

OFFICIALS
Joe Stear, Mayor
Greg McPherson, Council President
Richard Cardoza, Council Member
Warren Christensen, Council Member
John Laraway, Council Member



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

City Council Meeting
MINUTES
Tuesday, November 17, 2020

6:00 P.M. REGULAR CITY COUNCIL

*Per the Order issued by Central District Health on July 14, 2020,
Social distancing and face masks will be required.*

*Due to social distancing protocol,
the Council Chambers Audience Occupancy Capacity is 15.*

***The first 15 persons** who appear, in addition to Mayor, City Council, and staff, will be allowed
in Council Chambers. All other persons may access the meeting via Live Streaming.*

Live Streaming Instructions:

Members of the public may watch the November 17, 2020 Council Meeting via Facebook Live.

Live feed will start at **6:00 P.M.** on the City of Kuna Idaho Facebook page linked below:

<https://www.facebook.com/CityofKunaIdaho/>

For questions please call the Kuna City Clerk's Office at (208) 387-7726.

***Public testimony will be received on the cases listed under Public Hearings within this Agenda.
The instructions and options available for public testimony are listed below.***

APPLICANT/PUBLIC ORAL PUBLIC HEARING TESTIMONY PROCESS:

Written – Up to noon the day of the Public Hearing

1. Submit any below stated option **prior to noon the day of the Public Hearing meeting.**
Late submissions will not be included.
2. Submit testimony via our website on the [Public Testimony Form](#).
Kunacity.id.gov > Doing Business > Forms and Applications > Frequently Requested Applications and Forms > ONLINE Public Testimony Form
3. Submit testimony via email to PublicHearingTestimony@KunaID.gov
4. Submit via mail to:
City of Kuna
Attention: City Clerk's Office
PO Box 13
Kuna, ID 83634

Oral – Via electronic call during the Public Hearing

1. Submit request **no later than noon the day of the Public Hearing meeting.**
2. Email PublicHearingTestimony@KunaID.gov
 - ✓ Your name
 - ✓ Address

NOTICE: Copies of all agenda materials are available for public review in the Office of the City Clerk. Persons who have questions concerning any agenda item may call the City Clerk's Office at (208) 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.

- ✓ Phone Number you will be calling from to give testimony
 - ✓ Email Address
 - ✓ Date of Public Hearing
 - ✓ Case number or Identification of Public Hearing
3. Watch your email for a reply email with the information to join the meeting electronically. (Check your spam/junk folder as a precaution)
 4. Follow the dial in information.
 5. Call into the virtual lobby a minimum of 5 minutes prior to the meeting.

Oral – In Person Testimony during the Public Hearing.

All persons wishing to testify must, state their name and residential address. No person shall speak until recognized by the Mayor. A three (3) minute time limit will be placed on all testimonies.

PLEASE NOTE: Due to social distancing protocol, the Council Chambers Audience Occupancy Capacity is 15. The first 15 persons who appear, in addition to Mayor, City Council, and staff, will be allowed in Council Chambers.

*If you have questions regarding public testimony,
please call the Kuna City Clerk’s Office at (208) 387-7726.*

1. Call to Order and Roll Call

COUNCIL MEMBERS PRESENT:

- Mayor Joe Stear – In Person
- Council President Greg McPherson – In Person
- Council Member Richard Cardoza – In Person
- Council Member Warren Christensen – In Person
- Council Member John Laraway – In Person

CITY STAFF PRESENT:

- Bill Gigray, City Attorney – By Phone
- Jared Empey, City Treasurer – In Person
- Lisa Holland, Economic Development Director – In Person
- Nancy Stauffer, Human Resources Director – In Person
- Jace Hellman, Interim Planning & Zoning Director – In Person
- Paul Stevens, Public Works Director – In Person
- Bobby Withrow, Parks Director – In Person
- Mike Fratusco, Kuna Police Chief – In Person
- Jessica Reid, Planning & Zoning Staff – In Person

2. Invocation: None

3. Pledge of Allegiance: Mayor Stear
(Timestamp 00:00:54)

Mayor Stear shared they had their share of challenges at City Hall that week. The Clerk’s Office was essentially out. Stephanie Morfin had done a great job stepping up and taking care

of the work of three people in that office. Jessica Reid was at the meeting that night to fill in for City Clerk Chris Engels to take the recordings. He thanked her for that.

