

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, March 5, 2019

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:

Bob Bachman, Public Works Director
Jared Empey, City Treasurer
Chris Engels, City Clerk
Wendy Howell, Planning & Zoning Director
Bobby Withrow, Parks Director
Nancy Stauffer, Human Resources Director
Jace Hellman, Planner II

2. *Invocation:* Dean Herring, South Valley Baptist Church

3. *Pledge of Allegiance:* Mayor Stear

4. *Consent Agenda:* ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS (Timestamp 00:00:42)

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, February 19, 2019

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 February 28, 2019 in the Amount of \$540,641.75

C. Resolutions

1. Consideration to approve Resolution No. R15-2019

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY DB DEVELOPMENT, LLC, FOR THE DESERTHAWK SUBDIVISION NO. 4 FOR UNCOMPLETED WORK INCLUDING STREET LIGHTING, FENCING AND LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

2. Consideration to approve Resolution No. R16-2019

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY DB DEVELOPMENT, LLC, FOR THE CAZADOR SUBDIVISION NO. 1 FOR UNCOMPLETED WORK INCLUDING STREET LIGHTING, FENCING AND LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

3. Consideration to approve Resolution No. R17-2019

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE PARK USE AGREEMENT BY AND BETWEEN THE CITY OF KUNA, IDAHO AND THE KUNA POLICE ACTIVITIES LEAGUE (KPAL) AT ARBOR RIDGE PARK, WINCHESTER PARK, FARM ESTATES PARK AND PURSUANT TO THE TERMS OF THE AGREEMENT; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

4. Consideration to approve Resolution No. R18-2019

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE CONSENT TO USE AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION.

5. Consideration to approve Resolution No. R19-2019

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE ALL AGREEMENTS AND CONTRACTS AND THE CLERK TO ATTEST TO THE MAYOR'S SIGNATURE ON ALL SAID DOCUMENTS RELATED TO THE PURCHASE OF THE REAL PROPERTY WITH ADA COUNTY PARCEL NUMBERS S1326121090 AND S1326121015.

6. Consideration to approve Resolution No. R20-2019

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE PROJECT PRIORITY LIST TITLED “CITY OF KUNA IDAHO’S TRANSPORTATION PRIORITY REQUESTS - 2019” AS THE OFFICIAL TRANSPORTATION PROJECT PRIORITY LIST FOR THE CITY OF KUNA, IDAHO FOR THE ADA COUNTY HIGHWAY DISTRICT; AUTHORIZING THE CITY CLERK TO TRANSMIT THE DOCUMENT TO ACHD; AND HEREBY REPEALING ALL PREVIOUS TRANSPORTATION PROJECT PRIORITY LISTS.

D. Final Plats

I. Consideration to approve 18-20-FP (Final Plat) for Ashton Estates Subdivision No. 2

Council President Buban-Vonder Haar moved to approve the consent agenda as presented. 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. Update on Changes for the Kuna Clean Up – Chad Gordon, J & M Sanitation
(Timestamp 00:01:18)**

Chad Gordon, J & M Sanitation distributed a handout to Council and Mayor Stear and updated Council on the proposed changes for the Kuna Clean Up. These changes were due to growth and the ability to handle the event. He stood for questions.

Council President Buban-Vonder Haar clarified the QR Code was more to protect against people bringing more than 2 loads than to check for residency.

Mr. Gordon replied something else he could see was someone faxing their uncle in Meridian their Kuna utility bill so they could get in, whereas, if they had that QR Code associated with their City billing account number, they should be able to, and this was the part they were still trying to work out, on their scanners have an excel list or something that tracked the numbers so if they came up twice they weren’t allowed anymore. Whether or not it worked out that year was still to be determined but that was the hope. If somebody had an exception or said hey, I just have 1 more load, he wasn’t going to be a complete stickler. The people that were really abusing the system were the ones he was trying to eliminate so they could continue to do this for the community.

Council President Buban-Vonder Haar recommended, if they were going to be doing this as a bill insert, they add a reminder that peoples could rent a dumpster which J & M Sanitation would drop off and that it was really easy, etc. That way they would know there was another easy option if they had more than anticipated.

Mr. Gordon thought they would probably do a follow up after the event of something that would discuss that because he was already at 4 pages of inserts to go out with this. They were shooting for Saturday, April 20, 2019 as the drop off day and it would be the 2 weeks prior to that for the curbside pickup. After that they would probably send out something listing their options, including a dumpster or the transfer station in Meridian, if people were unable to get to the cleanup. It was 1 of the most common questions they received, where is the nearest dump. A lot of people did not know there was a transfer station available to them in Meridian. As the City grew it got tougher and tougher manpower and vehicle wise to cover it. They had some great volunteers but every year it was getting harder and harder to find volunteers and to train them in a short period of time as to what they really were accepting curbside and making sure everybody covered the entire route in 1 day. Whereas, if his own drivers that knew all the routes were covering it, they would just follow along behind the trucks and nothing would be missed or it would be tagged accordingly if it was something they couldn't take curbside.

Council President Buban-Vonder Haar asked about an update on the ability to have renters log in and pay the utility bills. She asked if there were any thoughts on that.

City Clerk Chris Engels thought it might be a consideration to have QR Code vouchers that could be distributed for the renters if they came in or if it could be done electronically and then the City could email them.

Council President Buban-Vonder Haar replied as long as it was an insert. She thought landlords could just email the bill to the tenant. That's what she did. She just didn't want to make it overly burdensome.

