

## 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 Tuesday, December 18, 2018

#### 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  
Bobby Withrow, Parks Director  
Wendy Howell, Planning & Zoning Director  
Jared Empey, City Treasurer  
Lisa Holland, Economic Development Director  
Paul Stevens, City Engineer  
Jace Hellman, Planner II

#### 2. *Invocation:* None

#### 3. *Pledge of Allegiance:* Mayor Stear

#### 4. *Consent Agenda:* ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS (Timestamp 00:00:37)

*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, December 4, 2018

NOTICE: Copies of all agenda materials are available for public review in the Office of the City Clerk. Persons who have questions concerning any agenda item may call the City Clerk's Office at 922-5546. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at 922-5546 at least forty-eight (48) hours prior to the meeting to allow the City to make reasonable arrangements to ensure accessibility to this meeting.

**B.** Accounts Payable Dated December 13, 2018 in the Amount of \$1,083,497.81

**C.** Resolutions

**1.** Consideration to approve Resolution No. R93-2018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA; SETTING FORTH CERTAIN PURPOSES; APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY THAT CERTAIN AGREEMENT ENTITLED THE "2018 MUTUAL COOPERATION AGREEMENT" BY AND AMONG THE CITY AND SUEZ WATER IDAHO, INC.; DIRECTING THE CLERK; AND SETTING AN EFFECTIVE DATE.

**2.** Consideration to approve Resolution No. R94-2018

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE CITY TREASURER TO RELEASE THE CASH BOND FOR JOURNEYS END SUBDIVISION NO. 2.

**3.** Consideration to approve Resolution No. R95-2018

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF KUNA, IDAHO AND N.W. DEVELOPMENT CO. D & B SUPPLY MOU FOR PUBLIC WORKS PRELIMINARY CONDITIONAL EDU ASSESSMENT AND APPLICANT ACCEPTANCE.

**D.** Final Plats

**1.** Consideration to approve Case No. 18-15-FP (Final Plat) for Gran Prado Subdivision No. 1

**2.** Consideration to approve Case No. 18-18-FP (Final Plat) for Crimson Point Subdivision No. 9

**3.** Consideration to approve Case No. 18-19-FP (Final Plat) for Deserthawk East Subdivision

**E.** Findings of Fact and Conclusions of Law

**1.** Consideration to approve the Findings of Fact, Conclusions of Law, Decision and Order of Decision of Appeal for EDU Calculations for Enrique's Mexican Restaurant.

**Council President Buban-Vonder Haar moved to approve the Consent Agenda. Seconded by Council Member McPherson. Motion carried 4-0.**

**5. Community Reports or Requests:**

- A. Transportation Development & Processing Transportation Impact Studies  
Presentation - Christy Little, ACHD Development Services Planning Supervisor  
(Timestamp 00:01:06)

Christy Little, ACHD Development Services Planning Supervisor, presented the details of the program for ACHD Development Services.

Mayor Stear asked if ACHD responded to requests for responses even if they didn't need to.

Ms. Little explained what they did and did not respond to. If the City of Kuna sent in an application and nothing pertained to ACHD, like maybe all the improvements were in or there weren't any highway district conditions, they tried to get out the notification that Kuna would not be hearing from them unless there were additional questions.

Ms. Little reviewed the traffic impact studies process and a new policy that would provide the land use agencies with better clarity about the impacts from these larger developments and level of service issues. She stood for questions.

Mayor Stear asked if ACHD ever gave credit for impact fees when they had developers do road widening.

Ms. Little replied absolutely and clarified how and when that worked.

Mayor Stear explained Kuna relied on ACHD's comments and expertise when reviewing applications. Level of service and traffic concerns was one of the most common things heard from the public. It was hard for Council when the public started hammering them on traffic issues. He asked if there was anything they could do to help ACHD deal with those issues.

Ms. Little replied the most important pieces of their integrated 5-year work plan was getting priority lists from the cities. What ever feedback that could be provided with the priority lists was really helpful as well as if they see or hear of an opportunity where the developer cooperative process could work please let ACHD know. As for level of service, they were focusing more on education in the following year and what does level of service really mean.

Mayor Stear thanked Ms. Little for her presentation and commented Kuna always had great cooperation with ACHD and really enjoyed working with ACHD.

Ms. Little added their staff really appreciated Kuna's staff and if there were ever any questions or more information needed for an application please reach out to them.

Council thanked Ms. Little.

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

*None*

**7. Business Items:**

- A.** Consideration to approve 18-03-LS (Lot Split) – Jace Hellman, Planner II **ACTION ITEM**  
(Timestamp 00:27:55)

Kuna Rural Fire District is requesting to split approximately 1.63-acres off of a 157.17-acre parcel. The property is located at the southwest corner of East Kuna Road and South Cloverdale Road, Kuna, ID 83634.

Planner II Jace Hellman presented the staff report and stood for questions.

