

OFFICIALS

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



CITY OF KUNA

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

City Council Meeting

MINUTES

Wednesday, November 7, 2018

Note: The regular City Council Meeting is moved to Wednesday to accommodate the election held on the first Tuesday of this November, the regular meeting date for Council.

6:00 P.M. REGULAR CITY COUNCIL

1. *Call to Order and Roll Call*

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear
Council President Briana Buban-Vonder Haar
Council Member Richard Cardoza
Council Member Warren Christensen
Council Member Greg McPherson

CITY STAFF PRESENT:

Chris Engels, City Clerk
Bob Bachman, Public Works Director
Bobby Withrow, Parks Director
Wendy Howell, Planning & Zoning Director
Jared Empey, City Treasurer
Paul Stevens, City Engineer
Troy Behunin, Planner III
Jace Hellman, Planner II

2. *Invocation:* Russell George, Changed Life Church

3. *Pledge of Allegiance:* Mayor Stear

4. *Consent Agenda:* ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS (Timestamp 00:01:17)

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:

I. Regular City Council Minutes, October 16, 2018

B. Accounts Payable Dated November 1, 2018 in the Amount of \$1,188,314.32

C. Resolutions

I. Consideration to approve Resolution No. R88-2018

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY HUBBLE HOMES LLC FOR THE GREYHAWK SUBDIVISION PHASE 8 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING AND STREET LIGHTS PURSUANT TO THE TERMS OF THIS RESOLUTION.

D. Findings of Fact and Conclusions of Law

- 1.** Consideration to approve Findings of Fact and Conclusions of Law for Case No. 18-01-CPF (Combination Preliminary and Final Plat) for Kelleher Subdivision No. 2
- 2.** Consideration to approve Findings of Fact and Conclusions of Law for Case No. 18-01-A (Appeal) & 18-12-DR (Design Review) for Kelleher Subdivision No. 2

**Council President Buban-Vonder Haar moved to approve the Consent Agenda. Seconded by Council Member McPherson. Approved by the following roll call vote: Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson
Voting No: None
Absent: None
Motion carried 4-0.**

5. Community Reports or Requests:

A. Introduction of Sergeant Mike Fratusco – Kuna Police Chief Jon McDaniel
(Timestamp 00:01:58)

Kuna Police Chief Jon McDaniel introduced Sergeant Mike Fratusco.

Sergeant Fratusco thanked all for the time to introduce himself. He provided a summary of his background and goals with the community.

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

- A. Public Hearing and consideration to approve Case No. 18-02-V (Variance) for J. Scott Dowdy - Troy Behunin, Planner III ACTION ITEM
(Timestamp 00:06:17)

Applicant, J. Scott Dowdy, requests approval of this Variance request, in order to reduce the setback requirements for accessory buildings, from public rights-of-way (ROW) on the street-side of a corner lot. The site address is 2534 N. Countryside Ave., Kuna, Idaho, within Galiano Estates Subdivision (Walnut Creek), on lot 19, block 1, within Section 14, T2N, R1W, (R3023310190).

Scott Dowdy presented his request and stood for questions.

Mayor Stear opened the public hearing.

Support: None

Against: None

Neutral: None

Rebuttal: None

Council President Buban-Vonder Haar moved to close the public hearing. Seconded by Council Member McPherson. Motion carried 4-0.

Council President Buban-Vonder Haar noted she lived in this subdivision and received the notice for the neighborhood meeting. She did not attend because it was during a Council Meeting. However, she did not have any personal opinions about it based on her being a nearby land owner and would not be recusing herself.

Council President Buban-Vonder Haar stated her primary concerns with these types of requests were the set backs for safety reasons and access to utilities services. She noted that because of the unique shape of the lot staff was not concerned about maintaining lines of sight and there weren't really any of the same types of safety issues they would normally have. She also noted the memo from the City Engineer that Public Works was willing to support the reduced set back because no other homes would be impacted by it and subdivision aesthetics would be maintained. It was unlikely the road would be straightened such that the setback would be eliminated. It appeared to comply with the relevant provisions of the comp plan and it met with her concerns regarding safety, utility access, and not sticking out and being substantially different from the surrounding properties. She would adopt the Findings of Fact in the code analysis that was listed in the packet. She asked if anyone else wanted to talk about it.

Council President Buban-Vonder Haar moved to approve 18-02-V (Variance) with the conditions of approval as listed. Seconded by Council Member McPherson. Motion carried 4-0.

- B.** Public Hearing and consideration to approve proposed Idaho Department of Commerce Community Development Block Grant (CDBG) Application and consideration to approve Resolution No. R86-2018 – Lisa Bachman, JUB Engineers Planner/Project Manager and Grant Administrator & Chris Engels, City Clerk
(Timestamp 00:19:39)

Lisa Bachman, JUB Engineers, reviewed the proposed application and gave a project overview.

City Clerk Chris Engels reviewed the project funding and the request for \$300,000 for match funds. She added that Kuna's Downtown Application and Funding model from Phase I of Downtown Revitalization was being used as an example for other cities as they applied for multiple funds for large projects.

Mayor Stear opened the public hearing.

Support: None

Against: None

Neutral: None

Rebuttal: None

Council President Buban-Vonder Haar moved to close the public hearing. Seconded by Council Member McPherson. Motion carried 4-0.

Mayor Stear stated it was very impressive to see the team work and number of people that came together to make Phase I happen. He was very proud of everybody that stepped up to help with that because it was quite an undertaking. Like Ms. Engels stated it was a model everyone was using because nobody else thought it was even possible to put that many funding sources together for 1 project. He was hopeful it would happen again for Phase II.

Council President Buban-Vonder Haar noted with all the funding sources the City of Kuna was only contributing about 27% of the almost \$2.7 million needed for the project so it was a great return on investment. She was very excited to complete the project.

1. Consideration to approve proposed Idaho Department of Commerce Community Development Block Grant (CDBG) Application ACTION ITEM
(Timestamp 00:29:40)

Review of application, scope of work, budget, schedule, benefits of the project, how ICDBG funds will benefit low- and moderate-income persons, and location of the proposed project.

Council President Buban-Vonder Haar moved to approve the Idaho Department of Commerce Community Development Block Grant (CDBG) Application. Seconded by Council Member McPherson. Motion carried 4-0.