Mr. Gordon said as long as it was some sort of QR Code it wouldn't matter if it was on the City bill or a separate sheet. He was trying to figure out which they could do or should do. He thought there should be some way to disseminate that to the tenants. It was just going to be a matter of getting the word out to the people. That was always the hardest things to do. Landlords may not read the inserts that came with the billing and wouldn't know to pass that on to their tenant. He reiterated they wouldn't be complete sticklers on it that year because they didn't want people to get a bad taste in their mouths right off the bat with this change but they did want them to prepare for the fact that this was the way it would be in the coming years.

Mayor Stear asked if he had talked to City Treasurer Jared Empey or anyone in the utilities staff about this.

Mr. Gordon replied he had talked to someone from BDS and she said they did have space on the bill to put the QR Code on it. He explained where they were at in that process.

Mayor Stear asked that he keep Mr. Empey in the loop so they knew what was going on. They also might have some good ideas since they had been doing it for a long time.

Mr. Gordon said he would.

Mayor Stear appreciated all the work he had done on it and knew it had grown a lot over the years.

Council thanked him.

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

- A. Public Hearing and consideration to approve 18-06-AN (Annexation) & 18-08-S (Preliminary Plat) – Jace Hellman, Planner II ACTION ITEM
(Timestamp 00:14:09)

On behalf of Trilogy Development, Inc., Jane Suggs, with WHPacific requests to annex two parcels comprising of approximately 60.85 acres on East Hubbard Road and North Locust Grove Road into Kuna City Limits with an R-8 zoning designation; and to subdivide the 60.85-acres into 298 total lots, consisting of 253 single family lots, and 45 common lots. The subject sites are adjacent to the southwest corner of East Hubbard Road and North Locust Grove Road, Kuna, ID 83634, within Section 18, Township 2 North, Range 1 East; (APN's S1418121126 & S1418123400).

Jace Hellman presented the staff report and stood for questions.

Jane Suggs, with WHPacific, 2141 W. Airport Way, Boise, Idaho 83705, reviewed the application and stood for questions.

Mayor Stear opened the public hearing.

Support: None

Against: None

Neutral:

Kenneth Jantz, 8440 S. Locust Grove, Meridian, Idaho 83642, lived approximately 1 mile north of this particular subdivision. He wanted to point out on the corner of Locust Grove and Columbia Meridian decided to put in a processing facility,

basically a dump. He expressed his concerns regarding that processing facility. He was also concerned about the traffic that would be generated between this project and the processing plant project as well as possibly a third. He felt the City should make a real effort with the highway department to do something about that section of road. As for this particular development, he was neutral. He was concerned about the area being overloaded and the City not being ready for it. He also shared concerns about ACHD's quality of work on a section of Hubbard Road.

Mayor Stear thought they did a temporary patch job because it had been getting close to winter and hoped they would be fixing that.

Rebuttal:

Ms. Suggs appreciated the neighbors coming out to speak especially when they were concerned about traffic. She reviewed the Traffic Impact Study they had done and the traffic mitigations. She stood for questions.

Council Member Cardoza asked if block 3 and block 4 were where the garages were.

Ms. Suggs replied they were on blocks 5 and 9. She showed them on the screen.

Council Member Cardoza asked why all the small lots were on the eastern part instead of them being interspersed with the lots to the west.

Ms. Suggs explained all the smaller lots were the alley loaded blocks which was why they were all together. There was a little bit of a mix though. She passed around a map she colored to show the R-4, R-6, and R-8 lots.

Council Member Cardoza asked about something that looked like a railroad track on the plat.

Ms. Suggs replied that was a phase line and reviewed their phase plans.

Council Member Cardoza clarified the rear loaded garage lots would be part of the last phase.

Ms. Suggs said they would be towards the last phase.

Mayor Stear asked Parks Director Bobby Withrow if the open space, greenspace, and trail way were what he wanted to see there.

Mr. Withrow replied, seeing this for the first time, it actually looked pretty good.

Mayor Stear clarified Mr. Withrow had not seen this before.

Mr. Withrow replied he had not but it looked adequate.

Mayor Stear was uncomfortable that this would be a City owned trail way and Mr. Withrow hadn't seen it yet.

Ms. Suggs stated they were building according to the requirements of the pathway master plan, she believed it was a 30-foot lot with a 10-foot pathway in it, so it would be something the City could take over for maintenance.

Mayor Stear said they were going to have to do something different there because there was 1 department that was going to have to take over and maintain it and they didn't even know about it and hadn't even seen it. He didn't think that was a good idea. He didn't know how they would disconnect with that but it certainly needed to change. It was his preference to give Mr. Withrow a little more time to look it over and see what he would have for suggestions. He also assumed they were not using any park impact fees to build these trail ways.

Council President Buban-Vonder Haar replied the developer was building it. She asked Mr. Withrow if he wanted time to look at it.

Mr. Withrow responded it looked like it went with the comp plan and everything. The pathway was going to be 10 feet which was what he liked. He felt they were good to go on it.

Council Member Cardoza read a section of the minutes from Planning & Zoning about open space and thought that it said there was a total of about 24%.

Ms. Suggs replied that wasn't correct. He was adding up the numbers when it was actually 14% of the site was open space and 10% of the total land mass was usable open space. She explained how the spaces were divided up.

Council President Buban-Vonder Haar asked City Attorney Bill Gigray if a motion to close evidence presentation was the same as closing the public hearing or if they were separate motions.

Mr. Gigray explained it was his preference to close the receipt of evidence and testimony and precede to deliberation because it was still part of the public hearing. Much like it was a segment of the meeting dedicated to this application. He didn't know, if the City went up on Judicial Review, if the Supreme Court would strike this, but what the court would want to determine was when did the proceedings start and when did they end because that would become the transcript of the proceeding that was being reviewed. If they continued the hearing until they completed the deliberation it was easier to make that call if this were to end up in the District Court.

