

OFFICIALS

Joe Stear, Mayor
Greg McPherson, Council President
Chris Bruce, Council Member
Matt Biggs, 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 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 00:00:09)

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear
Council President McPherson
Council Member Chris Bruce
Council Member Matt Biggs
Council Member John Laraway

CITY STAFF PRESENT:

Marc Bybee, City Attorney absent
Matt Johnson, City Attorney
Chris Engels, City Clerk
Jared Empey, City Treasurer
Mike Fratusco, Kuna Police Chief
Doug Hanson, P & Z Director
Bobby Withrow, Parks Director
Morgan Treasure, Economic Development Director
Paul Stevens, City Engineer
Nancy Stauffer, Human Resource Director
Troy Behunin, Senior Planner
Jessica Reid, Associate Planner

2. Invocation

3. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:30)

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

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.

*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 00:00:50)*

- A. Regular City Council Meeting Minutes Dated November 01, 2022
- B. Accounts Payable Dated November 09, 2022, in the amount of \$455,267.31
- C. Findings of Facts Conclusion of Law
 - 1. Comprehensive Plan Amendment, Future Land Use Map.
 - 2. Case No. 22-05-S (Preliminary Plat) – Falcon Crest South Subdivision.
 - 3. Case Nos. 22-01-AN (Annexation), 22-01-PUD (Planned Unit Development), 22-01-S (Preliminary Plat), 22-01-DA (Development Agreement), Patagonia East, Ridge, Lakes Subdivision – Westpark Companies, Inc.
- D. Resolutions
 - 1. Resolution R87-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID FALCON CREST, LLC, FOR FALCON CREST SUBDIVISION NO. 4 FOR UNCOMPLETED WORK FENCING PURSUANT TO THE TERMS OF THIS RESOLUTION.

Motion To: Approve the Consent Agenda
Motion By: Council President McPherson
Motion Seconded: Council Member Laraway
Further Discussion: None
Approved by the Following Roll Call Vote:
Voting Aye: Council Members Biggs, Bruce, McPherson, Laraway
Voting No: None
Absent: None
Motion Passed: 4-0-0

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 00:01:37)

- A. Consideration to approve Case Nos. 21-16-A (Annexation) and 21-11-S (Preliminary Plat) RIVERTON SUBDIVISION; Providence Properties LLC requests Annexation for approx. 38 acres into the City of Kuna with the C-2 (Area Commercial), and R-8 (High Density Residential) zoning districts; and requests Preliminary Plat approval to subdivide the same lands into 182 single-family lots, 23 common lots, one (1) shared access lot, and four (4) commercial lots. The site is near the northeast corner of the intersection of Kuna and Locust Grove Roads, in Section 20, Township 2 North, Range 1 East (APN: S1420325708). Troy Behunin, Senior Planner ACTION ITEM

<https://www.kunacity.id.gov/DocumentCenter/View/8275/21-16-AN-Riverton-Sub-Council-PACKET-PDF>

Troy Behunin, Senior Planner, reviewed the application and stood for questions.

Council Member Biggs asked about offsite additions and who will be responsible.

Applicant, Patrick Connor, responded during his presentation.

Applicant (distributed paper copies of the presentation)

Joe Larson, member of the community, expressed his concerns on the project.

Council President McPherson asked the Public Works Director about the tank and pond.

Paul Stevens, Public Works Director responded.

Council Member Biggs asked the Kuna School District about the comments from the Meridian Planning and Zoning Commission.

Danielle Horras, Kuna School District responded.

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Motion To: Close Evidence presentation and proceed to deliberation

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Voting Aye: McPherson, Biggs, Bruce, Laraway

Voting No: None

Absent: None

Motion Passed: 4-0-0

Council Members deliberate the application.

Motion To: Approve Case Nos. 21-16-A (Annexation) and 21-11-S (Preliminary Plat) Riverton Subdivision with conditions listed in the packet.

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Voting Aye: McPherson, Biggs, Laraway

Voting No: Bruce

Absent: None

Motion Passed: 3-1-0

- B. Case Nos. 22-02-AN (Annexation), 22-01-ZC (Rezone) & 22-02-DA (Development Agreement) for Lamp District – Jessica Reid, Associate Planner **ACTION ITEM**
(Timestamp 01:00:46)

Riley Planning Services, on behalf of Miriam LLC and Japheth LLC, requests approval to Annex four (4) parcels (APNs: R8528532000, R8528531500, R8528531000, R8528530500) totaling approximately 24.65 acres, into Kuna City Limits with a C-2 (Area Commercial) zone; and to Rezone two (2) parcels (APNs: S1418336401, S1418336332) already within Kuna City Limits, totaling approximately 10.18 acres, to a C-2 (Area Commercial) zone. The subject sites are located on the northeast corner of the N Meridian Road and E Deer Flat Road intersection; Section 18, Township 2 North, Range 1 East. There is no development associated with this application, however, the Applicant has provided a Preliminary Concept Plan on which a future development application(s) will be in substantial compliance with, as ensured by a Development Agreement.

