

OFFICIALS
Joe Stear, Mayor
Greg McPherson, Council President
Chris Bruce, 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, February 15, 2022

6:00 P.M. REGULAR CITY COUNCIL

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

ALL ITEMS ON THE KUNA CITY COUNCIL AGENDA ARE CONSIDERED ACTION ITEMS UNLESS OTHERWISE INSTRUCTED BY THE CITY COUNCIL.

1. Call to Order and Roll Call

(Timestamp 00:00:04)

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear
Council President Greg McPherson
Council Member Chris Bruce
Council Member Warren Christensen
Council Member John Laraway

CITY STAFF PRESENT:

Marc Bybee, City Attorney
Chris Engels, City Clerk
Jared Empey, City Treasurer
Mike Fratusco, Kuna Police Chief
Jace Hellman, P & Z Director
Doug Hanson, P & Z
Troy Behunin, P & Z
Jessica Reid, P & Z
Morgan Treasure, Economic Development Director
Nancy Stauffer, HR Director

2. Invocation

3. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:22)

4. Consent Agenda: ACTION ITEMS

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.

(Timestamp 00:00:40)

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) 387-7726. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at 387-7726 at least forty-eight (48) hours prior to the meeting to allow the City to make reasonable arrangements to ensure accessibility to this meeting.

- A. Regular City Council Meeting Minutes Dated February 1, 2022.
- B. Accounts Payable Dated February 10, 2022, in the amount of \$533,278.91
- C. Findings of Facts Conclusions of Law
 - 1. Ledgestone South Case No. 21-07-AN (Annexation)
- D. Final Plats
 - 1. Case No. 21-12-FP (Final Plat) for Journey’s End No. 4
 - 2. Case No. 21-15-FP (Final Plat) for Springhill No. 3

E. Resolutions

1. Resolution R06-2022.

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE “*PARK USE AGREEMENT*” WITH THE KUNA YOUTH SOFTBALL AND BASEBALL ASSOCIATION, INC., PURSUANT TO THE TERMS OF THE AGREEMENT; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

2. Resolution R07-2022.

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO VACATING THE REMAINING EASEMENTS ESTABLISHED IN INSTRUMENT NUMBERS 2017-013829 AND 2020-044292.

3. Resolution R08-2022.

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE “*DEVELOPMENT AGREEMENT*” BETWEEN STERLING MEADOWS LLC AND CITY OF KUNA, PURSUANT TO THE TERMS OF THE AGREEMENT; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

4. Resolution R09-2022

- A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO:
- PROVIDING RECITALS AND FINDINGS; AND
 - APPOINTING A NEW COMMISSIONER TO SEAT NO. 1; AND
 - DIRECTING THE CITY CLERK; AND
 - PROVIDING AN EFFECTIVE DATE.

5. Resolution R10-2022

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE PROFESSIONAL SERVICES AGREEMENT WITH J-U-B ENGINEERS FOR THE PREPARATION OF THE EAST KUNA DISTRICT URBAN RENEWAL PLAN.

6. Resolution R11-2022

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE PROFESSIONAL SERVICES AGREEMENT WITH THE METTS GROUP FOR THE PREPARATION OF THE EAST KUNA DISTRICT URBAN RENEWAL PLAN.

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 Bruce, Christensen, Laraway, and McPherson

Voting No: None

Absent: None

Motion Passed: 4-0-0

4. Executive Session:

(Timestamp 00:01:18) 6:01 PM

Mayor stated an executive session to get information from the City Attorney

Motion To: Enter Executive Session

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Motion carried: 4-0

- A. Executive Session under 74-206(1)(d) to consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code.

(Timestamp 02:29:29) Adjourn from Executive Session at 6:41 PM

Motion To: Adjourn from Executive Session

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Motion carried: 4-0

5. Public Hearings:

Public Hearing Process: Items begin with the presentation of the project by staff for up to 15 minutes. The applicant is then allowed 10 minutes to present their project. Members of the public are allowed up to 3 minutes

each, to address City Council with testimony restricted to the matter at hand. After all public testimony, the applicant is allowed 5 minutes for rebuttal.

