: None

Neutral: None

In Opposition: None

Council Member Jones moved to close the public hearing. Seconded by Council Member McPherson. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Jones, and McPherson.

Voting No: None

Absent: Council Member Buban-Vonder Haar

Motion carried 3-0.

Council Member Jones asked Mr. Roats if the design approval took precedence over current city code. There were some improvements that went above and beyond City

Code and he was concerned they would decide not to do those improvements and only do what was required.

Mr. Roats said the development agreement took precedence over city code.

Council Member Jones asked if that included open spaces in lieu of park impact fees.

Mr. Roats explained the park impact fee ordinance applied to this development now. If they requested credits the staff would have to sit down with them to go over those.

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE DEVELOPMENT AGREEMENT-AMENDMENT, AMENDING THE DEVELOPMENT AGREEMENT FOR THE PROPERTY KNOWN AS SPRINGHILL SUBDIVISION AND OWNED BY N.E. KUNA FARM, LLC.

Council Member Jones moved to approve Resolution No. R30-2017. Seconded by Council Member McPherson. Motion carried 3-0. Council Member Buban-Vonder Haar absent.

- B.** Public Hearing and consideration to approve 16-12-AN (Annexation) – Renascence Farm and Mason Creek Farms – Troy Behunin, Planner III
(Timestamp 00:24:10)

Applicants, Renascence Farm, LLC, Spaulding and Anderson and Mason Creek Farm, LLC, request approval to annex approximately 165 +/- acres into the City of Kuna. Applicant requests the R-6 (Medium Density Residential) for all properties. 139 acres of the application are located between Ten Mile and Black Cat Roads, south of Amity Road. Approximately 26 acres are located near the NEC of Ten Mile and Lake Hazel Roads, east of Ten Mile and north of Lake Hazel.

Planner III Troy Behunin explained to Council all the properties involved in the application. The applicant submitted all necessary items and met all noticing requirements and procedures. The application request followed state law and was eligible for category A annexation. The main requirements were that the owner was willing and had a touch to city limits. The applicant had been working on this application for more than four years and members of the audience had been working towards this goal for more than seven years. The application came in as an R-6 (Medium Density Residential) which means there could be up to but no more than six residential units per gross acre. That was a more popular and common zoning in Kuna. It was Mr. Behunin's personal experience that this particular developer rarely hit his maximum allowed density. At the Planning & Zoning Commission Hearing this developer did concede to reduce from an R-6 to an R-4 believing he would not even hit the four units per acre because of the challenging nature of the property regarding access to arterial roadways and the creek. The only thing lower than R-4

was R-2. The project was not quite a half mile from Kuna's wastewater treatment plant. During the City's 2008 Comprehensive Plan Update this property was envisioned as being included at some point inside the city limits. A number of years had passed as well as a number of contentions for common ground on a City Impact Boundary Line which was actually finalized through the Ada County Commission in February 2017. The City had the means to supply sewer and potable water service to that area due to the proximity to the treatment plant. Additionally, staff recommended that any legal agricultural uses and privileges associated with lands in the application would be allowed to practice those uses appropriately without expiration unless forfeited through land development. Staff asked that condition be added to the recommended order of decision at the end of the meeting. He stood for questions.

Council Member Jones clarified the intent was to request approval based on an R-4 designation and not the listed R-6.

Mr. Behunin responded that was the recommendation from the Planning & Zoning Commission.

Council Member Jones asked what Planning and Zoning's definition of emergency services was.

Mr. Behunin said fire, police, and paramedics.

Council Member Jones read, under the Proposed Idaho State Analysis on page 8 of 98, "Through discussions and comments submitted by public service providers, the project would not create demonstrable adverse impact to quality of emergency service and/or delivery of said services, or impose substantial additional costs to current residents." He asked where those comments were.

Mr. Behunin explained staff provided the information for comments to all the agencies including emergency services. At the end of their request for comments it stated that if they do not have any comments within 15 business days it would be assumed there were no comments from that agency. They had not responded.

Council Member Jones clarified this meant they did not have concerns regarding additional costs or imposing additional services and thanked Mr. Behunin.

Kevin McCarthy, KM Engineering, 9233 W State Street, Boise, Idaho, stated their client elected to just apply for annexation and zoning at this time. There were plans to submit a preliminary plat shortly after this meeting if they got a favorable recommendation. He clarified his client's offer to do the R-4 zone was for the Renaissance Farm properties, the remainder of the properties would stay R-6. With that zoning they had a plan for a variety of lot types and sizes across the site. Another thing offered up in the Planning & Zoning process was the lots near the Bittercreek Subdivision were agreed to be between an acre and .85 acres in size in

order to provide a buffer against the larger lot subdivision. They appreciated working with Mr. Behunin and they had no objections to the conditions listed. He stood for questions.

Mayor Stear asked Mr. McCarthy to clarify the part going to R-4 and the part staying R-6.

Mr. McCarthy said it was written correctly in the recommended conditions of approval; he just wanted to make sure that was made clear for the meeting.

Mayor Stear opened the public hearing.

In Favor:

Linda Lake, 854 Biltmore Avenue, Meridian, Idaho, testified in favor of the project. Ms. Lake owned a five acre property at the corner of Amity and Black Cat. She had permission to speak for neighbors in this case. They had about 70 acres represented between them and were looking forward to the development. The reason was the properties they owned had old septic and well systems and having the City's sewer system and water available to them would certainly be something they would look forward to as their aging systems failed.

Clair Bowman, 4400 Legacy Lane, Meridian, Idaho, lived immediately across Mason Creek to the south of this property. He developed Dream Catcher Subdivision in that area. They currently had two acre estate lots there. He supported the annexation and four units per acre density. The lower density fit the difficulty of developing that particular property out there. He noted the code had an indication of a greenbelt. Kuna's greenbelt currently showed along the south side of Mason Creek but that would not be possible. There were some homes much too close to that which were all currently privately platted. However, putting a greenbelt path on the north side of the creek within the Renaissance Farm Development should be a mandatory requirement. The developer had already promised to put larger, estate like homes next to Bittercreek on the north side. Their homes were equal to better quality on larger lots. They also requested some of the same kind of consideration on the properties that abut the creek.