4. Consent Agenda: ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS
(Timestamp 00:01:54)

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. Regular City Council Meeting Minutes Dated November 4, 2020
- B. Accounts Payable Dated November 12, 2020 in the amount of \$588,606.36
- C. Resolutions:

1. Resolution No. R67-2020

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE WATER TRUNK REIMBURSEMENT AGREEMENT FOR LETE COMMERCIAL NO. 1; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE; AND AUTHORIZING THE CITY TREASURER TO PAY KUNA CAVES STORAGE, LLC THE AMOUNT OF SIX THOUSAND ONE HUNDRED SEVENTY-SIX DOLLARS AND FORTEEN CENTS (\$6,176.14) PURSUANT TO THE TERMS OF SAID AGREEMENT.

2. Resolution No. R68-2020

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE PRESSURIZED IRRIGATION TRUNK REIMBURSEMENT AGREEMENT FOR LETE COMMERCIAL NO. 1; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE; AND AUTHORIZING THE CITY TREASURER TO PAY KUNA CAVES STORAGE, LLC THE AMOUNT OF THIRTEEN THOUSAND THREE HUNDRED SEVENTY-ONE DOLLARS AND FORTY-SIX CENTS (\$13,371.46) PURSUANT TO THE TERMS OF SAID AGREEMENT.

3. Resolution No. R69-2020

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY GREYHAWK LAND COMPANY, LLC FOR GREYHAWK SUBDIVISION NO. 11 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING, STREET LIGHTING, AND FENCING PURSUANT TO THE TERMS OF THIS RESOLUTION.

D. Findings of Fact and Conclusions of Law

1. Case No. 20-01-CPF (Combination Preliminary and Final Plats) Ensign No. 1
2. Case No. 20-01-S (Preliminary Plat) Fossil Creek
3. Case No. 19-08-AN (Annexation) Black Rock Marketplace-Village

Motion To: Approve the Consent Agenda as published

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Approved by the Following Roll Call Vote:

Voting Aye: Council Members Cardoza, Christensen, Laraway, and McPherson

Voting No: None

Absent: None

Motion Passed: 4-0

5. External Reports or Requests: None

6. Public Hearings:

Due to current health precautions associated with the Coronavirus, the City of Kuna is providing alternative ways for the community to submit comments at public hearings. To learn more about the process for written and oral testimony please follow the directions above or call the City of Kuna Clerk's Office at (208) 387-7726.

- A.** Public Hearing and consideration to approve Findings of Fact and Conclusions of Law for Case Nos. 19-14-AN (Annexation) & 19-11-S (Preliminary Plat) Patagonia East, Lakes, Ridge Subdivision – Troy Behunin, Planner III **ACTION ITEM**
(Timestamp 00:02:43)

Mayor Stear shared another tragedy of the week. Planner III Troy Behunin had been severely injured in a fall from a ladder. He invited Interim Planning & Zoning Director Jace Hellman to present the item.

Mr. Hellman reviewed the Findings of Fact and Conclusions of Law. He noted a couple of errors that needed to be corrected on record. Staff would make these corrections before submitting for signature. On the top left, under “In the Matter of the Applications of”, it should say Westpark Companies instead of Trilogy Development, under 3.2.1. it should read 147 acres instead of 97 acres, and the final correction was under 5.4. where the Case No. should be 19-14-AN instead of 20-01-AN.

Mayor Stear stated this was a public hearing just to finalize the Findings of Fact and Conclusions of Law so if there was no further discussion from Council, they could have a motion as such with the changes from staff.

Motion To: Close the public hearing

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion:

Council Member Cardoza asked if this needed to be republished due to the name error.

Mayor Stear did not think they needed to do that. They would just do it in the Findings of Fact.

Motion Passed: 3-0-1

Recused: Council Member Laraway

Motion To: Approve the Findings of Fact and Conclusions of Law for Case Nos. 19-14-AN & 19-11-S with the corrections made by staff and noted in the record.

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 3-0-1

Recused: Council Member Laraway

- B.** Public Hearing and consideration to approve Ordinance No. 2020-32 for the Kuna Urban Renewal Plan for the Kuna West Urban Renewal Project – Lisa Holland, Economic Development Director **ACTION ITEM**
(Timestamp 00:07:50)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO, APPROVING THE URBAN RENEWAL PLAN FOR THE KUNA WEST URBAN RENEWAL PROJECT, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS AND OTHER TAXING ENTITIES; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING AN EFFECTIVE DATE.