2. Consideration to approve \$300,000 from the General & Enterprise Contingency Funds for city grant matches to the CDBG, State TAP, & TMA TAP grants ACTION ITEM
(Timestamp 00:31:02)

Council Member Cardoza asked why there were no sewer funds being used.

Public Works Director Bob Bachman explained there was no sewer work being done so sewer funds could not be used.

Council Member Cardoza asked if sewer funds were used on Phase I when new pipes were allocated for waste water.

Mr. Bachman replied he did not think so but could not answer with 100% certainty.

Council Member Cardoza asked if they were allocating any kind of waste water on those 2 blocks would sewer be involved with that.

Mr. Bachman stated his interpretation was sewer would not be eligible to contribute to this.

Council President Buban-Vonder Haar moved to approve the expenditure of \$300,000; \$173,169 from the General Fund Contingency, \$70,251 from the Water Fund Contingency, and \$56,580 from the Pressurized Irrigation Fund Contingency for the purpose of city grant matching funds for the CDBG, State TAP, & TMA TAP grants. Seconded by Council Member McPherson. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson

Voting No: None

Absent: None

Motion carried 4-0.

3. Consideration to approve Resolution No. R86-2018 ACTION ITEM
(Timestamp 00:33:46)

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE "PROFESSIONAL SERVICES AGREEMENT" WITH JUB ENGINEERING, INC. FOR GRANT WRITING AND ADMINISTRATIVE SERVICES FOR THE DOWNTOWN REVITALIZATION PROJECT PHASE II-A & PHASE II-B; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

Council Member Cardoza asked if the grant did not go through did the JUB agreement have any increments that would allow a pay down of the fees.

Ms. Bachman explained the grant writing fee would come out of the City funds but the administration fee was contingent on getting the grant. They would not charge that fee if they did not get the grant.

Council President Buban-Vonder Haar moved to approve Resolution No. R86-2018. Seconded by Council Member McPherson. Motion carried 4-0.

C. Public Hearing and consideration to approve Ordinance No. 2018-37 and Resolution No. R85-2018 – Bobby Withrow, Parks Director
(Timestamp 00:36:16)

Parks Director Bobby Withrow reviewed the changes that were being suggested and stood for questions.

Council President Buban-Vonder Haar asked for clarification on the new fee chart.

Mr. Withrow explained the changes made to the fee chart.

Council President Buban-Vonder Haar noted the amenities could be reserved with a minimum of 7 days advanced noticed. She asked if they ever had people submit requests in less than 7 days and if that could be accommodated.

Mr. Withrow replied they did and they could accommodate it. He explained the reasoning behind the 7-day minimum.

Council President Buban-Vonder Haar would support having a separate fee for a last-minute reservation but she deferred to him on doing something like that or sticking with a preferred 7-day advanced notice.

Mr. Withrow preferred to stick with the 7-day minimum.

Council President Buban-Vonder Haar asked how he felt about changing the verbiage a bit so people didn't feel they couldn't reserve amenities less than 7 days prior to their event.

Mr. Withrow was happy with the way it read already but, if it became a problem, they could bring it back and change it. If they needed to, they could add "a minimum of 7 days or call City Hall for reservations" or something like that.

Mayor Stear also did not want to exclude people who came at the last moment. He noted last minute reservations on a Friday afternoon could pose a problem for getting extra picnic tables set up but if there wasn't staff to do that then there wasn't staff to do that; it would just have to be made known.

Council President Buban-Vonder Haar felt that since 2 people brought up the same issue there would be value in changing it. She thought other people reading it may have the same question. That would also require changing Exhibit A. Her preference was to slow track this so people could comment on the changes if they wanted to. She recommended Mr. Withrow bring it back with the changes he preferred or recommended.

Council President Buban-Vonder Haar moved to continue the public hearing to accept additional testimony at the next 2 readings of Ordinance No. 2018-37 and Resolution No. R85-2018 on November 20, 2018 and December 4, 2018. Seconded by Council Member McPherson. Motion carried 4-0.

Council Discussed whether or not to republish.

William F. Gigray, III, legal counsel for the City, stated it would only need to be republished if a fee was being added or changed by more than 5% over what was advertised.

1. First reading of Ordinance No. 2018-37 ACTION ITEM

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO AMENDING TITLE 7, CHAPTER 3 SECTION 6 TITLED EXCLUSIVE RESERVATIONS TO ALLOW FOR EXCLUSIVE RESERVATION OF CERTAIN AMENITIES, AND AMENDING TITLE 7, CHAPTER 3 SECTION 7 TITLED APPLICATION FOR RESERVATION ADDING A RESERVATION TIMEFRAME, AND AMENDING TITLE 7, CHAPTER 3 SECTION 8 TITLED VACATION OF PARKS UPON REQUEST OF CITY TO INCLUDE ADDITIONAL AMENITIES, AND PROVIDING AN EFFECTIVE DATE.

2. Consideration to approve Resolution No R85-2018 ACTION ITEM

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AMENDING RESOLUTION NO. R44-2017 TO RAISE CERTAIN FEES TO COVER

RISING COSTS, ADD DISCOUNT ELIGIBILITY, ADD NEW AMENITIES,
ADD RESERVATION TIME FRAMES, ADD A RESERVATION DEADLINE
AND PROVIDE AN EFFECTIVE DATE.

- D.** Public Hearing and consideration to approve Ordinance No. 2018-36 and Resolution No. R87-2018 – Chris Engels, City Clerk
(Timestamp 00:50:35)

City Clerk Chris Engels reviewed the ordinance had been read 2 previous times and the proposed changes to the animal licensing process. She reviewed the impoundment fee history with Kuna and the Humane Society and asked Council if they would like to impose the impound fee for dogs and cats or just dogs.

Council President Buban-Vonder Haar asked that impoundment fees not have a reset based on the number of incidents but have a reset after a certain time frame.

Mayor Stear suggested resetting the impound fees after 1 year without incident.

Council Member Cardoza asked if an owner would get a pro-rated refund on a 5-year license if their dog died.

Ms. Engels replied that was not provided for in the ordinance.

Council Member Cardoza asked if a 5-year license would be transferable if an owner's dog died and they got a new dog.