Council President asked Mr. Bowman to describe where his subdivision was.

Mr. Bowman responded the access was off of Black Cat but the private lane known as Legacy Lane extends all the way through past the half section line so they have almost a half mile of frontage on Mason Creek immediately to the south of this property.

Jeanne Spaulding, 3975 W Amity Road, Meridian, Idaho, owned a property that was surrounded by the Renaissance and was in favor of the annexation. She had a

question regarding the R-4 and R-6 areas. She wanted to know if she was in the R-4 or R-6.

Mr. Behunin said she was in the R-4.

Ms. Spaulding asked if there was any way to insure that.

Mayor Stear asked Mr. Behunin to respond.

Mr. Behunin responded as stated in the conditions of recommended approval and with the findings of fact that were issued by Planning & Zoning, it was the second condition from the Planning & Zoning Commission that applicants shall receive the R-4 zone as accepted by the applicant for the properties west of Ten Mile Road also known as the Renaissance Farm Property. Ms. Spaulding's property was surrounded by the Renaissance lands and was west of Ten Mile Road. If the Council agreed to uphold that recommendation from Planning & Zoning that would be the guarantee she was looking for.

Mayor Stear asked if anyone else wanted to testify in favor.

Roy Spaulding, 2801 S Bluegrass Drive, Nampa, Idaho, said his parents were involved with the property and were in favor of the R-4. The annexation would allow his parents to split the property and he intended to build on it. The developer had been good to work with and had helped them figure things out. As long as he kept his agreements he was in favor of it as well.

Neutral: None

In Opposition:

Kenneth Bricker, 5020 S Country Life Lane, Meridian, Idaho, had a ten acre parcel with the Bittercreek Subdivision to the north and east sides. The proposed subdivision was to the south and west and bordered their property. They believed that, due to the rural area and the fact that Bittercreek Subdivision had one acre lots, the lots that bordered their property should be one acre lots or larger. The lots bordering Bittercreek would be about an acre and they would like to be included in that since the new subdivision would border his pasture.

Mayor Stear asked him to clarify.

Mr. Bricker wanted his property to be included in the properties bordered by approximately one acre lots.

Council Member Jones asked if Council could see a map the speakers could use to show where their properties were located.

Mr. Bricker showed Council Member Jones the location of his property.

Tim Kelly, 3891 W Daisy Creek Street, Meridian, Idaho, said he was somewhat speaking for Bittercreek Meadows Subdivision. They were adamantly opposed to the annexation plan for Renaissance and Mason Creek Farms. They did not oppose a development on that land but they did oppose the specific development project as written. They believed when a land development occurred there must be an impeccable balance between property owners who have already developed their land and the land owner of undeveloped property. He first addressed Kuna's City of Impact. After an exhaustive search throughout the City's website and comprehensive plan, it was difficult to locate any planning products that presented visual or written evidence that any consideration had been given to that area. The City of Kuna Area Impact Map dated December 2015 did not address any land development issues north of Lake Hazel Road. The Online Interactive Zoning Map did provide visual representation north of Lake Hazel to Amity Road but there was a disclaimer that it was for informational purposes only. The City of Kuna Zoning Map had a planning layout at Lake Hazel and north of Lake Hazel was zoned as Rural-Urban Transition which was the current zoning for their subdivision. The compatible zoning code, except for the R-2 zone, was not represented in the Kuna established zoning districts so they called for clarification and received two maps, one was the Kuna Planning & Zoning Department Area of Impact Boundary dated August of 2016 and the ACI Future Land Use Map dated December 2015 but, again, neither map addressed any planning north of Lake Hazel. Second, he addressed housing. Within Kuna's Comprehensive Plan there was a section on housing goals, objectives, and policies. The proposed plan was actually the antithesis of the second goal; encouraging logical and orderly residential development. This development was neither logical nor orderly and was in fact a classic example of leap frog. It was on a narrow path way dispersed from the center or boundaries of Kuna. The Housing Plan Objective 2-1 said to ensure that development proceeds in a logical and orderly manner so that public services are provided in a cost efficient manner. He asked where the planning met expected services that come with medium density. They had not seen any. Current planning only supported low density. They experienced the down side of this type of leap frog development when Bittercreek Meadows was developed. They had a solid commitment from the City of Meridian and the developer that services would be delivered. Homes were built and both the City of Meridian and the developer failed them when the down turn occurred. That could happen in this instance as well. Lastly he discussed Kuna's Zoning Code and Transition. It was important to illustrate that the area in and around Bittercreek Subdivision was rural in nature and on the edge of both Meridian and Kuna's planning areas. It was their

understanding that the dividing line was actually Lake Hazel Road. They had already built and were happy with their subdivision and its R-2 zoning. Their neighbors outside the subdivision had also developed their properties in a rural or agricultural environment. The proposed zoning did not fit and allowed for no transition into the current zoning. He then made a quick note about noticing procedures. Noticing deficiencies were pointed out during the Planning & Zoning process. Those same homeowners were not notified during this process. There were also multiple issues with proper signage around the property. They did not meet with code and a violation had been registered the previous week. They had not heard back on that yet.