Council Member Cardoza found the disbursement of vehicles on Locust Grove going north at full build out kind of scary. He wished Ada County Highway could keep up with the growth. His concern was all the traffic going on 2 lane roads in order to get to the north and south distribution. It bothered him that they were allowing all these

subdivisions in when the roads were not being kept to that standard. He found that interesting.

Mayor Stear thought Mr. Jantz had a good point and a valid concern about the roads and their ability to take a lot more traffic. Ada County Highway District made those changes as the impact fees were received. That was where those funds came from. Otherwise tax payers would have to pay for it ahead of time. Unfortunately, that was the nature of the beast and why they were always behind with roadways. Although, he completely agreed.

Council Member Cardoza found it interesting that Locust Grove going north was double the traffic of State Highway 69 going north. He would have thought everyone would have gone to the highway.

Council President Buban-Vonder Haar recalled when they did the traffic studies, they looked at the road use and extrapolated out. Her assumption then was that for the people living there now, 40% chose to go up Locust Grove instead of going to Meridian or going over to Eagle. They could only base it on the established parameters for conducting a traffic study but she wouldn't be surprised if subdivision people chose more to go to faster arterials than convenient.

Mayor Stear believed she was correct.

Council Member Cardoza wished the lots were more dispersed but said so be it.

Council President Buban-Vonder Haar moved to close the evidence presentation and proceed to deliberation. Seconded by Council Member McPherson. Motion carried 4-0.

Council President Buban-Vonder Haar understood what Council Member Cardoza was saying about the lot sizes and spread but, of the subdivisions they had seen lately, this had larger lots than most. She appreciated the totally new housing style as well. It gave a new option for folks. She was curious to see if that was popular. It was also a goal of the comp plan.

Council Member Cardoza remembered when a developer, off of Ten Mile, put in those houses with the garages in the back. Phase 1 had all the garages behind and they sold so slowly that for Phase 2 on they put all the garages back up front. It was interesting because it had been tried before in the city and it was very slowly accepted. He didn't think there was any lighting down the alleyways and wondered if that would bring vandalism.

Mayor Stear and Council President Buban-Vonder Haar both replied there were light requirements in City Code and they complied with all the requirements.

Council President Buban-Vonder Haar recalled specifically seeing a condition of approval that mentioned lighting and dark sky standards and that sort of thing.

Council Member Cardoza reiterated the slow acceptance of the homes with garages behind them in a previous project but added that, personally, he liked the idea of having the garage behind the house.

Council President Buban-Vonder Haar also appreciated the pathways and connectivity. It was always in the comp plan and the regional pathway was always a nice addition. The open spaces within the development were nice. As they had seen, sometimes there were none. She appreciated the little pocket parks that were spread throughout so folks were, she hoped, potentially more likely to use them as they were closer instead of just 1 large open space that was potentially quite far from most of the subdivision.

Mayor Stear also appreciated that it was completely laid out instead of just Phase 1 of 5 phases so they didn't see what the rest of it looked like.

Council Member Cardoza liked all the greenery at the end of each street. It gave it kind of a boulevard look. He also noticed the public areas were spread throughout the whole plat. They did a very nice job at that.

Council President Buban-Vonder Haar noted the letter about the landscaping. She appreciated that they were complying with the request to have the landscaping consistent with other local subdivisions. Overall it looked like it complied with the comp plan and City Code. It met a lot of the City's objectives in terms of having a variety of housing, open space, it was close-ish to commercial centers so potentially increased walkability and different modes of transportation.

Council President Buban-Vonder Haar moved to approve a Decision and Order for 18-06-AN (Annexation), close the public hearing, and direct staff to prepare Findings of Fact, Conclusions of Law and Order of Decision for approval by Council on the next Council Meeting Consent Agenda. Seconded by Council Member McPherson. Motion carried 4-0.

Mayor Stear noted they still had 18-08-S.

Council President Buban-Vonder Haar asked City Attorney Bill Gigray if she could just amend her prior motion or if she needed to read it all again.

Mr. Gigray responded she could just move to approve that number.

Council President Buban-Vonder Haar moved to approve 18-08-S (Preliminary Plat). Seconded by Council Member McPherson. Motion carried 4-0.

**B. Public Hearing for Resolution No. R14-2019 and Consideration to approve Ordinance No. 2019-07 – Chris Engels, City Clerk ACTION ITEM
(Timestamp 00:56:37)**

City Clerk Chris Engels presented the changes to Kuna City Code and the information pertaining to the public hearing on the resolution. She stood for questions as would Parks Director Bobby Withrow and Police Chief Jon McDaniel.

Council President Buban-Vonder Haar asked for clarification on how the \$20 fee was decided.

Ms. Engels explained the City currently charged \$20 for liquor catering permits so it was in uniform with that.

Council President Buban-Vonder Haar said, if 1 of the stated goals was for people to inform the City when they were having a small get together at the park with alcohol there so the City could pass the information on to the Kuna Police, she thought folks would be less likely to comply with it and just roll the dice and see what happens. She understood this applied to more than just small private parties and wondered if it would make sense to have a sliding fee structure based on the number of people or if that was just too hard to deal with.

Ms. Engels replied the fee really was less reflective of how big the get together was and more reflective of the administrative time to issue the permit, make sure to view their ID, and that they signed for it and that the Parks and Police Departments were notified if needed. The size of the event would not change the administrative needs. The \$20 was reflective of what was done with catering permits. There was a little more involved with catering permits. They did have to get the Chief to come in and sign. They had to look at restrictions to apply. She could see the permit potentially being closer to \$15 or \$10 and, if that wasn't covering the administrative cost, they could bring the case back to Council for consideration.

Council President Buban-Vonder Haar felt if there were a lot more administrative steps involved for a catering permit versus this permit, it would make sense for there to be a different cost. She thanked Ms. Engels for considering that.

Mayor Stear opened the public hearing.