Ms. Engels replied that was not provided for in the ordinance either.

Council President Buban-Vonder Haar explained there was a discount for multi-year licenses so it was a calculated risk. She didn't necessarily have a problem with transferring the tag if it was administratively possible.

Ms. Engels replied staff would accommodate whatever Council decided but it would be an administrative juggle. She gave an example of how people try to use that as a work around. Part of the reason for the single license and the reduced multi-year license was to hopefully help reunite people with their dogs if they got loose.

Council President Buban-Vonder Haar reviewed the ½ year license fee that was currently in place and the issues with that versus the proposed multi-year fees. She was open to ways to make it more user friendly. She felt if there were going to be transfers there should be some sort of proof and administrative fee. She asked if they were comfortable asking for that.

Ms. Engels explained in general the City didn't transfer any type of license. If Council was interested in staff figuring out how to make a transfer work, they could do that. They would need to figure out how that would work with altered and

unaltered animals. If Council wanted to table, she could bring something back and they could republish for fees. She just wanted to have the fee schedule so renewals could be sent out as close to early December as possible.

Council President Buban-Vonder Haar stated that was another great point in terms of the different fees and felt it would be better not to do transfers.

Ms. Engels suggested rolling this out and over the next 12 – 24 months staff could watch to see if those purchasing multi-year licenses were making requests for transfers. If there were requests for transfers, they could come back and address a transfer option.

Council Member Christensen stated at some point it had to be about keeping it simple for the residents and multiple transfers start to make it to complex.

Ms. Engels reiterated staff would keep an eye on it and, if people were requesting transfers, they would voluntarily bring it back to Council.

Council President Buban-Vonder Haar asked if there should be different impoundment rates for cats versus dogs.

Council agreed it should be the same for both.

Council President Buban-Vonder Haar asked if they were fine with changing footnote 2 on Exhibit A of Resolution R87-2018 to read Impoundment Fees would automatically reset 1 year following the last date of the impoundment of an animal.

Council agreed to that language for the footnote.

William F. Gigray, III, legal counsel for the City, stated he didn't know what was advertised but, based on what was advertised, changing that might mean they needed to republish. Also, people who were violating the animal control ordinance of the City would be subject to an infraction. With regards to impound fees, that was a matter of providing service for impounding, feeding and harboring the animal. Fees had to have a reasonable relationship to the cost of providing the service, not revenue or punishment.

Council President Buban-Vonder Haar noted there was a boarding fee and an impoundment fee. The boarding fee was supposed to compensate the animal shelter for their costs for holding the animal. The impoundment fee, she would argue, was to cover the cost of the animal control officer driving out from the shelter getting the animal and taking it back. She felt there should be a penalty for repeat offenses such as this. That was why they were thinking of having the graduated fees for repeat offenses capped at a certain amount for incident 3 and thereafter. If that was not actually allowed, she wanted to explore that more.

Mr. Gigray believed there were enhanced penalties under the City ordinance for a habitual violator but he had not prepared for this. He suggested they review that and get a sense of how the ordinance regulated the control and impoundment of animals in the city. They were providing a service with impoundment including the officer going to the scene and the administrative work which was clearly justifiable. He was just saying as they were thinking about this, they think about their authority to impose fees for reasonable services provided by the City versus their authority under ordinance to have a violation penalized with an infraction.

Council President Buban-Vonder Haar clarified he was suggesting they might need to modify the way the ordinance was written so that the impoundment fee remained consistent and there was some sort of additional fee or infraction penalty that would potentially slide for habitual violators.

Mr. Gigray thought it would be a worthwhile conversation to have with administrative staff and enforcement officers to ensure they were comfortable with how it all fit together.

Ms. Engels stated the Humane Society had reviewed all of this. There was a standard graduated impound fee as a deterrent with most jurisdictions however they were free to do as they chose.

Council President Buban-Vonder Haar suggested Mr. Gigray take a few minutes to review the ordinance while they conducted the public hearing.

Council Member Cardoza asked who was responsible for setting the impound fees. He thought it was the Humane Society

Ms. Engels explained each City developed and established their own based on what fit for their jurisdiction. There were a lot of similarities though. She added Kuna would be the only city with this license structure. Everyone's license structure was a little bit different.

Mayor Stear opened the public hearing.

Support: None

Against: None

Neutral: None

Rebuttal: None

Council President Buban-Vonder Haar moved to close the public hearing. Seconded by Council Member McPherson. Motion carried 4-0.

Council decided to table this item, 6D, until after the next public hearing item to give Mr. Gigray time to review the ordinance.

(Timestamp 01:19:15)

Council returned to item 6D.

(Timestamp 02:24:34)

Council President Buban-Vonder Haar reviewed the questions regarding whether or not the ordinance looked problematic in any way and impound fees.

Mr. Gigray stated there was no problem with the ordinance and, in regards to the graduated impound fees, as long as they could justify it and show they had reasonable expenses, they could use their discretion. If they wanted to enhance penalties, they would have to look at additional changes in the ordinance.

Council President Buban-Vonder Haar did not see a penalty section in the ordinance. She was concerned they had not technically done a study regarding the cost of an animal control officer coming out and she did not know if that was required. She wasn't sure if it would be easier to build this in as a penalty but she did not see a penalty section in there.

Ms. Engels replied the penalty in the code refers to the penalty in a different code section that tells them if it is a misdemeanor or infraction. It was not included in this amendment.

Council President Buban-Vonder Haar clarified what was included in the packet was only the portion that was being changed and, if she wanted to look at the penalty section, she would need to look up the full ordinance.

Mr. Gigray explained the penalty was usually at the end of the animal control ordinance and it was usually an infraction to begin with and if they were continuing to have problems it would move up to a misdemeanor.

Ms. Engels asked Mr. Gigray if they needed to do a fee analysis with the Humane Society to justify the impound fees.

Mr. Gigray responded the standard rule with fees was they have the ability to charge a fee as long as it was reasonably related to providing a service but they could not use fees as a generation of income or someone could challenge it as an unlawful tax. That was his concern. If they kept the fee as the Humane Society's fee it would only be a provision in the ordinance requiring that fee be paid to get an animal back in accordance with the contract between the City and the Humane Society.