Steve Glover, 4050 W Legacy Lane, Meridian, Idaho, which was on the south side of Mason Creek, said Renaissance Farms would be directly in his backyard. This would be a big impact for three or four homes. He was completely against the annexation and thought it appeared to be a land grab by Kuna. Everything he had looked at, comprehensive plans for both Kuna and Meridian, it all stopped at Lake Hazel. He knew Mr. Eck said, in his Planning & Zoning meeting which Mr. Glover was unable to attend, that this area had been approved before. From what he could find, in August of last year Ada County Commissioners were against encroaching on Meridian boundaries. He was not an expert, just an average citizen concerned about an R-6 Corey Barton subdivision going in his backyard. Most of his life he spent living in medium density subdivisions trying to save enough money to purchase the home he did. It was two and half acres. The reason they chose it was the plans the City of Kuna and the City of Meridian created showing this area as a low density rural estate R-1 to R-2 area. Now that Kuna wanted to go north of Lake Hazel with Renaissance Farms as an R-6, he did not see the point in cities spending money on comprehensive plans they weren't going to follow. He asked what a citizen was supposed to do. They base where they are going to buy a home when they save enough money to buy a two and half acre lot on those plans but now it seemed like it was being blown off because it was not convenient. If they did approve this he did not think it should be any larger than R-2 because that was what people planned on. It was zoned R-1 and R-2 based on what Meridian had and then Meridian bailed on the citizens they promised to support because of litigation. He was frustrated and did not want a Corey Barton Subdivision in his backyard.

Rhonda McCarvel, 4887 S Nickle Creek Avenue, Meridian, Idaho, reiterated that if the City of Kuna did decide to take this land that had always been rural and planned to be rural it should remain no more than R-2. The areas around it were all rural and it was far away from services. It lent itself better to the R-2. All of their homes were on one acre lots or more and it should meet up.

Leslie Anderson, 3985 W Amity Road, Meridian, Idaho, stated she and her husband, Brent Anderson, owned two acres basically in the middle of this development. She put down that they were opposed but they were actually listed as one of the applicants for the annexation. That was simply because if Mr. Eck's annexation was approved they were on board. They did not want to be an island surrounded by a city. There were some benefits to them as property owners if the subdivision was completed. It would mean services to an aging farm property. However, she didn't advocate for an R-6 property but preferred multi acre lots adjoining. They preferred the R-2 density because that was what they had envisioned would be eventually put in. They were quite pleased with how Planning & Zoning handled it and agreed with the homeowners that it should be no greater than R-4.

Les Oliver, 4965 S Nickle Creek, Meridian, Idaho, read a few notes he had. He had hoped one of the Council members had a relative living in their subdivision because then they would understand how close they were and how beautiful and secure it was. It takes time, a lot of work, and a lot of money to keep it that way. He found it depressing that the developer was trying to go all R-6, six houses per acre, when they were all one house per acre. He felt there should at least be some green space as transition between them, then at least a few rows of two to three houses per acre, and any R-6 should be well past that in his opinion. They had a problem with the developer's partner in the past. He was sued and Mr. Oliver believed he was now out of business. They were starting to get legal pressure from Mr. Eck regarding their properties at the moment. He hoped Council could look at this like they lived in their subdivision for his family, Bittercreek Subdivision, and future developments on that side of Kuna.

Council Member Jones asked Mr. Oliver if he was on any City services.

Mr. Oliver responded they had their septic and well.

Anthony Brown, 4974 S Bittercreek Avenue, Meridian, Idaho, added to his neighbors' concerns about the development being R-6. He and his wife moved into their home in 2008. Things were just stabilizing after their struggles with Meridian. They knew the property would be developed but as was stated previously, they expected it would be R-2 or R-1. They were adamantly opposed to anything R-6 or even R-4 and would prefer to see nothing less than R-2 in the development.

Rebuttal:

Tim Eck, 6152 W Half Moon Lane, Eagle, Idaho, read a narrative and then answered questions. There was a lot of history in this property included in the annexation and

zoning application. For years Kuna's planning area extended to Amity and Meridian's Lake Hazel. This resulted in a one mile overlap. Many present had been in that ten year battle. Both cities started planning how to provide services to this one mile overlap each assuming this mile would eventually annex into and be serviced by them. At that time the path of annexation to Meridian was over two miles and to Kuna was about a quarter mile. Currently the path to Meridian was about one and half to two miles depending on the direction and to Kuna the applicant properties were contiguous. The path to Meridian was impossible at that time and for the extended future. There were significant land owners in the path to Meridian with no interest in annexing into Meridian or any city. Meridian entered into an agreement with the developer where Meridian would build a lift station within this mile that would connect to their waste water facilities and the developer would bring domestic water from Meridian to this mile. Kuna researched and decided the best location for the Kuna North Waste Water Treatment Plant would be at its current location; on the Mason Creek Drain and within the sewer shed approximately one quarter mile south of this square mile recognizing that the natural gravitational flow of this mile would bring sewer to Kuna. As the national economy changed Meridian and the developer entered into a nullification agreement releasing each other from any obligations to bring services to this mile while Kuna proceeded by building a waste water treatment plant at an approximate cost, with penalties and interests, of \$30 million. In 2017 sewer, water, and pressurized irrigation would be within 150 feet of this property. That was not a big leap frog; it was there. It was obvious the location of these facilities was with the intent to service this mile. Additionally, all lands south of the Rossin Canal, which included the applicant properties, would gravity flow into a lift station that would pump the Kuna Waste Water Treatment Plant. Meridian proceeded with expanding their Area of City Impact to include this mile and subsequently abandoned all plans to serve this mile. Wanting to end the arm wrestling with Meridian, Kuna pulled the line on their comp plan map back to Lake Hazel having already built the Kuna North Waste Water Treatment Plant a few hundred feet south of Lake Hazel, followed by extending sewer and domestic water services several hundred feet north in Lake Hazel. Kuna recognized that Idaho law provided the land owner the right to annex their property into any city that they become contiguous to regardless of the area of city impact lines, city planning area lines, or comp plan maps; it was the land owner's option and right. Prior to Kuna pulling back their city planning area to Lake Hazel the land in this application was included in the Kuna Comprehensive Plan map and text on page 64 and 125. It was clear Kuna anticipated this area becoming part of Kuna in the future. At one time the area had a land use designation of medium density residential. The pull back on the map removed the mile from the map but it still remained in the Kuna Comprehensive Plan text. It should be recognized that, based on the data from COMPASS traffic