Support: None

Against: None

Neutral: None

Rebuttal: None

Council Member Cardoza had a concern that if a family went down to the park and dad brought a 6 pack down to the park, he would be breaking the law.

Ms. Engels stated he would be breaking the law as it was now.

Council Member Cardoza asked if this had been a problem with alcohol in Kuna's Parks and if the Kuna Police had problems with disorderly people in the parks.

Kuna Police Chief Jon McDaniel said very rarely. He didn't have the actual data in front of him but it was pretty rare. Most of the time it was just a warning on the behavior. What he liked about this ordinance was it limited it to 7.5 gallons or less. He also liked that it required people to have the permit on them so they could read the permit to make sure it was valid and, if they were violating any of the rules they signed to, all the park rules, etc. and they could not disturb anyone's peace, it allowed them to stop the party right there, confiscate it, end it, and pull the permit. It really gave them that option. If they asked and did not get cooperation, it was right in the ordinance that they could pull it. The last thing he liked about the ordinance was when that person signed for that permit, they took responsibility for any damage and actually the other patrons of the party.

Council Member Cardoza asked if he was with his family at a City park, unaware of this citation, and he was having a beer and someone called the police to notify them that he was having a beer, would they actually cite someone in that situation or would there be a warning that they needed a permit.

Chief McDaniel replied they did get those calls once in a while on the greenbelt and in the parks and they let them know. It was more of an education process unless they were disturbing the peace. The disorderly code they passed the previous year kind of covered some of that as well. They did have different avenues if someone didn't want to change that behavior.

Council Member Cardoza clarified it was not an automatic enforcement.

Chief McDaniel said absolutely not.

Council President Buban-Vonder Haar thought they tried hard. She said the purpose was behavior correction. Years ago she did a ride along. If it was your first offense of speeding and you were sorrowful about it and you were willing to take responsibility and they felt like the behavior was going to change, they wouldn't bother writing a ticket. But if you were a jerk about it and totally unrepentant and they could tell by looking at your record you've gotten a bunch of speeding citations. It was whatever was going to change the behavior. That had been her experience with the Kuna Police. She really appreciated that.

Council Member Cardoza was a little concerned about the unlawful for any person but he said that was fine and thanked Chief McDaniel.

Council President Buban-Vonder Haar stated technically that was the current rule. The only way to do it right now was to have a full-on catering permit.

Mayor Stear explained that was what Ms. Engels and Parks Director Bobby Withrow were trying to fix. Right now, there was no means for someone to go in and have a couple 6-packs or whatever at a little get together and this at least gave them an option so they could do that legally.

Council Member Cardoza thought probably 99% of the people didn't even know they had to get a permit.

Ms. Engels said the Clerk's Office got a lot of calls regarding having alcohol in the park.

City Attorney Bill Gigray stated Council should think about working with anyone involved to post signs directing people who preferred to have beer or wine that they would need to get a permit. That way if the police chief went up in a situation like Council Member Cardoza was speaking of and they said they didn't know anything about it, he could point to the sign. Regarding the fee, he reviewed Council's rights to impose the fee.

Council Member Christensen noted in section 2 letter G of the ordinance, where it listed off the permit conditions, the wording on number 7 was throwing him off.

Council President Buban-Vonder Haar read the section and interpreted it. She suggested switching the words around.

Ms. Engels suggested changing it to read "No beer or wine may be sold or vended in any fashion, or be distributed as a basis to solicit donations, contributions or under any other form of payment consideration, pursuant to the alcohol beverage catering permit provided".

Council President Buban-Vonder Haar asked Council how they felt about reducing the fee on this based on the logic that a full-on catering permit that would include the sale of alcohol was \$20 and this would require less administrative effort.

Council Member Christensen felt that was fair.

Council Member McPherson asked if this was worth \$20 and the catering permit was worth more.

Ms. Engels replied these permits had not been issued yet but gave her best guess on the anticipated administrative process for them.

Council President Buban-Vonder Haar's preference was to start at \$10 because she felt more people would comply with it. She felt there was value in that. Then,

assuming they approved it, Ms. Engels could proceed with data gathering and reevaluate after an appropriate period of time.

Ms. Engels was fine with that and so was Mr. Withrow. If it wasn't covering the administrative costs she would come back.

Council Member Cardoza thought overall it looked good but still had a little problem with an individual with his family having to take out a permit.

Ms. Engels replied currently they weren't allowed to do it at all. No open containers were allowed.

Council Member Cardoza also thought legal was correct about posting signs.

Council President Buban-Vonder Haar asked if there needed to be a motion to close the public hearing.

Mr. Gigray explained the public hearing would close with the approval of the ordinance.

Council President Buban-Vonder Haar asked if she still needed to officially close the evidence presentation and proceed to deliberation or if that was also included in the passage of the ordinance.

Mr. Gigray said since this was legislative and not quasi-judicial, they weren't quite as concerned with procedure but in his mind, it was nice to close the receipt of evidence. That way everyone knew they were going to take action on the matter and would not receive any more information.

I. Consideration to approve Ordinance No. 2019-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- REPEALING SECTION 16 OF CHAPTER 3 OF TITLE 7 KUNA CITY CODE; AND
- AMENDING CHAPTER 3 OF TITLE 7 KUNA CITY CODE BY THE ADDITION OF NEW SECTION 16 MAKING IT UNLAWFUL TO SELL, DISTRIBUTE, POSSESS OR CONSUME ANY TYPE OF ALCOHOLIC BEVERAGE ON KUNA CITY PARK AND CITY PUBLIC PROPERTY EXCEPT FOR BEER AND/OR WINE UNDER A PARK BEER AND/OR WINE ALCOHOLIC BEVERAGES SPECIAL USE PERMIT ISSUED BY THE CITY; AND PROVIDING PERMIT TERMS AND CONDITIONS; AND
- DIRECTING THE CITY CLERK; AND

- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings
Consideration to approve ordinance
Consideration to approve summary publication

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2019-07. Seconded by Council Member McPherson. Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2019-07 with the change to item number G7. 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 asked how Council felt about summary publication and if they should publish in full.