Please follow the link below to view the Kuna West Urban Renewal Plan:

<https://www.kunacity.id.gov/DocumentCenter/View/7234/Exhibit-3-Kuna-West-Plan-w-exhibits-11102020-PDF>

Economic Development Director Lisa Holland introduced project.

Lisa Bachman, JUB Engineers, reviewed the project using the slides included in the Council Packet and stood for questions.

Alivia Metts with Metts Group, attending via phone, reviewed the feasibility portion of the project, also using the slides included in the Council Packet, and stood for questions.

Ms. Holland shared City Attorney Bill Gigray was having problems getting into the meeting via Zoom. She asked if Council wanted to wait a moment while they tried to get him on board.

Mayor Stear said yes.

Meghan Conrad with Elam & Burke, 251 E Front Street, Suite 300, Boise, Idaho 83701, reviewed the legal elements of the project. She addressed the Idaho Statutes that allowed an Urban Renewal District to be created, what Idaho Code had changed in 2016, and how a completion deadline of December 31, 2020 would make the Urban Renewal District start date retroactive to January 1, 2020. She stood for questions.

Ms. Holland summarized the purpose of the Urban Renewal District. She thanked everyone who had been a supporter and partner, the Clerk's Office, the Planning & Zoning Department, and everyone who had been involved. She stood for questions.

Mayor Stear opened the public hearing. No one had signed up to testify. He asked if there was anyone who didn't sign up that would like to testify in this matter.

There were none.

Mayor Stear asked if there was anyone online who had requested to testify.

There were none.

Support: None

Against: None

Neutral: None

Rebuttal: None

Mayor Stear stated this had been interesting to see come all the way around. The City had talked about this many times but had never been able to put together a district that penciled out, made sense, and was worth pursuing. It was good to finally have this moving forward. He noted when the legislature made the changes to Urban Renewal Districts they did so because they felt there were districts taking advantage and using the dollars for building things they didn't think were appropriate to go forward without the public being able to vote on them. He thought the way the City had done this, which had been their mission and goal from the beginning, was to make this used for infrastructure and help development grow where it otherwise might not. As they all knew, Kuna was about 90% residential in its tax base. This would give some opportunity to make up some of that difference and fill some of those gaps. One of the biggest issues that year was property taxes and it would be a hot topic at the legislature that year with a lot of discussion. Mayor Stear appreciated all the efforts that went into this and he was glad to see it moving forward. He asked if Council had any comments or discussion on this.

Council had nothing to add.

Mayor Stear performed the official first reading of Ordinance No. 2020-32.

Motion To: Close the evidence presentation and proceed to deliberation

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 4-0

Motion To: Waive three readings of Ordinance No. 2020-32

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 4-0

Motion To: Approve Ordinance No. 2020-32

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Approved by the Following Roll Call Vote:

Voting Aye: Council Members Cardoza, Christensen, Laraway, and McPherson

Motion Passed: 4-0

Motion To: Approve Summary Publication of Ordinance No. 2020-32

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 4-0

Mayor Stear thanked everyone. He appreciated all the efforts.

- C. Public Hearing and consideration to approve Case Nos. 19-08-ZC (Rezone) and 19-10-S (Preliminary Plat) for the Monarch Landing Subdivision – Troy Behunin, Planner III and Mason and Associates, Applicant ACTION ITEM
(Timestamp 00:45:23)

Mason & Associates, Inc. (applicant) requests Rezone and Preliminary Plat approvals for the Monarch Landing Subdivision. Applicant requests a rezone for approximately 17.34 total acres from Agriculture (AG) to a C-3 Commercial (Service Commercial) zone. Applicant also requests preliminary plat approval in order to re-subdivide Lot 1, Block 1 of Tukila Meadow Sub into 15 total lots, and requests a SUP to place an approximate 5-acre self-storage facility on the same site. The subject site is at the SWC Linder and Hubbard Roads, Kuna, ID 83634, within Section 14, Township 2 North, Range 1 West (APN R8555340170).