area zones and the new waste water treatment plant coupled with other nearby developments under way, Kuna still identified the land in this application as being part of Kuna's future and being developed with overwhelming typical medium density residential. Kuna defined medium density residential as R-4 to R-8. They were not attempting to push the maximum density recognized in medium density residential. They were asking for R-6 with the maximum number of six homes per acre in order to offer a variety of housing types and comply with the goals and policies of Kuna's comprehensive plan. In addition to the land they own there were four other parcels that had recognized the importance of being in Kuna. They had signed consents to annexation. One parcel they had recently purchased and the other three had agreed to annexation to pursue their best interests as the annexation was the best way to allow them to access city services, sewer, water, and pressurized irrigation, that would be brought to or near their property as the applicant land was improved. They do not build six an acre. This would be 3.5 to 3.7 per acre. He offered to drop the density to R-4 at Planning & Zoning and that was overwhelmingly received. They did have large lots planned against the Bittercreek Meadows Subdivision. They did have an existing sewer line they had to follow and build a road over or replace. A gentleman said they were on septic. They were not. They were on temporary microbial tanks that went through a sewer line that went out to a lagoon that was clear at the west boundary of the applicants property about a quarter to a half mile from their property. This was temporary and was supposed to be off line within a few years. It was a DEQ nightmare. Part of what they would do was with the first phase he would build a lift station that would connect to the Kuna Waste Water Treatment facility and take the lagoon off line. They would be able to abandon their microbial tanks and go to a standard sewer connection facility. This was a result of years of work and negotiation. When the litigation was going on convincing the City of Kuna, Mayor Nelson, the engineers, and the attorneys were involved, to allow the folks of Bittercreek Meadows to connect to a lift station that would pump to Kuna so their sewer problems could be resolved. They had offered to connect them to city sewer or city water but they had no interest. They could connect to the City's pressurized irrigation but that would require annexation. The big battle was to get them the right to be able to be connected to the Kuna Waste Water Treatment facility without annexation. Both cities agreed on it. Meridian was thrilled that they would be taking care of their problem and would be purchasing their sewer connection fees so they could connect to the City of Kuna. The Andersons had some problems through various prior ownerships; their house sits about two feet from one property line and the barn at the back of their property sits about fifteen feet on his property. The Spauldings didn't have that problem but they were working with them. They had gone through concept plan number 17 working relentlessly with both property owners to try and accomplish a property boundary adjustment. They would

be annexed and they would reserve their agricultural use rights. They would take care of it all for them. They would get their split and fix their property so they would have legal setbacks for all the buildings on their property. There would be a greenbelt along Mason Creek. He was opposed to pocket parks but he put greenbelts in along canals whenever it was feasible and this was a prime case. He explained their process in determining their building limits and placement for the road parallel to Mason Creek. Those lots would be 105 to 110 feet deep. Behind that there would be a greenbelt with a bike path and more open space because of significant easements on each side of Mason Creek. There was a big separation from their back fences to the folks on the other side of Mason Creek. Subdivision boundaries would be fenced per Kuna code, six foot vinyl fence around the boundaries and wrought iron along the canals. There would be interior bicycle pathways. There would be large lots abutting Bittercreek. The application still said R-6 because that was how it was submitted but they had consented to a maximum of four. He stood for questions.

Mayor Stear commented that when he first took over as Mayor one of the biggest things for him was to rebuild relationships with other entities and cities Kuna had problems with. He said that he was a stickler on anything going beyond Kuna's Area of City Impact be negotiated with the other cities. He asked if Meridian had given their blessing.

Mr. Eck said he had several meetings with Mayor De Weerd and some included Ada County Commissioner Dave Case. Ada County did not care and the City of Meridian was not there opposing it. They would be if they did. The mayor was not opposed to his annexation of his property and it was directly required to fulfill their obligation to get Bittercreek Meadows a sewer connection before DEQ came out and shut down their temporary facilities. They were part of the solution to that problem. If there was a down turn and he didn't get past phase one he would have really started nothing but there would be a lift station, the lagoon taken off line and all of Bittercreek Meadows waste water would pump to Kuna.

Mayor Stear asked if there were any questions from Council.

Council didn't have any questions.

Mr. Eck submitted a late exhibit. They were unable to present a preliminary plat at that moment because they did not know exactly where the road along mason Creek would go but he had a map. He used the map to explain the complexity of the property and their basic road configuration.

City Attorney Richard Roats asked a question. *(unintelligible – mic not on)*

Mr. Eck replied the road layout was just conceptual at the moment and would be until the road parallel to Mason Creek was figured out.

David Ferguson, 3430 W Lake Hazel Road, Meridian, Idaho, lived on Mason Creek. He didn't object to a walking path as long as it was done correctly. It wasn't on his side. His property crosses to the north side and he hadn't been asked about anything.

Mr. Eck replied their property boundary wouldn't include his boundary. The pathway would be along their property boundary.

Council Member Jones asked if the sewer hookup for Bittercreek was at Meridian's request or Bittercreek Meadow Subdivision's.

Mr. Eck said with the nullification agreement the developer got out of bringing the domestic water and the City of Meridian got out of building the lift station. There was a pretty brutal litigation between the Home Owner's Association and the City of Meridian. They recognized what he had and the role he would have to play in them ever getting sewer. He showed Council the location of the lagoon on the map.

City Clerk Chris Engels asked for a description on the record of what was being shown on the map.