Mayor Stear said the problem was the City never saw that fee. He did not think a study was needed and that it just needed to be reasonable.

Mr. Gigray agreed but reiterated for the record the basis for their action would be better centered on the service provided.

Ms. Engels explained the Humane Society estimated the annual fee was about \$800 so it was a pretty insignificant amount over all. The Humane Society would collect and remit that fee to the City which would go towards paying that contract.

Mayor Stear suggested tabling the item and spending some time looking into it to make sure it was done properly.

Mr. Gigray offered to double check to see if they had authority to have inducements to people by increased fees.

Council President Buban-Vonder Haar felt it was worth noting police were frequently called for these kinds of things because the Humane Society couldn't respond right away so that should cover anything additional since the City was paying for those services. She was good with everything now including the change to the footnote.

Ms. Engels clarified the change to the footnote.

1. Consideration to approve Ordinance No. 2018-36 ACTION ITEM

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO AMENDING TITLE 10, CHAPTER 3, SECTION 7 TITLED DOG LICENSES TO ALLOW FOR MULTI-YEAR LICENSES AND ROLLING RENEWALS, REPEALING THE HALF PRICE FEE FOR LICENSES PURCHASED AFTER JULY 1 OF EACH CALENDAR YEAR AND AMENDING TITLE 10, CHAPTER 3, SECTION 23 TITLED IMPOUNDING OF ANIMALS CLARIFYING FEES RELATED TO THE IMPOUNDMENT AND KEEPING OF ANIMALS AND PROVIDING AN EFFECTIVE DATE.

Consideration to approve ordinance

Consideration to approve summary publication

Council President Buban-Vonder Haar moved to approve Ordinance No. 2018-36. Seconded by Council Member McPherson. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson

Voting No: None

Absent: None

Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve the Summary Publication of Ordinance No. 2018-36. Seconded by Council Member McPherson. Motion carried 4-0.

2. Consideration to approve Resolution No. R87-2018 ACTION ITEM

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO, AMENDING RESOLUTION NO. R18-2010 AND ESTABLISHING NEW FEES FOR DOG LICENSES AND FEES FOR THE IMPOUNDMENT OF AN ANIMAL WITHIN THE CITY OF KUNA AND PROVIDING AN EFFECTIVE DATE.

Council President Buban-Vonder Haar moved to approve Resolution No. R87-2018. Seconded by Council Member McPherson. Motion carried 4-0.

Council returned to the public hearing on Madrone Heights.
(Timestamp 02:35:58)

E. Public Hearing and Consideration to approve Case No. 18-05-S (Preliminary Plat) Madrone Heights Subdivision - Troy Behunin, Planner III ACTION ITEM
(Timestamp 01:19:26)

Applicant requests approval to subdivide approximately 39.50 ac. into 206 single home lots, an additional 27 common lots, and one shared driveway. The address is 2030 W. Kuna Road, Kuna Idaho, and is located near the NWC of Ten Mile and Kuna Roads, in Section 22, T 2N, R 1W, APN #: S1322438400.

Kevin McCarthy with KM Engineering, 9233 W. State Street, Boise, ID 83714, representing Madrone Heights and the applicant, Tim Eck, reviewed the proposed project. He noted they agreed to the list of conditions for approval listed in the staff report and stood for questions.

Planner III Troy Behunin presented the staff report on the application and stood for questions.

Council President Buban-Vonder Haar thought that when this was annexed in it was a maximum density of 4.2 not 5.2 based on a sewer capacity issue.

Council Member Christensen recalled the same.

Council President Buban-Vonder Haar asked if there was any way to check on this.

Mr. Behunin could pull the minutes but was confident it was 5.2.

Council Member Cardoza thought that the applicant had originally come in with a request for R8 and dropped it down to R6 with 5.2 which the Council agreed to.

Council President Buban-Vonder Haar felt that since both she and Council Member Christensen recalled the same thing without having spoken about it with each other it bared looking into.

Mr. Behunin explained the 4.2 they were thinking of was part of another project belonging to the applicant Tim Eck.

Council President Buban-Vonder Haar asked if the project was north of the tracks.

Mr. Behunin replied it was.

Council President Buban-Vonder Haar remembered that the project was south of the tracks and they set it at 4.2 because of a sewer capacity issue. She would not vote on this until it was checked on.

Mr. Behunin offered to pull the minutes.

Council Member Christensen recalled getting Public Works Director Bob Bachman's input on the sewer capacity and that he had said right around 4 houses per acre could possibly be supported.

Mr. Bachman stated the Public Works recommendation was R4 or less and he thought 4.2 was what had been decided by Council.

City Clerk Chris Engels found the minutes from the annexation application and reviewed them. The motion stated a maximum actual density of 5.2 per acre.

Mr. Behunin noted he had left some letters from citizens out of the staff report. There were 3 in total of which he gave copies to Council.

Mayor Stear noted 1 of the letters was from Nancy Simper who had signed up to testify. He asked if she wanted her letter read into record or if she wanted to testify.

Ms. Simper stated she had been unsure if she would make it on time to testify which was why she submitted the letter but she would like to testify.

Mayor Stear read the letters into the record.

The first letter from Richard Deutsche stated his concern regarding the public access to his property. He asked that the proposed road approximately 600' north of Kuna Road be blocked off. He stated he had spoken with Tim Eck about it previously and he had no problem putting a solid fencing across Mr. Deutsche's west boundary. He was also concerned about the greenbelt access points out of the north boundary of the subdivision. Cattle were grazing there and until those properties were developed the north access points shouldn't be open to the public. He asked that these concerns be kept in mind when making decisions.

Mayor Stear asked if Mr. Deutsche wanted to testify as well.

Mr. Deutsche did not.

The second letter was an email from Randy Maurer that Mayor Stear had received and forwarded on to Mr. Behunin. It would be considered ex-part' e so he asked that it be included in the packet. He read the email into the record. Mr. Maurer felt the land was not suitable for development and stated it did not boarder city limits. He wrote the impact fees were not enough to cover the expenses of new growth. He listed what impact fees would pay for and asked that, if development had to happen, they make it pay.

Mayor Stear opened the public hearing.