Mayor Stear thought a summary publication was fine as long as it was clear what the ordinance was about.

Council President Buban-Vonder Haar moved to approve the summary publication of Ordinance No. 2019-07. Seconded by Council Member McPherson. Motion carried 4-0.

2. Consideration to approve Resolution No. R14-2019

A RESOLUTION OF THE CITY OF KUNA, IDAHO, ESTABLISHING FEES FOR BEER/WINE PERMIT ALLOWING FOR INDIVIDUAL USE AT CITY PARKS AND PROVIDING AN EFFECTIVE DATE.

Council President Buban-Vonder Haar moved to approve Resolution No. R14-2019 with the notation to change the fee from \$20 to \$10. Seconded by Council Member McPherson. Motion carried 4-0.

7. Business Items:

- A. Fair Housing Month 2019 Proclamation – Mayor Stear
(Timestamp 01:21:00)

Mayor Stear read the proclamation. He noted 51th needed to be changed to 51st in the first sentence.

B. Consideration to approve Resolution No. R21-2019 – Nancy Stauffer, Human Resources Director ACTION ITEM
(Timestamp 01:23:33)

A RESOLUTION OF THE CITY OF KUNA, IDAHO, APPROVING AND ADOPTING AN AMENDMENT TO THE CITY OF KUNA PERSONNEL POLICY MANUAL SECTION 12.3.5 REGARDING APPROVAL OF EMPLOYEE VACATION CAP EXTENSION AND PROVIDING AN EFFECTIVE DATE.

Human Resources Director Nancy Stauffer presented the proposed changes to the personnel manual and stood for questions.

Mayor Stear explained the reason for this was they had a couple of employees that sometimes, no matter how hard they tried, couldn't get all of their vacation time used in the allotted time. They were great employees and they would hate to lose those employees because they took away their benefits. This was not something that happened a lot but they would like the ability to, under their discretion and seeing that the employees had done the best they could to try to use up vacation time, once in awhile make an allowable exception. It was certainly not intended to extend the amount of debt the City would have to that employee. It was very rare.

Ms. Stauffer agreed it was rare. They had been sending out regular emails to employees for the last 4 or 5 months letting them know where they were at and they were trying. Some people had been there a really long time and were very valuable and their time was really useful to the City. It was very hard. Instead of wiping it out, she was requesting to allow a carry over.

Council President Buban-Vonder Haar recalled when they originally went to the leave cap system it was based partially if not fully on federal sector. That was where her reference point came from and even in the federal sector they had something called Use or Lose. There were very limited circumstances where you could get approval to extend it; if there was a very compelling reason beyond the employee's control as to why they were unable to use it. She was open to it. The language satisfied her in terms of unavoidable, extremely limited circumstances. She hoped it would be very infrequent. She was okay with it.

Council Member McPherson was good with it.

City Attorney Bill Gigray noted this was a more practical solution for dealing with this issue. Under the open meeting law if they looked at each one and had to approve each one, they were dealing with public records that were not disclosable. They would have to go into executive session and then they would still have to have an action item coming out or they couldn't approve something. It became very problematic. City Clerk Chris Engels had placed this at the end of the agenda in case they didn't approve this resolution so they could take some action that evening. This

streamlined the process and she could certainly report to Council where they were in this process. If they felt they needed to reel it in they always had that authority.

Council President Buban-Vonder Haar moved to approve Resolution No. R21-2019. Seconded by Council Member McPherson. Motion carried 4-0.

8. Ordinances:

A. Second Reading of Ordinance No. 2019-05 ACTION ITEM (Timestamp 01:28:03)

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO AMENDING TITLE 1, CHAPTER 6, SECTION 8 ENTITLED PUBLIC HEARING RULES OF PROCEDURE OF THE KUNA CITY CODE PROVIDING FOR:

- CLARIFICATION ON PUBLIC HEARING RULES OF PROCEDURE;
- ESTABLISHING TESTIMONY TIME LIMITS;
- REGULATING THE PRESENTATION OF DOCUMENTS AND OTHER FORMS OF PHYSICAL EVIDENCE;
- AMENDING THE RECOGNIZED PUBLIC HEARING MOTIONS;
- CLARIFYING CONFLICT OF INTEREST PROCEEDURES; AND
- PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

Mayor Stear noted this was the second reading and asked if Council wanted to leave it on to do the third reading at the next meeting.

Council President Buban-Vonder Haar said let it ride and recalled it was Council Member Cardoza's suggestion last time because it dealt with public testimony and public rights. It didn't make any major changes so she didn't see any harm in it.

9. Mayor/Council Announcements:

(Timestamp 01:29:15)

Public Works Director Bob Bachman shared some good news from the Energy and Sewer Departments. During the rebuild of the west well project at the lagoons they ran into quite a few problems and didn't have much good news during that. Due to the hard work and due diligence of these departments, looking at equipment and communicating with Idaho Power, they had a pump going in that was \$11,900 and some change and they were able to get the rebate of \$13,000 on that. He was sure they would get the exact amount. It was just something where good hard work led to them stumbling across a rebate that worked with a pump that would work also. He just wanted to share that with

them. It was Carlee Oswald and Travis Fleming that put that program together. It was a pretty neat deal.

Mayor Stear was also proud of the fact that they continued to work under their energy saving commitment. He thought they had come quite a long way but they still had quite a bit to go. Staff had been working very hard on that and doing a good job with it. He appreciated that.