Mr. Eck explained the lagoon was located on the south west corner of their property and the Bittercreek Subdivision connected on the north east corner of their property. Their microbial tanks did a very good job of processing their water but then the water went through a sewer main that ran through all his property and went out to the lagoon. The prior developer built that sewer main intending to put a road on top of it. The lagoon was temporary. When they build their lift station they would be tying into that existing sewer line and the lagoon would have to be decommissioned. They had an ongoing question with the City of Meridian regarding who was responsible for the decommissioning. The settlement agreement requires the City of Meridian to do a number of things for them. They would maintain their microbial tanks until they were connected and the lagoon disconnected. The question was when it should be decommissioned. It couldn't be decommissioned until it was off line. Their offer was to connect to their sewer line and work with Kuna to get them connected to Kuna's waste water treatment system because Meridian wouldn't be there for decades. Then they could take the lagoon and microbial tanks off line. They would be connected and Meridian would pay for all of their connection fees and would actually participate to a very small extent in the cost of a lift station.

Council Member Jones asked who the responsible party was for the decommissioning of the lagoon.

Mr. Eck said it depended on who you talked to. The City of Meridian was saying their obligation would end when the lagoon was disconnected. He had estimates from a number of contractors of what it would cost to have it disconnected and decommissioned. It would cost approximately \$290,000.00. He offered to take care of the decommissioning if they deeded the lagoon to him. It would cost less for him to do it during construction instead of as a standalone project. Currently they were at an impasse. He added that the lagoon was not built correctly on their property and actually a third of it was on his property.

Mr. Behunin explained the map Mr. Eck presented needed to be assigned an exhibit number. It was labeled as G-1.

Council Member Jones moved to close the public hearing. Seconded by Council Member McPherson. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Jones, and McPherson.

Voting No: None

Absent: Council Member Buban-Vonder Haar

Motion carried 3-0.

(Timestamp 01:30:27)

Council Member Jones asked City Engineer Gordon Law, if this was approved, would the Meridian residents that would be hooked up to Kuna's facilities have to pay a monthly fee.

Mr. Law responded they would be required to pay at least what a city resident pays.

Council Member Jones asked City Attorney Richard Roats if, according to code, the City could charge a sewer fee to someone hooked up to Kuna's sewer but living outside city limits.

Mr. Roats confirmed yes.

Council Member Jones further asked if they would be required to pay for water and irrigation the same as a Kuna resident does whether they use those services or not.

Mr. Roats replied they would only be paying for the sewer service.

Council Member Jones clarified it was stipulated in code that the City was allowed to do that.

Mr. Roats said yes.

Council President Cardoza asked Planning & Zoning Director Wendy Howell what her recollection was on the R-4 from the Planning & Zoning Commission meeting.

Ms. Howell responded during discussion Mr. Eck offered the R-4 to mitigate some of the neighbors' concerns. The decision was to recommend the R-4 rather than the R-6.

Council President Cardoza clarified it was a condition of acceptance at that time.

Ms. Howell said it was.

Council President Cardoza asked if any of this has been discussed with Meridian.

Ms. Howell said yes, the applicant had numerous discussions with Meridian. She and Mayor Stear also discussed this during the ACI boundary discussions.

Mayor Stear further explained they knew Mr. Eck was wanting to annex a property out there so, to avoid complicating the Area of City Impact boundaries, during the ACI discussions they made sure they would not annex anything outside that boundary line without consent from Meridian. They wanted to be sure to avoid starting up another fight.

Council President Cardoza asked if the area between Lake Hazel and Amity was County and not Meridian's impact area.

Mayor Stear replied there was the one piece of property that was the city park that was annexed in. Beyond that he couldn't say what all was County and what was Meridian's.

Ms. Howell added that part of Patriot Ridge was also previously annexed.

Council President Cardoza asked if Kuna's comprehensive plan encompassed this mile from Lake Hazel to Amity.

Ms. Howell said it was not included in the comprehensive plan map but was mentioned in the comprehensive plan text.

Council President Cardoza asked if Kuna proper did not have an R-1, R-4, or R-6 for that area in the comprehensive plan.

Ms. Howell replied Kuna's comprehensive plan map did not show that area.

Council President Cardoza asked Mr. Eck to clarify what portions would be R-4.

Mr. Eck explained there were three other parcels; two internal to the Renaissance property and one on the edge. The one on the edge they now owned so he could

speaking for that property but he could not speak for the Spauldings or the Andersons on the R-4. They were there and he asked if they were ok with the R-4. They were. That meant 100% of the Renaissance portion of the application, everything west of Ten Mile, would be restricted to four lots per acre but would probably be at 3.7 or less.

Council President Cardoza clarified anything east of Ten Mile would be R-6.

Mr. Eck said yes and that was one piece within 107 acres that was already annexed into the City.

Council President Cardoza stated there was no rating for that property even when he bought those 107 acres. It was all agricultural. Mr. Eck was just asking for an R-6 based on his need not any condition of law.

Mr. Eck said it was his understanding that there was a land use designation for this area that was then pulled back as part of Kuna's recent agreement with Ada County. He believed they were consistent with that prior designation.

Mr. Behunin confirmed Mr. Eck's statement.

Council President Cardoza asked what would be considered low density.

Mr. Behunin said R-2. The City did not have an R-1 or an R-3. R-4 was considered medium density. The City did not do R-1 because the City encouraged land divisions at smaller than a half-acre.

Mr. Eck added that they were at the lowest end of medium density with R-4.

Council President Cardoza asked Mr. Eck if he recalled Commissioner Hennis questioning any of it being R-6 versus all R-4.

Mr. Eck said they didn't really do anything in that area that would be greater than four units. The only restriction they had to be cautious of was three dimensional standards. This plat of land was very complicated. When you start imposing strict dimensional standards all of the sudden you can't fit four lots per acre. The complexity was more in the dimensional standards than the density, but he felt everyone's concerns were more in the door count. He could say they would not have more than four per acre on the Mason Creek property but he preferred not to be tied to those dimensional standards.