City Council members may ask questions throughout the public hearing process.

Once the public hearing is closed, no further testimony or comments are heard.

City Council may move to continue the application to a future meeting or approve or deny the application.

(Timestamp 000:02:46)

A. Consideration to approve Case No. 21-04-S (Preliminary Plat) for *Falcon Crest Golf Villages Subdivision*. Continued from 02.01.2022 City Council Meeting ACTION ITEM

Wendy Shrief of J-U-B Engineers, on behalf of M3 Companies, LLC, requests preliminary plat approval to subdivide approximately 86.03 ac. into 291 residential lots, 43 common lots, and 18 common driveway lots, within R-6 (Medium Density Residential) and R-12 (High Density Residential) zones. (APN: S1422110300). Section 22, Township 2 North, Range 1 East – Troy Behunin, Senior Planner.

P & Z Director Jace Hellman reported to Mayor and Council the purpose of the application and compliance with the development agreement from 2019

David Reinhart, Kuna School District, presented a follow up letter in regards to the case.

Council responds.

Richard Durrant, commented on the case and Kuna growth.

Layne Saxton, retired from Kuna School District (2015) commented on the case and Kuna growth.

Heathe Clark, Attorney for Developer, discussed issues with growth and schools. Expressed that the issues that were brought up in the school letter to the council were answered two years ago when the project was originally approved and brought forward.

Council Member Christensen asked for clarification on the age restriction comment Mr. Clark made.

Heathe Clark clarified.

Mark Tate, Developer, reiterated what Heathe Clark commented on.

Wendy Johnson, Kuna School District, clarified when the last school bond was passed (2017)

Council Member Christensen asked for clarification on findings that city staff had made.

Jace Hellman, Planning and Zoning Director, answers Council Member Christensen's question.

Council President McPherson asked when the code changed for open green space for parks in developments.

Bobby Withrow, Parks Director responded.

Council Member Christensen asked about zoning ordinance and city code.

Marc Bybee, City of Kuna Attorney responded.

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Motion To: Open the Public Hearing

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 4-0-0

Motion To: Close the evidence presentation and proceed to deliberation

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Further Discussion: None

Motion Passed: 4-0-0

Motion To: Approve Case No. 21-04-S (Preliminary Plat) for Falcon Crest Golf Villages Subdivision.

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Approved by the Following Roll Call Vote:

Voting Aye: Council Members Bruce, Christensen, Laraway, McPherson

Voting No: None

Motion Passed: 4-0-0

7. Business Items:

(Timestamp 01:08:43)

- A. Consideration to approve Case No. 21-06-LLA (Lot Line Adjustment) 531 N School Avenue & 900 W 4th Street:** Jim Washburn with The Land Group INC., on behalf of David Doan and Eric Jacobsen requests Lot Line Adjustment approval between two (2) parcels totaling approximately 1.9 acres. The subject sites are located at 531 N School Avenue and 900 W 4th Street, Kuna ID, 83634, within Section 23, Township 2 North, Range 1 West; (APNs: S1323314910, S1323314932). ACTION ITEM

Doug Hansen, Planner II reviewed the case and stood for questions.

Council Member Christensen asked about the designation.

Doug Hansen responded.

Motion To: Approve Case No. 21-06-LLA (Lot Line Adjustment) 531 N School Avenue & 900 W 4th Street

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 4-0-0

B. Quarterly Report, Jared Empey, City Treasurer ACTION ITEM

(Timestamp 01:12:05)

Jared Empey, City Treasurer, reviewed the report and stood for questions.