10. Executive Session:

None

11. Adjournment: 7:31 pm



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



Minutes prepared by Ariana Welker, Deputy City Clerk
Date Approved: CCM 03.19.2019

New Changes to Kuna Clean Up 2019

Due to the growth of our community we will be making a few changes to our annual Kuna Clean up Event. **The curbside pick-up portion of this event will be held over a 2 week period leading up to the Drop Site Event held on a Saturday.** Our customers within the city limits will be allowed to place large bulky items and excess trash on the curb at no extra charge. The pick-up will be done on your regular service day either the 1st week, or the 2nd week. Your pick-up week will be determined by the color coded map that is attached. The red areas will be serviced on the 1st week and the yellow areas will be serviced on the 2nd week. **We will be limiting the amount placed curbside to no more than a regular pick-up truck bed amount.**

All hazardous waste (T.V.s, oil, antifreeze, paints, pesticides, car tires, batteries, any items that contain Freon) will need to be brought to our Drop Site Event on the Saturday following the 2 weeks of curbside pick-up. We will not pick up any hazardous waste items curbside. Other items we will not be accepting are dirt, rock, concrete, sod or large amounts of wood. All items that are not large bulky items need to be bundled, boxed, bagged or in a container no larger than 35 gallons.

The 2nd part to our event will be our Drop Site Event. This will be held on a Saturday at the end of the 2 weeks that we picked up the curbside items. Citizens will be able to bring their Household Hazardous Waste items to this event. All tires and refrigeration units will be taken at a charge. Each household will be allowed to bring 2 loads to this event. Those loads will include your hazardous waste items and also regular trash items.

All vehicles entering the drop site will be required to present their City of Kuna Water bill for our staff to scan. We will not be accepting any loads that do not have their water bill with them.

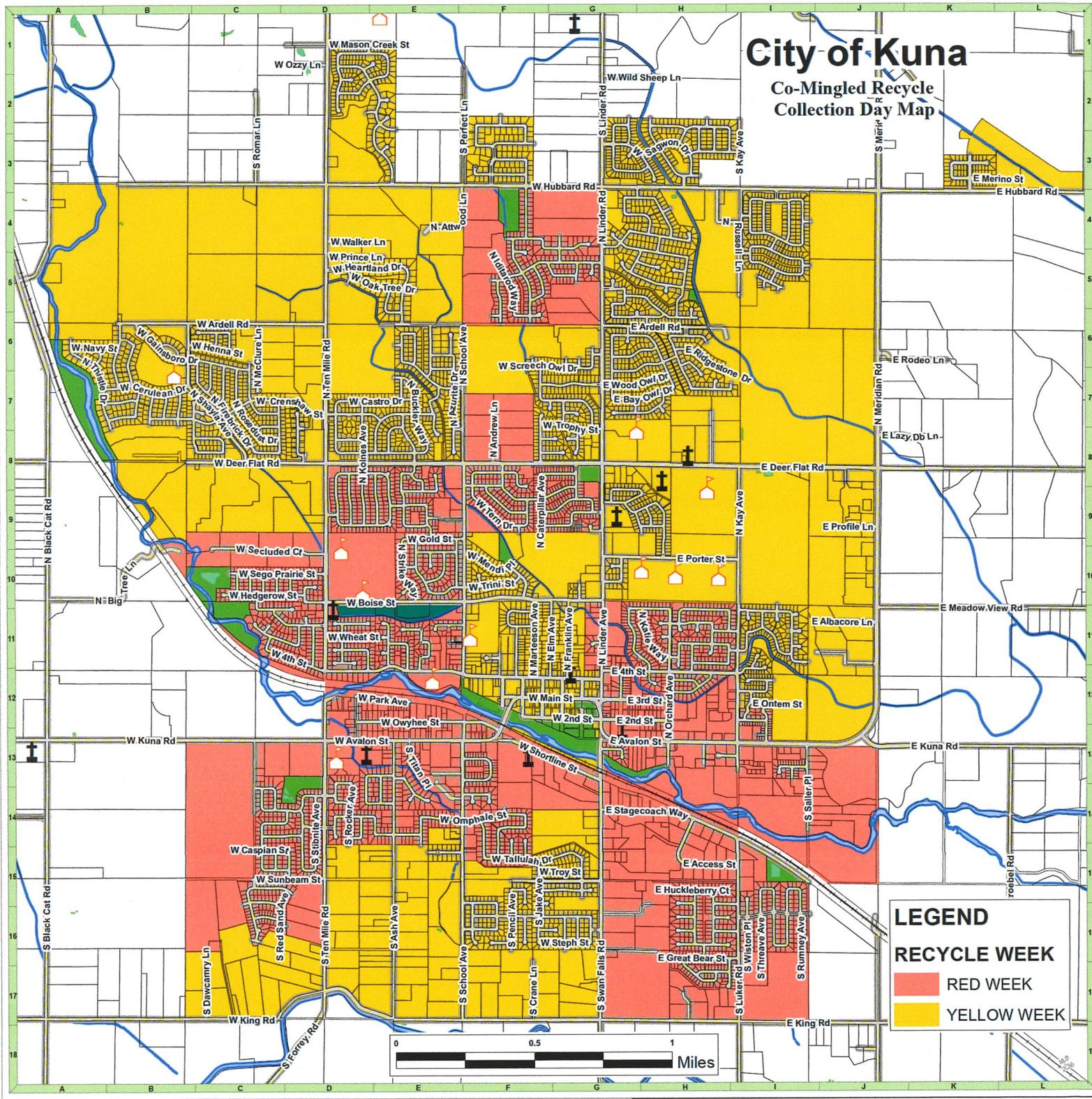
Thank you for your cooperation and allowing us to service the community with this free event.