Support: None

Neutral:

Cindy Gieson, 1363 S. Ash, Kuna, ID 83634, did a search on lighting regulations when she noticed another subdivision was coming in to be heard and all she could find was the unincorporated Ada County regulations that had missing links. They were well known for their dark sky considerations. She couldn't find that in the zoning, it was all about wiring. She asked if Council would consider doing an ordinance that would keep the skies darker as they considered approving these developments. It ends up being cost saving because they are LED lights with framing. She noticed there were some in the parking lot so she thought maybe they were already doing that.

Mayor Stear replied they had an ordinance pertaining to that.

Council President Buban-Vonder Haar explained how to get to City code via the City Website.

Planning & Zoning Director Wendy Howell thought it was 642T.

Ms. Gieson thanked Council for that and asked that they also consider making bike lanes in subdivisions and throughout town more bike friendly.

Mayor Stear explained the City's goals and plans concerning connectivity for bike lanes, sidewalks, and pathways.

Against:

Nancy Simper, 4597 W. Deer Flat Road, Kuna, ID 83634, noted on page 61 of item 6E in the packet ITD stated that they object to the proposed application due to traffic concerns. She was not opposed to new development but she was opposed to this

development because of traffic concerns. She believed at this time Kuna did not have the roadway infrastructure needed to support increased traffic into Kuna from the west side of town during peak times. This issue was overlooked during the traffic impact study. The TIS only evaluated the intersection of Kuna Road and Black Cat Road and that 1 mile stretch between and Black Cat Road and Ten Mile Road. She felt it was reasonable to assume families in the new development would be making frequent trips into town. It was vital to study the impact on Avalon Street from the Ten Mile Road intersection to the railroad and creek crossings. She shared her experiences regarding traveling on that road and how the increased traffic would negatively affect the residents. She noted in the packet on page 7 of item 6E, IC §67-6513 requires the City to provide for mitigation of the effects of subdivision development on the ability of the School District to deliver services without compromising the quality. She felt until a solution was found not only for the traffic congestion but also for emergency service access to the area during a train crossing this point of entry into Kuna would continue to be a travel and safety problem. It would be irresponsible to add another 206 households to this traffic area until a TIS including Avalon Street and the crossings was completed and the problems corrected to accommodate potential new neighbors.

Rebuttal:

Kevin McCarthy with KM Engineering commented Mr. Eck had addressed the letter from Richard Deutsche and coordinated with him on putting something into that lot. As for the ITD letter it appeared that was just a standard response for developments coming into the city of Kuna. They did do a traffic study that ACHD reviewed and commented on. It was also provided to ITD but they did not comment on it that he was aware of. His client did contact the company that did the traffic impact study and they provided a response letter. He gave the letter out to Council and read the it into the record. It stated the property did not request direct access to the State Highway System so ITD was not requested to take part in the scope of work for the transportation impact study as required by ACHD. ACHD determined and verified the study area. He reviewed the results of the study and that it would have minimal impact to existing conditions currently experienced on SH 69. There was also a map on the back showing the area of influence and the peak hour demand contribution. Mr. McCarthy stood for questions.

Council Member Cardoza asked if Kuna Road going west continued as a State Highway all the way down to Happy Valley Road.

Mr. Behunin stated the State Highway ended at Orchard.

Council President Buban-Vonder Haar asked when the traffic study was provided to ITD.

Mr. McCarthy replied according to his client it was provided to ITD in July of 2018.

Council President Buban-Vonder Haar noted the date on the ITD letter was July 6th so as of that date they had not been provided a traffic study.

Mr. McCarthy said that was a fair assessment. His assumption was they received the study after they wrote that letter and they provided no comment after receiving the study.

Mr. Behunin added that ITD had been issuing this letter since May or April of 2018 where they say no to everything whether it abuts the system or not. It had caught staff off guard. They have actually been reaching out to staff for traffic impact studies provided to ACHD. The TIS was actually sent to them on July 2nd and their response on July 6th reflected their comment request from earlier. They had not had time to read, process, and analyze that study. Mr. Behunin had reached out to them since and he had not yet received an answer.

Council President Buban-Vonder Haar requested any record of that correspondence be included in the record in the future to show that loop was closed.

Mr. Behunin explained this had taken them by surprise and most communication with ITD had been via phone. Staff could start corresponding via email in order to present it in a format that shows the loop has been closed.

Mayor Stear asked if they needed to get ITD in to discuss this or if they should talk with their bosses.

Planning & Zoning Director Wendy Howell replied they could discuss that later.

Council President Buban-Vonder Haar asked if they usually got the traffic study in the packet.

Mr. Behunin said it should be in there around page 52. Additionally, ACHD was beginning to include the TIS or at least the executive summary in their response so it may be included at the back of their response.

Council President Buban-Vonder Haar asked about a possible missing page.

Mr. Behunin stated it was the page that identified Section 1 of the Executive Summary.

Council President Buban-Vonder Haar confirmed that should show up in another part of the packet.

Council Member Christensen clarified it had become pattern for ITD to object to proposed applications and that they had objected to other recent developments as well because it was just repeated history on their part.

Mr. Behunin didn't know what their reasoning was but this was not the first project where they have stated, until things got fixed, they object.

Council President Buban-Vonder Haar noted for the record they did not say until things got fixed. They said they objected to the proposed application due to traffic concerns and would withdraw any objection to the proposed application once all traffic concerns had been addressed. The overall concern was they had not received the traffic study so she interpreted it as they wanted to review the traffic study so they were objecting until they could do that.

Council President Buban-Vonder Haar asked if the public hearing was still open.

Mayor Stear replied it was.

Council President Buban-Vonder Haar stated a lot of the time people don't show up to testify or everything is pretty cut and dry and they don't have a lot of wiggle room. This was actually 1 of the times when someone has shown up and listed things they could consider as reasons for potentially denying an application or considering further modifications. Her preference was to table this and not make a decision that night. She asked if there was any interest in continuing the public hearing portion of it at the next meeting.

Ms. Howell stated ITD did not have any jurisdiction on this roadway.

Council President Buban-Vonder Haar replied that was fine but a portion of State Code was also mentioned that was potentially relevant. They had really hammered lately that they couldn't consider things that weren't related to the comp plan or code or the other things they were allowed to consider. She noted they had just delayed an application for a month because of a design review and did not feel it was unreasonable to put this off for 2 weeks. If others felt differently, they were fine to make a motion and proceed without her.