8. Ordinances:

(Timestamp 01:19:16)

A. Consideration to approve Ordinance 2022-05 ACTION ITEM

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

- MAKING CERTAIN FINDINGS; and
- ENLARGING THE BOUNDARIES OF THE KUNA MUNICIPAL IRRIGATION SYSTEM BY THE INCLUSION OF ADA COUNTY ASSESSOR'S DB DEVELOPMENT LLC.; AND
- DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; and
- DIRECTING THE CITY CLERK TO RECORD THIS ORDINANCE AS PROVIDED BY LAW; and
- DIRECTING THE CITY ENGINEER TO PROVIDE NOTICE OF THIS ORDINANCE TO THE BOISE-KUNA IRRIGATION DISTRICT, THE OWNERS AND UPDATE THE IRRIGATION SYSTEM MAP; and
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve Ordinance

Motion To: Waive three readings of Ordinance 2022-05

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Recused: None
Absent: None
Motion Passed: 4-0-0

Motion To: Approve Ordinance 2022-05
Motion By: Council President McPherson
Motion Seconded: Council Member Christensen
Approved by the Following Roll Call Vote:
Voting Aye: Council Members Cardoza, Christensen, Laraway,
Voting No: None
Absent: None
Motion Passed: 4-0-0

B. Consideration to approve Ordinance 2022-06 ACTION ITEM

A MUNICIPAL ANNEXATION AND ZONING ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS AND DECLARATION OF AUTHORITY; AND
- ANNEXING CERTAIN REAL PROPERTIES, TO WIT: ADA COUNTY ASSESSOR'S PARCEL NOS. R0615250525 AND R0615250700 OWNED BY M3 ID RISING SUN, LLC, WITHIN UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, INTO THE CITY OF KUNA, IDAHO; AND
- ESTABLISHING THE ZONING CLASSIFICATIONS OF SAID REAL PROPERTIES; AND
- DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings
Consideration to approve Ordinance

Motion To: Waive three readings of Ordinance 2022-06
Motion By: Council President McPherson
Motion Seconded: Council Member Christensen
Further Discussion: None
Recused: None
Absent: None
Motion Passed: 4-0-0

Motion To: Approve Ordinance 2022-06
Motion By: Council President McPherson
Motion Seconded: Council Member Christensen
Approved by the Following Roll Call Vote:
Voting Aye: Council Members Cardoza, Christensen, Laraway, Council President Mcpherson
Voting No: None

Absent: None

Motion Passed: 4-0-0

9. Executive Session:

(Timestamp 01:22:46) 8:02 PM

Motion To: Enter Executive Session

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Motion carried: 4-0

Executive Session:

74-206(a)

To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need.

74-206(b)

To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student;

(Timestamp 01:24:13) 8:13 PM

Motion To: Adjourn from Executive Session

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Motion carried: 4-0

7C. Business Continued

Consideration to consent to Mayor's appointment of new Planning and Zoning Director
ACTION ITEM

Motion To: Approve the Mayor's appointment of Doug Hansen to Planning and Zoning Director.

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Motion carried: 4-0

10. Mayor/Council Announcements:

11. Adjournment:

8:18



Joe L. Stear, Mayor

ATTEST:


Chris Engels, City Clerk



Minutes prepared by Nathan Stanley, Deputy City Clerk
Date Approved: CCM 03.01.2022



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

February 15, 2022 – City Council,
Public Hearing (Continued From 2.1.2022)

Case Name: Golf Villages @ Falcon Crest Preliminary Plat Request:

1. Case Type: Subdivision Preliminary Plat.

Case No.: 21-04- S (Preliminary Plat).

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

Table with 3 columns: IN FAVOR, NEUTRAL, IN OPPOSITION. Each column has rows for Testify/Not Testify, Print Name, Print Address, and City/State/Zip. Includes handwritten entries for KUNA SCHOOL DIST, DAVID REICHARTZ, RICHARD DERRANT, LAUREN SEXTON, and ALECKY JOHNSON.

IN FAVOR

NEUTRAL

IN OPPOSITION

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