Council President Cardoza asked if Kuna had dimensional standards.

Mr. Eck replied yes.

Council President Cardoza asked why R-4 would change the dimensional standards for 3.5 to 3.8 per acre.

Mr. Eck said they were asking for an R-6 primarily because of the dimensional standards and because it was right in the middle of medium density range. Generally speaking they didn't build six lots per acre. He did not have a subdivision they were working on that had six lots per acre. Generally it was about low threes to high threes per acre. They were happy with R-4 if the dimensional standards were taken away because with a subdivision like this there were a lot of weird shapes going on and a lot of open spaces generated by Mason Creek. Dimensional standards would be problematic for that. They may need to create lots that were narrower than 66 feet to achieve their R-4. He would be more than glad to commit to R-4 for the Mason Creek Property if they wanted to put that as part of the condition but he needed the R-6 dimensional standards to apply so 66 foot lots were not a problem.

Council Member Jones asked Mr. Behunin about the school district boundaries. He wanted to know if all these properties would fall into Ada County School District or Kuna School District.

Mr. Behunin responded it was roughly about 45% and 55%. The school boundaries, which the City did not get involved in and were created long ago, literally went north to south almost half through Renaissance properties.

Council Member Jones asked if Mr. Behunin was aware of any discussion concerning making it all one school district.

Mr. Behunin replied he knew Kuna School District did contact West Ada. He did not know the length or depth of the discussion but did know it could not be solved in one meeting.

Council Member Jones ask City Engineer Gordon Law, if the Bittercreek Subdivision did not hook up to the Kuna waste water plant and the lagoon became a DEQ problem, would he consider that to be a substantially higher cost than Mr. Eck's offer to resolve that issue. He wanted to know if Mr. Eck was saving them a substantial amount of money.

Mr. Law responded he did not know of any reason why the lagoon itself couldn't continue to work but it did have some problems. In order to fix being on property it shouldn't be on it would either have to be moved or the boundary dispute worked out. That was not an engineering problem, it was a people problem, but if the lagoon had to be moved that would be a substantial cost.

Mr. Roats asked to address some of Council President Cardoza's previous questions. Council President Cardoza had asked about the comprehensive plan as it may or may not apply to this area. Staff provided information that there was a map drawn as Kuna was working through expanding the Area of Impact up to Amity. Kuna's

comprehensive plan referenced development in this area in the text. He also noted the City of Meridian's comprehensive plan also applied to this area. A significant portion was zoned R-3 by Meridian. He also noted that Idaho Code 67-6511B provided guidance for the comprehensive plan and the zoning designation requested would be in accordance with but did not match perfectly. It did not have to be a strict conformity so they could approve an R-4. They would just need to make a factual inquiry. Things they would need to consider would include location, the sewer issue, priority area, and things along those lines. He stood for questions.

Council President Cardoza clarified Meridian had zoned it an R-3 but it did not compel them to mandate it an R-3.

Mr. Roats replied that was correct.

Council Member Jones asked Mr. Roats if he was aware of any documentation from the City of Meridian referencing the discussions they were included in that were mentioned.

Mr. Roats said he did not but he had no reason to doubt the references. He knew the discussions were going on as the boundary adjustment was happening. Nothing ever came back as "wait a minute we are drawing the line here". In fact he thought all of the parties knew discussions were going on concerning the Bittercreek area and services going to Kuna. It was important to note that also fulfills Kuna's obligation to Key Bank with the LID and the utilization of those. Those EDUs could be used outside of the city limits. All parties knew what was going on. A letter or affidavit concerning these meetings was not requested.

Council Member Jones clarified all those discussions took place before the finalization of the Area of Impact line. He assumed most of the discussions centered around Bittercreek and not the current requested property for annexation.

Mr. Roats replied all the properties were part of the discussions. It would not have made sense for Mr. Eck to offer to run these lines up only to deal with Bittercreek but not mention the new development.

Council President Cardoza asked Mr. Eck if he would be receptive to an R-4 on the 139 acres and an R-6 with the 26 acres of the 107 acres east of Ten Mile.

Mr. Eck said that was what the application was modified to.

Council President Cardoza asked Mr. Eck if he thought by maintaining an R-4 west of Ten Mile he would sell the houses more quickly due to the nature of that neighborhood.

Mr. Eck replied they had already acquiesced to the four units per acre. It actually wasn't requested; they offered it at the Planning & Zoning Commission meeting.

Council Member Jones appreciated everyone taking time out of their schedules to be there. Council only had three or four days to review the matter. He hoped they would respect his asking to table the matter so he could spend more time researching and reviewing the comments made that evening.

Council Member Jones moved to table 16-12-AN (Annexation) to the Council meeting scheduled for April 18, 2017. Seconded by Council President Cardoza.

Council President Cardoza asked Mr. Eck if it would be a problem to table it for two weeks.

Mr. Eck responded it would be a problem. He would be out of the country during the next Council meeting. He felt his input and knowledge of the property was pretty significant at the meetings and did not want keep pushing it further down the road. They had a noticing issue the very first time this went to Planning & Zoning and that caused a delay. They had a lot of work to get done and they wanted to start phase 1 in 2018. If Council was concerned about the position of the City of Meridian he was sure he could get something in writing. He thought his last discussion with them was about two months prior to this. Meridian's mayor, attorney, and a couple council members were there. They were adamantly in favor of the annexation. The big question was about adding the Spaulding and Anderson properties. They supported the annexation of those properties. He would certainly much rather walk out with a decision that night but understood it was an extensive packet.

Council Member Jones appreciated that but it was a big decision and he needed more time.

Council President Cardoza asked Council Member Jones the issues he wanted to review.

Council Member Jones wanted to review everything that was said. He felt it wasn't an unacceptable request it was just a lot of information. If the other Council members wanted to make a motion he could not prevent that.