Mayor Stear suggested if they were going to table if for a date certain they leave the public hearing open.

Ms. Howell requested a recess on this item to allow legal counsel the opportunity to research Idaho State Code in this matter.

Mayor Stear stated they were waiting on legal counsel for the prior item as well so they would move on to item 7A.

(Timestamp 02:07:55)

Council returned to the public hearing on Madrone Heights.

(Timestamp 02:35:58)

William F. Gigray, III, legal counsel for the City, reviewed the Idaho Statute that was in question. He did not see it as a good argument to object to this preliminary plat.

Council President Buban-Vonder Haar still felt it was reasonable for her to take extra time to consider it but if someone else wanted to move forward they could.

Mr. Gigray stated they could continue the hearing for a date certain.

Council President Buban-Vonder Haar asked Mr. Behunin if he could provide anything showing they had provided the traffic study to ITD or communicated with them for the next meeting.

Mr. Behunin clarified what Council President Buban-Vonder Haar was wanting to see.

Council President Buban-Vonder Haar moved to table the public hearing and consideration to approve Case No. 18-05-S until the November 20, 2018 meeting at which time they would reopen the public hearing to receive additional testimony and information. Seconded by Council Member McPherson. Motion carried 4-0.

Council moved on to item 7C.
(Timestamp 02:42:52)

7. Business Items:

- A.** Idaho Career Development Month Proclamation – Mayor Stear
(Timestamp 02:08:10)

Mayor Stear read the proclamation.

- B.** Kuna Police Impact Fee Report and consideration to approve Kuna Police Impact Fees – Anne Wescott, Galena Consulting
(Timestamp 02:10:30)

Anne Wescott with Galena Consulting reviewed the Kuna Police Impact Fee Report. She noted the Impact Fee Advisory Committee unanimously supported the fees set forth in the report, encouraged the Council to consider adopting them by the end of 2018, requested to meet in 1 years' time to conduct a complete review of assumptions about projected growth and construction costs, and that the City of Kuna keep track of and report on the number of new housing units and the amount of non-residential square feet of construction being approved by the City at the annual meeting. Ms. Wescott stood for questions.

Council thanked her for the report.

Ms. Wescott stated the next step would be the Planning & Zoning hearing to amend the comp plan and a fee hearing at Council.

Council President Buban-Vonder Haar noted in a prior item it was requested to make growth pay for itself and they were trying to do that with the Fire District Impact Fee and with this Police Impact Fee. She supported this and felt that it seemed reasonable.

William F. Gigray, III, legal counsel for the City, clarified this would not be an action item that night and reviewed the process for implementing the impact fee.

Council President Buban-Vonder Haar asked that there be some sort of direction on the agenda for something like this. If they were to approve something else, she would appreciate noting how that should be phrased on the agenda.

Council Member Cardoza asked if the report had to be published.

Mr. Gigray explained the report did not have to be published and what was required for the public notice.

Council returned to item 6D.
(Timestamp 02:24:34)

C. Information for Request for Qualifications (RFQ) on the City Website – Bob Bachman, Public Works Director
(Timestamp 02:42:52)

Public Works Director Bob Bachman reviewed the request and stood for questions.

Council Member Cardoza thought they had approved the purchase of some equipment to do a review of building apparatus.

Mr. Bachman explained they purchased a thermal imaging camera which they used to detect heat loss. That was 1 step into tightening up building envelopes. This went much deeper. It would provide a very thorough investigation into energy consumption so they could look to the future and bring projects to Council during budget season. With those projects they should be able to tell them how much energy they expect to save and how much it will cost.

Council Member Cardoza asked if the study would be done by a private contractor or public utilities.

Mr. Bachman replied the study would be done by a private contractor.

Council President Buban-Vonder Haar asked if they needed to make an official motion.

Mr. Bachman was just asking for the blessing of Council to move forward with this. He also wanted to give Carlee Oswald, Energy Conservation Specialist and Public Works Admin, credit for all the hard work she put into this project.

Council gave the go ahead for the RFQ.

Council took a brief recess.
(Timestamp 02:47:15)

D. Consideration to approve Resolution No. R89-2018 – Bobby Withrow, Parks Director ACTION ITEM
(Timestamp 02:53:32)

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO ACKNOWLEDGING CONSENT TO REPRESENTATION, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY COUNCIL THAT CERTAIN AGREEMENT ENTITLED THE “KUNA JOINT POWERS AND INTERAGENCY COOPERATIVE REPAIR AND MAINTENANCE SERVICES AGREEMENT”, DIRECTING THE CITY CLERK, AND SETTING AN EFFECTIVE DATE.

Parks Director Bobby Withrow reviewed the request and stood for questions.

Council Member Cardoza felt that since it was a separate tax entity it opened the door for the library and school district. There were individuals out there that did this for a living. He had a problem with opening the door to do this for other entities.

Mayor Stear replied if it got to the point where it was a burden, they would stop doing it.

Council President Buban-Vonder Haar appreciated the concern but there were things that made this special and should help keep things very limited. She also thought this gave them the flexibility to stop doing it at any point should it become burdensome. Also, just because they said yes to this didn't mean they would have to say yes to everyone else. It seemed to be an appropriate use of the City's time and services because it was so minimal and it was another taxing entity. For them to go out and get this at a private rate would vastly exceed what they would be paying the City. This would be doing the tax payers a solid.

Council Member Christensen asked how long the City had been doing this.

Mr. Withrow replied they had been doing the mowing for about half of that year. They usually tried to help with snow removal in winter time because they had such a large parking lot. It was I of the last things they did though.

Council Member Christensen's take on that was this was not anything new for them, it was just publicizing it. If it did become a problem, like Council President Buban-Vonder Haar said, they could stop. He did not have a problem with putting the finances down to it.

Public Works Director Bob Bachman added that the Fire District performed all the City's flow tests. It was just an example of shaking each other's hands and helping each other out.

Council Member McPherson moved to approve Resolution No. R89-2018. Seconded by Council President Buban-Vonder Haar. Motion carried 3-1 Council Member Cardoza voted no.