Council President Buban-Vonder Haar stated, based on staff analysis and their recommendation of approval, everything seemed in order and she did not see anything concerning.

**Council President Buban-Vonder Haar moved to approve 18-03-LS (Lot Split). Seconded by Council Member McPherson. Motion carried 4-0.**

- B.** Consideration of a 50% match at \$183,769 for the Idaho Department of Parks and Recreation Land and Water Conservation Fund Grant for the purchase of the Greenbelt from Union Pacific Railroad. – Chris Engels, City Clerk and Bobby Withrow, Parks Director **ACTION ITEM**  
(Timestamp 00:30:51)

City Clerk Chris Engels reviewed the Land and Water Conservation Fund Grant. In order to move forward with the application Council's direction and approval of the 50% match would be needed. The funding if they were successful would become available late summer or early fall. They believed they would get into the next fiscal year but asked that Council encumber in the current fiscal year since there was no budget set up for fiscal year 2020. The property was Kuna's greenbelt which ran the entire length. Any questions about price could be deferred to Parks Director Bobby Withrow. He had been working with Union Pacific. Ms. Engels spoke with the Idaho Department of Parks and Rec managing grant administrator and this project did qualify. It was the kind of project they looked for. There were a few things she wanted Council to be aware of. They would have to keep it a greenbelt and if they wanted to change it, they would have to go back and ask permission. They would

need to keep it up to date and maintained, all things they were doing currently. There was a possibility they would ask Kuna to include the wing pieces of the main greenbelt. The main section being from Swan Falls Road to the end of the City Hall building and the wing pieces being Swan Falls Road to Orchard and the piece behind Indian Creek School. They would need to consider whether they wanted to include that in the agreement to keep it as open space and for public space and that it would not become something like a restaurant corridor on the creek. She stood for questions.

Mayor Stear reviewed the previous conversations Council had regarding purchasing the property from Union Pacific and how this grant would help pay for it. There was no guarantee they would get the grant but encumbering the funds at least opened the possibility to apply for the grant and meet their requirements.

Council President Buban-Vonder Haar asked how much was in contingency.

City Treasurer Jared Empey did not know an exact number but knew there was a sufficient amount to cover the match.

Council President Buban-Vonder Haar asked him for a ball park figure.

Mr. Empey thought it was close to a million.

Council President Buban-Vonder Haar stated maintaining and expanding the greenbelt was always something they were interested in and it was certainly a unique feature to Kuna and she, personally, has always had an interest in expanding and maintaining it. If they could get matching funds to help with that it made sense, was a good use of their money, and would be more bang for their buck. She was supportive of the request.

Council Member Cardoza asked Parks Director Bobby Withrow what some of the conditions the Idaho Department of Parks and Recreation put on the grant were.

Mr. Withrow explained usually the City laid out what they wanted to do with the land. Once they did that, they had to stick to it. They basically spelled out what they wanted to do with the property and then Idaho Department of Parks and Rec said whether they agreed with it or not.

Council Member Christensen asked if this allowed them to extend the greenbelt or if it just solidified what was already there.

Mr. Withrow clarified it solidified what was already there but it also gave the City the opportunity to do more with the greenbelt. For example, the amphitheater they had been planning on doing for years, they could now do that without asking Union Pacific. That would be laid out in the application as something they would consider among other things.

Mayor Stear added Union Pacific had not been receptive to the City putting in any kind of permanent structure. That was the reason they started looking into how to purchase the property and now that there was a grant available that would help pay for half of it, it seemed like a really good idea.

Council Member Cardoza clarified as the greenbelt progressed east it started to get away from the right-of-way of the railroad and they would not need to buy anymore going east as long as they stayed next to the creek.

Mr. Withrow confirmed that was correct and, as long as subdivisions kept going in, they had the parks master pathways plan and developers would be required to do some sort of pathway along there.

**Council President Buban-Vonder Haar moved to authorize the expenditure of \$183,769 from the Contingency Fund to be used as matching funds for application for the Idaho Department of Parks and Recreation Land and Water Conservation Fund Grant for the purchase of the Greenbelt. 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.**

#### **8. Ordinances:**

*None*

#### **9. Mayor/Council Announcements:**

*(Timestamp 00:39:44)*

Mayor Stear updated the Council a young man had brought in a younger man that had fallen through the ice in the creek the day before. Some young men who were juniors or seniors in high school were flying a drone and a little boy came up. They let him tag along even though they didn't know him and he ended working his way out on the ice a little too far and fell through. The older boys saved him and were trying to decide whether or not to take him home when they saw City Hall. One of the young men brought him up to City Hall but did not want any credit for it. He stayed with the boy until his mom came and even a little after. Mayor Stear said it did his heart good to see Kuna's youth being that helpful. They were happy to just be of help.

#### **10. Executive Session:**

*None*

**11. Adjournment: 6:42**



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



*Minutes prepared by Ariana Welker, Deputy City Clerk  
Date Approved: CCM 01.02.2019*