Sincerely,

J&M Sanitation Inc.

City of Kuna

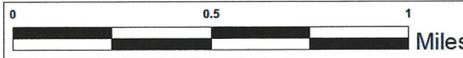
Co-Mingled Recycle Collection Day Map



LEGEND

RECYCLE WEEK

- RED WEEK
- YELLOW WEEK



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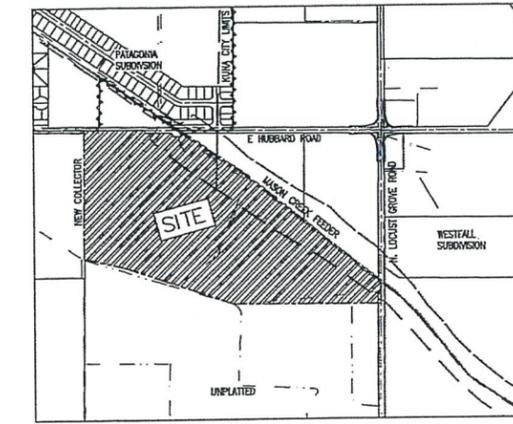
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**PRELIMINARY PLAT
LEDGESTONE SUBDIVISION**
A PORTION OF THE NE 1/4 OF SECTION 18
TOWNSHIP 2 NORTH RANGE 1 EAST
B.M., KUNA, ADA COUNTY, IDAHO
2018



PLAT LEGEND

LOT NUMBER	①
LOT AREA	ACRES
BLOCK NUMBER	BLOCK 7
FLOW ARROW	→
FIRE HYDRANT	⊕
CATCH BASIN	⊙
STREET NAME	W. ASHTON DR.
BOUNDARY	---
LOT LINES	---
ROAD CENTERLINE	---
RIGHT OF WAY	---
EASEMENT	---
SETBACK	---
CURB GUTTER SW	---
SEWER LINE	---
WATER LINE	---
STORM DRAIN LINE	---
PRESSURE IRRIGATION	---
GRAVITY IRRIGATION	---
PHASE LINE	---
FEMA FLOOD HAZARD ZONE A	---

PLAN SHEET INDEX

SHEET	DESCRIPTION
PP-1	COVER SHEET, INDEX, MAP & NOTES
PP-2	SUBDIVISION LAYOUT, & DIMENSIONS
PP-3	PARCEL TABLES & CURVE TABLES
PP-4	CONCEPTUAL ENGINEERING PLAN
PP-5	CONCEPTUAL SEWER PLAN
PP-6	CONCEPTUAL SEWER PROFILES

R-8
3300 → 4500
(41)
R-6
4500 - 6600
(76)
R-4
6600 - 20,000
110,000+
(129)



Parcel Table

Lot	Area	Perimeter	Notes
BLOCK 1 Lot 1 OPEN	3498	2273	BUFFER
BLOCK 1 Lot 15 OPEN	4320	459	BUFFER
BLOCK 1 Lot 16 OPEN	4632	2872	MASON CREEK AND PATH
BLOCK 1 Lot 28 OPEN	2278	252	PATHWAY
BLOCK 1 Lot 37 OPEN	2240	476	ENDCAP
BLOCK 2 Lot 1 OPEN	17274	1536	BUFFER
BLOCK 2 Lot 18 OPEN	1022	228	ENDCAP
BLOCK 2 Lot 4 OPEN	1872	422	ENDCAP
BLOCK 2 Lot 8 OPEN	21524	626	PARK OPEN
BLOCK 2 Lot 12 OPEN	2010	431	ENDCAP
BLOCK 2 Lot 20 OPEN	2118	463	ENDCAP
BLOCK 2 Lot 24 OPEN	4400	480	PATHWAY
BLOCK 2 Lot 26 OPEN	2010	431	ENDCAP
BLOCK 2 Lot 27 OPEN	1041	232	ENDCAP
BLOCK 2 Lot 7 OPEN	1036	232	ENDCAP
BLOCK 2 Lot 13 OPEN	1941	427	ENDCAP
BLOCK 2 Lot 25 OPEN	2010	431	ENDCAP
BLOCK 2 Lot 32 OPEN	3791	474	PATHWAY
BLOCK 2 Lot 33 OPEN	2040	430	ENDCAP
BLOCK 2 Lot 1 OPEN	1022	228	ENDCAP
BLOCK 2 Lot 13 OPEN	3241	728	PARK/OPEN
BLOCK 2 Lot 35 OPEN	3145	201	ENDCAP

Parcel Table

Lot	Area	Perimeter	Notes
BLOCK 7 Lot 38 OPEN	4772	531	PARK/OPEN
BLOCK 8 Lot 1 OPEN	526	223	ENDCAP
BLOCK 8 Lot 7 OPEN	2972	258	PATHWAY
BLOCK 8 Lot 15 OPEN	558	218	ENDCAP
BLOCK 8 Lot 1 OPEN	958	223	ENDCAP
BLOCK 8 Lot 6 OPEN	1536	253	PATHWAY
BLOCK 8 Lot 14 OPEN	1152	258	ENDCAP
BLOCK 8 Lot 11 OPEN	1381	309	ENDCAP
BLOCK 8 Lot 7 OPEN	2476	303	ENDCAP
BLOCK 8 Lot 9 OPEN	851	435	PARK/OPEN
BLOCK 8 Lot 1 OPEN	1020	228	ENDCAP
BLOCK 8 Lot 9 OPEN	2788	271	PATHWAY
BLOCK 8 Lot 21 OPEN	8170	714	BUFFER
BLOCK 8 Lot 22 OPEN	6272	2917	MASON CREEK AND PATH
BLOCK 8 Lot 11 OPEN	828	309	ENDCAP
BLOCK 8 Lot 10 OPEN	840	218	ENDCAP
BLOCK 8 Lot 11 OPEN	828	223	ENDCAP
BLOCK 8 Lot 10 OPEN	840	216	ENDCAP
BLOCK 8 Lot 11 OPEN	840	216	ENDCAP
BLOCK 8 Lot 11 OPEN	1522	256	PARK/OPEN
BLOCK 8 Lot 11 OPEN	840	216	ENDCAP
BLOCK 8 Lot 8 OPEN	618	215	PARK/OPEN