Council President Cardoza thought most of the testimonies were related to an R-4 more than anything else and Mr. Eck was receptive to an R-4 west and an R-6 east but with a mandate of 3.5 to 3.7 construction on those 29 acres. He felt that would be acceptable to the public that was there.

Council Member McPherson could make a vote either way.

Council Member Cardoza said his only concern would be to make sure Meridian was agreeable to this.

Mr. Roats said there needed to be a date certain and asked that it be expedited so Mr. Eck could be present, possibly with a special meeting that week.

Council President Jones said if it needed to be a special meeting he wanted seven days.

Mayor Stear said there was a Planning & Zoning meeting that night so it would need to be the tenth or the twelfth.

Council Member Jones picked the twelfth.

City Clerk Chris Engels said the Clerk's Office had a conflict that night.

Council Member Jones stood with the eighteenth.

Mayor Stear said the applicant would not be there the eighteenth.

Council Member Jones asked when Mr. Eck would be back.

Mr. Eck responded. (*Unintelligible – not on mic*)

Motion and second to table the matter was withdrawn.

Council President Cardoza moved to approve 16-12-AN (Annexation) based on public testimony, public record, staff report, and city code with the changes from R-6 to R-4 west of Ten Mile, all other conditions proposed by Planning & Zoning, and acceptance of Meridian, Idaho. Seconded by Council Member McPherson. Motion carried 2-1. Council Member Buban-Vonder Haar absent.

8. Business Items:

(Timestamp 02:12:45)

A. Fair Housing Month Proclamation – Mayor Stear

Mayor Stear read the Fair Housing Proclamation.

B. Consideration to approve award of bid for Ardell Pond and Pump Station Project – Gordon Law, City Engineer *The bid opening was Friday, March 31, 2017. Documents become available before Monday, April 3, 2017.*

City Engineer Gordon Law updated Council on the matter. Six bids were received. Two were low bids. He recommended the apparent low bidder, Irminger Construction, be awarded the bid. He indicated the funds would be split with the water and sewer funds based on location.

Council Member Jones asked if there were any supporting documents.

City Clerk Chris Engels replied the documents were not available at the time the packet was created. She e-mailed them to Council when they became available.

Council President Cardoza moved to approve Resolution No. R31-2017. Seconded by Council Member McPherson. Motion carried 3-0. Council Member Buban-Vonder Haar absent.

9. Ordinances:

(Timestamp 02:19:03)

A. Consideration to approve Ordinance No. 2017-02A – Troost Family Trust Annexation

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, TO WIT: PARCEL NO. S1314438920 SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA INTO THE CITY OF KUNA, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve ordinance

Consideration to approve summary publication of ordinance

Council President Cardoza moved to waive three readings of Ordinance No. 2017-02A. Seconded by Council Member McPherson. Motion carried 3-0. Council Member Buban-Vonder Haar absent.

Council President Cardoza moved to approve Ordinance No. 2017-02A. Seconded by Council Member McPherson. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Jones, and McPherson.

Voting No: None

Absent: Council Member Buban-Vonder Haar

Motion Carried 3-0.

Council President Cardoza moved to approve the summary publication of Ordinance 2017-02A. Seconded by Council Member McPherson. Motion carried 3-0. Council Member Buban-Vonder Haar absent.

B. Consideration to approve Ordinance No. 2017-05 – Robinson Annexation

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, TO WIT: PARCEL NO. S1312336075 SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA INTO THE CITY OF KUNA, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL

PROPERTY; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve ordinance

Consideration to approve summary publication of ordinance

Council President Cardoza moved to waive three readings of Ordinance No. 2017-05. Seconded by Council Member McPherson. Motion carried 3-0. Council Member Buban-Vonder Haar absent.

Council President Cardoza moved to approve Ordinance No. 2017-05. Seconded by Council Member McPherson. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Jones, and McPherson.

Voting No: None

Absent: Council Member Buban-Vonder Haar

Motion Carried 3-0.

Council President Cardoza moved to approve the summary publication of Ordinance 2017-05. Seconded by Council Member McPherson. Motion carried 3-0. Council Member Buban-Vonder Haar absent.

10. Mayor/Council Announcements:

(Timestamp 02:24:10)

Mayor updated Council that City Hall had some vandalism. A surveillance video was taken and turned over to the Kuna Police.

Mayor Stear complimented Council on their handling of an uncomfortable public hearing that evening. There was a lot to take in and they did good job.

Mayor Stear introduced Antonio Conti, the new City Engineer.

Mr. Conti was looking forward to meeting and working with everyone. He was available to answer questions anytime.

Mayor Stear confirmed his e-mail address had been set up and welcomed him to the City.

11. Executive Session:

12. Adjournment: 8:36 pm



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



*Minutes prepared by Ariana Welker, Customer Service Specialist
Date Approved: CCM 04.18.2017*



PUBLIC HEARING SIGN-UP SHEET

Kuna City Council Meeting 6:00 p.m.
 April 4, 2017

Resolution No. R30-2017 Approving Springhill Subdivision Development Agreement Amendment

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

IN FAVOR	NEUTRAL	IN OPPOSITION
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Testify Not Testify

LINDA LAKE
 Print Name
854 Balboa
 Print Address
Meridian Id 83713
 City State, Zip

Testify Not Testify

Deborah Johnson
 Print Name
6801 S Linder
 Print Address
Meridian 83642
 City State, Zip

Testify Not Testify

 Print Name

 Print Address

 City State, Zip

Testify Not Testify

LES OLIVER
 Print Name
4965 S. Nickel Creek
 Print Address
Meridian 83642
 City State, Zip

Testify Not Testify

 Print Name

 Print Address

 City State, Zip

Testify Not Testify

LES OLIVER
 Print Name
4965 S. Nickel Creek
 Print Address
Meridian ID 83642
 City State, Zip