Please follow the link below to view the Staff Report and Packet for Case Nos. 19-08-ZC (Rezone) and 19-10-S (Preliminary Plat):

<https://www.kunacity.id.gov/DocumentCenter/View/7239/6C-19-08-ZC-19-10-S-Monarch-Landing-Sub-Packet-PDF>

Interim Planning & Zoning Director Jace Hellman stated staff requested this item be tabled to December 15, 2020 due to a staff member's accident.

Motion To: Table Case Nos. 19-08-ZC and 19-10-S to the December 15, 2020 Council Meeting

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 4-0

- D.** Public Hearing and Consideration to approve Case Nos. 20-01-ZC (Rezone) and 20-02-S (Preliminary Plat) for Sera Sole Subdivision – Troy Behunin, Planner III and Riley Planning, LLC, Applicant **ACTION ITEM**
(Timestamp 00:46:58)

Riley Planning, LLC requests to rezone two parcels consisting of approximately 19.22-ac in Kuna City, from Agriculture (Ag.) **TO** the R-6 MDR (Medium Density Residential) zone and to subdivide the same lands into 89 total lots (78 buildable lots and 11 common lots). The subject site is located near the NWC of Swan Falls Road and Sunbeam Street within Section 26, Township 2 North, Range 1 West; (APNs: S1326141870 & S1326142025.).

Please follow the link below to view the Staff Report and Packet for Case Nos. 20-01-ZC (Rezone) and 20-02-S (Preliminary Plat):

<https://www.kunacity.id.gov/DocumentCenter/View/7240/6D-Sera-Sole-Subdivision-CC-Packet-PDF>

Interim Planning & Zoning Director Jace Hellman stated staff requested Case Nos. 20-01-ZC and 20-02-S be tabled to December 1, 2020 due to a staff member's accident.

Motion To: Table Case Nos. 20-01-ZC and 20-02-S to the December 1, 2020 Council Meeting

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 4-0

7. *Business Items: None*

8. *Ordinances: None*

9. *Executive Session: None*

10. Mayor/Council Announcements:

(Timestamp 00:48:33)

Mayor Stear stated they would be working with Planning & Zoning on changing their process for cases in the future. It used to be one planner in charge of a project so they had most all of the working knowledge on that project. In the future there would be quite a bit of collaboration between planners so not only one person had direct knowledge of a case. They had run into this before where someone was absent and someone had to present a project they were unfamiliar with. He felt this would be good change they could make happen and it would avoid issues like this in the future.

Mayor Stear shared Mr. Behunin was severely injured falling off a ladder and they wished him the best. He would be going through some tough times. He would be in the hospital a few more days probably. He had some surgeries and it was going to be a long road to recovery. He would be in a wheel chair for a while. They wished him and his family the best.

Mayor Stear noted no one in the Clerk’s Office tested positive for COVID but there were some exposures. There was some illness that was not COVID though. They were hoping to be somewhat back to normal the next week.

Mayor Stear asked if everyone saw the tractor out front. He loved it and said it was one of the City’s coolest art pieces ever.

Mayor Stear also noted Kuna Police Chief Jon McDaniel’s official last day would be that Thursday. Unfortunately, due to COVID, the Sheriff’s Office was unable to do a retirement party for him but they would get something figured out for him eventually. He welcomed Chief Mike Fratusco. He said he was already doing a good job and was very pleased.

11. Adjournment: 6:53 P.M.

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

*Minutes prepared by Ariana Welker, Deputy City Clerk
Date Approved: CCM 12.01.2020*



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

November 17, 2020 – City Council Public Hearing

Case Name: Urban Renewal Plan for the Kuna West Urban Renewal Project

Case Type: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO, APPROVING THE URBAN RENEWAL PLAN FOR THE KUNA WEST URBANRENEWAL PROJECT, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS AND OTHER TAXING ENTITIES; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING AN EFFECTIVE DATE.

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

IN FAVOR		NEUTRAL		IN OPPOSITION	
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SIGN-UP SHEET

November 17, 2020 – City Council, Public Hearing

Case Name: Sera Sole Subdivision.

Case Type: Rezone and Preliminary Plat

Case No.: 20-01-ZC (Rezone) & 20-02-S (Preliminary Plat)

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

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SIGN-UP SHEET

November 17, 2020 – City Council, Public Hearing

Case Name: Monarch Landing Subdivision, Preliminary Plat.

Case Type: New Commercial Subdivision

Case No.: 19-08-ZC (rezone) AND 19-10-S (prelim plat).

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

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