E. Financial Update – Jared Empey, City Treasurer
(Timestamp 03:02:29)

City Treasurer Jared Empey reviewed some initial results from the prior fiscal year. The results weren't final and were subject to change but should provide a basic snapshot of where the City sat. He noted that although the funds were running cash positive, he wanted Council to consider that there were many capitol improvements projects that were not completed during the last fiscal year that were carrying over to this fiscal year. He also provided by account how things shook out with the budget. Revenue looked good as compared with their projections in both their governmental and enterprise funds. Lastly, cash was also looking pretty solid. He stood for questions.

Mayor Stear mentioned part of the Idaho State Liquor Distribution being absorbed with their agreement to use for court funding projects that came up the previous year. He didn't remember when that started but he thought that was 1 reason they didn't increase that budget from the previous year. It was what Association of Idaho Cities recommended. It was something legislatively that happened to help counties pay for the court house and magistrate services and it settled a law suit.

Mr. Empey thanked him for making him aware of that.

Mayor Stear commented he was very happy to have Mr. Empey on board.

Council thanked Mr. Empey.

8. Ordinances:

A. Consideration to approve Ordinance No. 2018-38 ACTION ITEM
(Timestamp 03:07:45)

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO:

- AMENDING SECTION 3 OF CHAPTER 6 OF TITLE 1 OF THE KUNA CITY CODE MAKING A TECHNICAL CORRECTION OF THE IDAHO CODE CITATION TO THE OPEN MEETING LAW; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings of ordinance

Consideration to approve ordinance

Consideration to approve summary publication

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2018-38. Seconded by Council Member McPherson. Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2018-38. Seconded by Council Member McPherson. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson

Voting No: None

Absent: None

Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve the Summary Publication of Ordinance No. 2018-38. Seconded by Council Member McPherson. Motion carried 4-0.

**B. Consideration to approve Ordinance No. 2018-39 ACTION ITEM
(Timestamp 03:09:12)**

A MUNICIPAL REZONE ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO;

- MAKING CERTAIN FINDINGS; AND
- REZONING CERTAIN REAL PROPERTY OWNED BY LOCK-N-ROLL SELF STORAGE LLC SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO TO WIT: PARCEL NO. S1419333400, FROM A (AGRICULTURAL ZONING DISTRICT) TO C-2 (AREA COMMERCIAL ZONING DISTRICT); AND
- AMENDING THE ZONING MAP; AND
- DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings of ordinance

Consideration to approve ordinance

Consideration to approve summary publication

Council President Buban-Vonder Haar noted the Planning & Zoning Commission held a public hearing and approved the rezone 2 years prior and Council approved the rezone in January 2017. She asked why the ordinance took so long to get to them.

Planning & Zoning Director Wendy Howell stated it had somehow slipped through the cracks.

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2018-39. Seconded by Council Member McPherson. Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2018-39. Seconded by Council Member McPherson. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson

Voting No: None

Absent: None

Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve the Summary Publication of Ordinance No. 2018-39. Seconded by Council Member McPherson. Motion carried 4-0.

9. Mayor/Council Announcements:

(Timestamp 03:11:49)

Council commented on the number of people who were out voting the night before.

10. Executive Session:

A. Consider motion to conduct an executive session pursuant to:

(Timestamp 03:12:15)

Idaho Code Section 74-206 (1)(f)

(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

Council President Buban-Vonder Haar moved to conduct an Executive Session Pursuant to Idaho Code 74-206(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. Seconded by Council Member McPherson. Motion carried 4-0.

Mayor Stear indicated he, Council, and William F. Gigray, III, legal counsel for the City, Public Works Director, and City Engineer Paul Stevens would remain for the executive session and that Council President Buban-Vonder Harr would serve as special clerk to take the minutes of the Executive Session.

Executive Session Minutes of November 7, 2018 – The session commenced at 9:15 p.m. with Mayor Stear, members of the City Council, William F. Gigray, III, legal counsel for the City, Public Works Director Bob Bachman, and City Engineer Paul Stevens. Council President Buban-Vonder Haar was appointed as secretary to take the minutes of this executive session. Information was then exchanged among Mayor Stear, members of the City Council, Mr. Gigray, Mr. Bachman, and Mr. Stevens on the subject of the executive session. No action was taken. A motion was then made by Council President Buban-Vonder Haar and seconded by Council Member McPherson to come out of executive session which motion passed unanimously at 9:43 p.m.

Electronically signed by:

Briana Buban-Vonder Haar, *Council President*, Secretary of Executive Sessions.

Open session resumed and Mayor Stear reported that information was received in relation to the announced purpose for going into executive session and no action was taken by the Council Members.

11. Adjournment: 9:45 P.M.



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



Minutes prepared by Ariana Welker, Deputy City Clerk
Date Approved: CCM 11.20.2018



CITY OF KUNA

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SIGN-UP SHEET

Wed. November 7, 2018 – Council, Public Hearing

Case Name: Variance Request; Request by J. Scott Dowdy

Case Type: Applicant requests approval to reduce the setback requirements for accessory buildings, from public rights-of-way (ROW) on the street-side of a corner lot. The site is located at northeast corner of Countryside Ave. and W. Oak Tree Dr., 2534 N. Countryside Ave., Kuna, Idaho, within Galiano Estates Subdivision, lot 19, block 1, within Section 14, T2N, R1W, (A.P.N. #'s: R3023310190).

Case No.: 18-02-V - Variance request for 2534 N. Countryside Ave..

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

IN FAVOR		NEUTRAL		IN OPPOSITION	
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PUBLIC HEARING SIGN-UP SHEET

Kuna City Council Meeting 6:00 p.m.

November 7, 2018

Proposed Idaho Department of Commerce Community Development Block Grant (CDBG) Application

And

Resolution No. R86-2018 – JUB Professional Services Agreement for Grant Writing Services

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

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RICHARD H. DEUTSCHE

135 N. Ten Mile Road

Kuna, ID 83634-1203

1-208-922-4360 Hm or 1-208-841-7335 Cell

September 10, 2018

CITY OF KUNA
PLANNING AND ZONING DEPARTMENT
PO Box 13
Kuna, ID 83634

ATTENTION: 18-01-S (Preliminary Plat) – Madrone Heights Sub

To whom it may concern:

Our property is the 30+ or – Acres just east of Madrone Heights subdivision at Ten Mile Road and Kuna Road.