Testify Not Testify

Tim Eck
 Print Name
6152 W Hart
 Print Address
Egan 70
 City State, Zip

Testify Not Testify

 Print Name

 Print Address

 City State, Zip

Testify Not Testify

 Print Name

 Print Address

 City State, Zip

IN FAVOR

NEUTRAL

IN OPPOSITION

Testify **Not Testify**

Print Name

Print Address

City State, Zip

Testify **Not Testify**

Print Name

Print Address

City State, Zip

Testify **Not Testify**

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City State, Zip

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Print Name

Print Address

City State, Zip

Testify **Not Testify**

Print Name

Print Address

City State, Zip



CITY OF KUNA

751 W. 4th Street • Kuna, Idaho • 83634 • Phone (208) 922-5274
Fax: (208) 922-5989 • www.Kunacity.Id.gov

SIGN-UP SHEET

April 4, 2017 – City Council Public Hearing

Case Name: **Renascence & Mason Creek Farms Area Annexation; 16-12-AN** (Annexation)

Case Type: Request to annex approximately 165 acres into the City of Kuna with an R-6 (Medium Density Residential) zone – Development is not proposed at this time. The site is located near the NE and NW Corners of Ten Mile and Lake Hazel.

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

IN FAVOR

NEUTRAL

IN OPPOSITION

Testify Not Testify

Linda Lake
Print Name
X 854 Bellmore
Print Address
Meridian ID 83714
City State, Zip

Testify Not Testify

Harry & Leann McClintick
Print Name
6557 S Durrant Ln
Print Address
Meridian ID 83642
City State, Zip

Testify Not Testify

Kenneth BRICKER
Print Name
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See other sheet
Les Oliver

IN FAVOR

NEUTRAL

IN OPPOSITION

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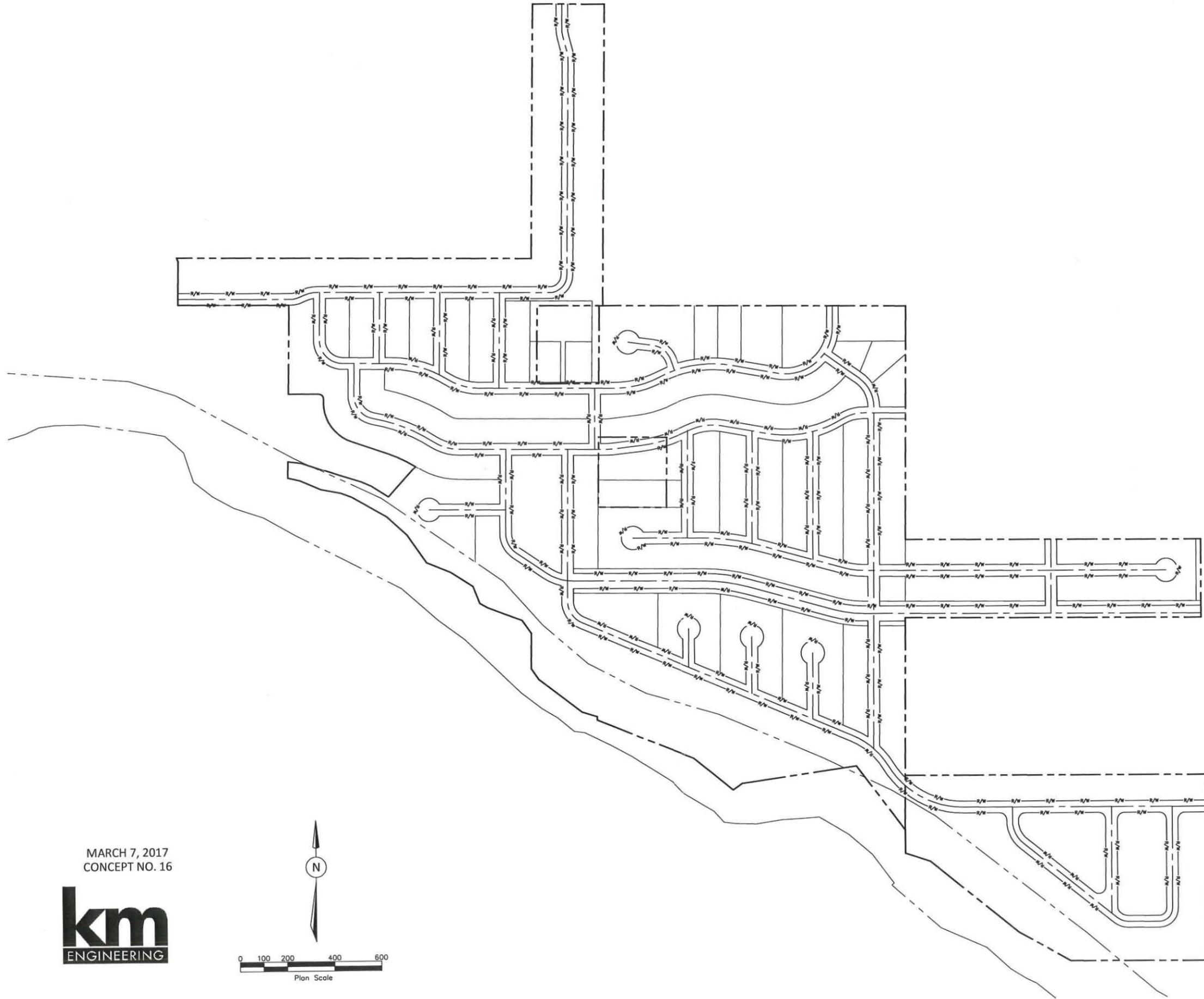
Testify Not Testify

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Not testify
Sabrina Wilson
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Not testify
Spencer Hill
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↓ over for more

OPPOSED
Holly Papa ~~A~~not testifying
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Meridian, ID 83642



MARCH 7, 2017
CONCEPT NO. 16



Exhibit
G1

EXHIBIT.G-I