NOTES:

- ALL LOT LINES COMMON TO A PUBLIC RIGHT OF WAY HAVE A 10' UTILITY EASEMENT.
- A 10' UTILITY EASEMENT IS LOCATED ADJACENT TO THE EXTERIOR BOUNDARY.
- ALL SIDE YARD LOT LINES HAVE A 5' DRAINAGE AND IRRIGATION EASEMENT ON EACH SIDE OF THE LOT LINE UNLESS OTHERWISE SHOWN.
- MUNICIPAL SEWER AND WATER SERVICES SHALL BE PROVIDED TO EACH LOT.
- DRAINAGE FOR THE PUBLIC STREETS WILL BE COLLECTED IN STORM DRAIN CATCH BASINS AND ROUTED THROUGH SAND AND GRAVEL TRAPS TO SEWAGE TREATMENT OR STORM DRAINAGE POND.
- ALL LOTS WITHIN THIS SUBDIVISION ARE SINGLE-FAMILY RESIDENTIAL LOTS, WITH THE EXCEPTION OF COMMON LOTS AS SHOWN WHICH ARE COMMON AREA LOTS ALL OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION. ALL SAID COMMON LOTS SHALL HAVE A BLANKET UTILITY AND DRAINAGE EASEMENT.
- THIS SUBDIVISION IS SUBJECT TO COMPLIANCE WITH IDAHO CODE SECTION 31-2805(1)(b) CONCERNING IRRIGATION WATER PRESSURE IRRIGATION SHALL BE SUPPLIED TO ALL LOTS IN THIS SUBDIVISION FROM CITY OF KUNA MUNICIPAL IRRIGATION SYSTEM. BORROW SHARES AND WATER RIGHTS SHALL BE TRANSFERRED TO THE CITY OF KUNA.
- ALL EXISTING BUILDINGS ARE TO BE REMOVED.
- THE SUBJECT PROPERTY FALLS WITHIN A FEMA FLOOD HAZARD ZONE AS SHOWN ALONG THE MASON CREEK REFERENCE PLAN PANEL 1600(200) EFFECTIVE OCTOBER 24, 2013.
- ALL OF LOT 14, BLOCK 1 CONTAINS A TEMPORARY ACED RIGHT-OF-WAY EASEMENT. SAID EASEMENT IS TO BE VACATED AND THE ROADWAY REMOVED UPON LATER PHASE DEVELOPMENT.

DEVELOPMENT FEATURES

ACREAGE
TOTAL PARCELS - 10 88 ACRES
TOTAL LOTS - 253
MUNICIPAL LOTS - 253
RESIDENTIAL - 253
COMMON LOTS - 45
DENSITY BARRAGE - 4 16
COMMON AREA - 851 ACRES - 14.0%
DRAINAGE OPEN SPACE - 62 ACRES 10.2%
ZONING
RESIDENTIAL - R-8
SEWAGE DISPOSAL
KUNA CITY SEWER
WATER SUPPLY
KUNA CITY WATER
CITY
SCHOOL DISTRICT
KUNA
FIRE DISTRICT
KUNA
IRRIGATION DISTRICT
KUNA IRRIGATION DISTRICT
CITY OF KUNA WELLS SUPPLY PT

OWNERS
TRILGY DEVELOPMENT, INC.
2425 HULLCOTT DRIVE ROAD
KUNA, IDAHO
DEVELOPER
TRILGY DEVELOPMENT, INC.
1825 W. VALLEY CIRCLE ST
BOISE, ID 83709
ENGINEER
DAVID A. BAILEY, P.E.
BAILEY ENGINEERING, INC.
422 N. BROADWAY LAKE
BOISE, ID 83714
PLAT ATTENDING CONTACT
SHEILA BROOKS
TRILGY DEVELOPMENT, INC.
2425 HULLCOTT DRIVE ST
BOISE, ID 83709

REVISIONS
NO. DATE DESCRIPTION

Bailey Engineering, Inc.
CIVIL ENGINEERING | PLANNING | CADD
1825 W. VALLEY CIRCLE
BOISE, ID 83709
TEL: 208-384-2121
WWW.BAILEYENGINEERING.COM

DRAWN BY: DMW CHECKED BY: DAVID A. BAILEY P.E. PROJECT: C018-008 DATE: 10-01-2018

PRELIMINARY PLAT
LEDGESTONE SUBDIVISION
TRILGY DEVELOPMENT, INC.

SCALE IN FEET
1" = 60'

PP-1

Exhibit
A2M



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

March 5, 2019 – City Council Public Hearing

Case Name: 18-06-AN (annexation) & 18-08-S (Preliminary Plat)– Ledgestone Subdivision

Case Type: On behalf of Trilogy Development, Inc., Jane Suggs, with WHPacific requests to annex two contiguous parcels comprising of approximately 60.85 acres on East Hubbard Road and North Locust Grove Road into Kuna City Limits with an R-8 zoning designation; and to subdivide the 60.85-acres into 298 total lots, consisting of 253 single family buildable lots, and 45 Common lots. The subject sites are adjacent to the southwest corner of East Hubbard Road and North Locust Grove Road, Kuna, ID 83634, within Section 18, Township 2 North, Range 1 East; (APN's S1418121126 & S1418123400).

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.

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