The main concern we have is the public access to my property. At times, there are, at list. 50 to 75 head of cattle on our property. Public access will not be suitable.

The proposed road out of the subdivision into our property (approximately 600' north of Kuna Road) must be blocked off, with solid fencing as proposed around the whole subdivision. Barb wire and or climbable fencing will be an open invitation for access into our field. At a prior meeting, Mr. Eck and I discussed this very problem. He showed concern and had no problem putting solid fencing across my West boundary until such time my property was developed.

The second concern is the two (2) Green Belt access points out of the north boundary of the subdivision in to Tim Gordon;s property north of Madrone Heights, along the fence line for ¼ mile. We can not demand that the two (2) access points be block-off because they do not adjoin our property. (I have called Mr. Gordon to talk with him about this complication, but he has not called me back to set up a meet time.)

Here in lies the problem. At the north-west corner, beyond our common boundary with Madrone Heights, we have a gate access (approximately a 10' opening) into Gordon's property. At this time, cattle are grazing between Gordon's property and ours. So until these two (2) properties are developed the two (2) access points mentioned above can not be open to the public.

By the way, we own the property to the north from Indian Creek to the U.P. Railroad, and from Ten Mile Road to the west to the Railroad Bridge. From there the Creek travels out of our property to the north-west. In addition, we own the Creek Bed and the Ditch Company has an easement to pass their water through our property.

We keep the access closed from the Railroad Bridge, at the north-west end of our property, as

*Read into
the records
11/7/2018*

EXHIBIT
C-5

Troy Behunin

From: Mayor Stear
Sent: Tuesday, August 28, 2018 12:21 PM
To: Wendy Howell; Troy Behunin
Subject: FW: Save our Farms

I received this communication on Madrone Heights that would be considered ex-part' e. So it will need to go with the councils packet when it is heard there.

Thanks

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546



From: Mayor Stear
Sent: Tuesday, August 28, 2018 12:18 PM
To: 'Randy Maurer' <randy.maurer@yahoo.com>
Subject: RE: Save our Farms

Randy Maurer;

I never want to leave an email unanswered. But for future reference it is considered ex-part' e communications for myself or council members to discuss issues such as this that we will be making decisions on in the future. The discussion has to occur in a public forum so that neither party can have an advantage over the other.

If you would like to speak in general terms and not have projects in mind we can do that at some point. I would be happy to talk about impact fees with you.

I will have to make this communication a part of the record for this particular application for when it comes to council.

I would suggest that if you would like you may contact our planning and zoning department with concerns and questions. You just cannot have discussions with elected officials prior to public hearings. Also the time to speak on particular projects is at the public hearing for that project. There are generally 2. The first one is with the Planning and Zoning Commission and the second is with the City Council.

Thank You so much!

7. Fire
8. Parks
9. Libraries
10. Subsidies to keep our farms
11. SMART Planning ahead for growth
12. Other services

I don't want the Treasure Valley to be like the Phoenix metro area. They built to outer edges so it's a large sprawl city surrounded by desert. All the orange groves, vegetable farms are all gone. Subdivisions are everywhere.

IF DEVELOPMENT MUST HAPPEN MAKE ,IT PAY FOR THE RESIDENTS THAT ARE ALREADY HERE.

IMPACT FEES, IMPACT FEES, IMPACT FEES!

Randy Maurer, Native to the Treasure Valley



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SIGN-UP SHEET

Wed. November 7, 2018 – Council, Public Hearing

Case Name: Pre Plat – Madrone Heights Sub; Request by Kevin McCarthy, KM Eng.

Case Type: Applicant requests approval to subdivide approximately 39.50 acres (previously zoned R-6) into 206 single home lots, an additional 27 common lots, and one shared driveway. A Design Review application for the landscaping for the 27 common lots accompanies this application. The address is 2030 W. Kuna Road, Kuna Idaho, and is located near the NWC of Ten Mile and Kuna Roads, in Section 22, T 2N, R 1W, APN #: S1322438400.

Case No.: 18-02-S – Preliminary Plat for 206 new Home lots in an R-6 zone.

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

IN FAVOR		NEUTRAL		IN OPPOSITION	
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Print Name		Cindy Grogan		Nancy Simper	
Print Address		1363 S. Agh		4597 West Deer Flat Rd	
City	State, Zip	Kuna	Id 83634	Kuna	Id 83634
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City	State, Zip	City	State, Zip	City	State, Zip

November 6, 2018

Project #: 22609.3

Tim Eck
N Star Farm, LLC
6152 W Half Moon Lane
Eagle, Idaho 83616

RE: Response to Idaho Transportation Department Comments, Development Application 18-02-S

Dear Tim,

After reviewing Idaho Transportation Department (ITD) comments regarding development application 18-02-S, we have provided the following response. As ITD has acknowledged, the Madrone Heights property (18-02-S) does not abut the State highway system or directly access an ITD facility. SH 69 is approximately 1.5 miles east of the property with access via Swan Falls Road or Linder Avenue to Avalon Road/SH 69.

Because the property is not requesting direct access to the State highway system, ITD was not requested to take part in the scope of work for the transportation impact study (TIS) as required by Ada County Highway District (ACHD). The study area for the TIS was determined and verified by ACHD, using a select zone analysis from Community Planning Association of Southwest Idaho's (COMPASS) regional travel demand model for the proposed property.

The select zone analysis estimated that approximately 45 percent of site-generated trips would leave and enter the property to/from the east. However, not all site-generated trips to/from the east would utilize SH 69. Upon full buildout of the site, the select zone analysis projected less than one percent of total vehicle volumes along Avalon Road/SH 69 would comprise of Madrone Heights' site-generated trips, as shown in Attachment A. Because of the negligible increase in trips along SH 69 attributed to the proposed Madrone Heights property, site-generated trips would have little to no impact to existing conditions currently experienced along SH 69.

We trust that this letter provides additional context to comments provided by ITD regarding site-generated trips along SH 69. Please reach out to me with any additional questions or comments.

Sincerely,
KITTELSON & ASSOCIATES, INC.



Brett Korporaal
Engineering Associate

*provided to
Council
Red into record
11/7/18*

**EXHIBIT
C-8**