<https://www.kunacity.id.gov/DocumentCenter/View/8276/22-02-AN-22-01-ZC-22-02-DA-Lamp-District-Staff-Packet-CC-PDF>

Jessica Reid, Associate Planner, reviewed the application and stood for questions.

Applicant representative Penelope Constikes (SP) reviewed presentation and application and stood for questions.

Council Member Laraway asked about mixed use on the project.

Penelope Constikes responded.

Council President McPherson asked about piping the canal.

Penelope Constikes responded.

Danielle Horras Kuna School District reviewed the school districts view on the project and testified in opposition.

Ladette (SP), resident of Kuna, expressed support for the Kuna School District.

Rebecca, resident of Kuna, expressed her support for the Kuna School District and her concern for the rezone.

Crystal Robles, resident of Kuna testified in opposition of the project.

Sarah Lett, resident of Kuna testified in opposition of the project.

Darcy Keenan, resident of Kuna, testified in opposition of the project and in support of the school district.

Joe Larson, resident of Kuna, testified in opposition of the project.

Douglas Klegg (SP), Developer of the project, testified neutral on the project.

Penelope Constikes conducted the rebuttal.

Jessica Reid explained the rezone application process.

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Motion To: Close Evidence presentation and proceed to deliberation

Motion By: Council President McPherson

Motion Seconded: Council Member Bruce

Voting Aye: McPherson, Biggs, Bruce, Laraway

Voting No: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve Case Nos. 22-02-AN (Annexation), 22-01-ZC (Rezone) and 22-02-DA (Development Agreement) for Lamp District.

Motion By: Council President McPherson

Motion Seconded: Council Member Bruce

Voting Aye: McPherson, Biggs, Bruce

Voting No: Laraway

Absent: None

Motion Passed: 3-1-0

7. Business Items:

(Timestamp 01:56:50)

A. 2022 Arbor Day Proclamation. Mayor Stear.

B. 2022 Small Business Saturday Proclamation. Mayor Stear.

(Timestamp 01:58:59)

C. Year-end Budget Results FY 2022 and Cash Report, Jared Empey, City Treasurer
DISCUSSION ITEM
(Timestamp 02:01:12)

Jared Empey, City Treasurer, reviewed year end budget results and stood for questions.

D. Consideration to approve Sewer Contingency request for three blowers for the Waste Water Treatment Plant. Paul Stevens, Public Works Director **ACTION ITEM**
(Timestamp 02:13:18)

Paul Stevens, Public Works Director, reviewed the request and stood for questions.

Motion To: Approve Sewer Contingency request for three blowers for \$583,000 the Waste Water Treatment Plant. City Attorney “Declaration for sole source of procurement for compatibility of equipment.”

Motion By: Council President McPherson

Motion Seconded: Council Member Biggs

Voting No: None

Absent: None

Motion Passed: 4-0-0

E. Update on Kuna Police Station. Chris Engels, City Clerk **DISCUSSION ITEM**
(Timestamp 02:20:22)

Chris Engels, City clerk, reviewed updates on the Kuna Police Station.

8. Ordinances:

9. Mayor/Council Announcements:

10. Adjournment: 8:39 P.M.



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



Minutes prepared by Nathan Stanley, Deputy City Clerk
Date Approved: CCM 12.06.2022



CITY OF KUNA

751 W. 4th Street • Kuna, Idaho • 83634 • Phone (208) 922-5274
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SIGN-UP SHEET

November 15, 2022 – City Council, Public Hearing

Case Name: **Riverton Subdivision Request:**

Case Type: Annexation, and Subdivision Request.

Case Nos.: 21-16-S (Annexation), and 21-11-S (Pre-Plat).

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

IN FAVOR	NEUTRAL	IN OPPOSITION
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PARIDE CONNOR (Applicant)
Print Name
701 S. 4th St
Print Address
Meridian 10 83642
City State, Zip

Testify Not Testify

Print Name

Print Address

City State, Zip

Testify Not Testify

Print Name

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Ludette Leung
Print Name
1726 N Ryde Ave
Print Address
Kuna 10 83634
City State, Zip

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~~DANIELLE FREITAS~~
~~Print Name~~
~~711 BERT~~
~~Print Address~~
~~KUNA ID 83634~~
~~City State, Zip~~

Testify Not Testify

REBECCA GETZEN
Print Name
1884 N RYDE AVE
Print Address
KUNA 10 83634
City State, Zip

Testify Not Testify

Print Name

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JOE LARSON
Print Name
365 W. AUSPICE CT
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KUNA 10 83634
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SIGN-UP SHEET November 15, 2022 City Council Public Hearing

Case Name: **Lamp District**

Case No: **22-02-AN (Annexation), 22-01-ZC (Rezone) & 22-02-DA (Development Agreement)**

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
<input checked="" type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> <u>Ludette Leung</u> Print Name <u>1726 N Ryde Ave</u> Print Address <u>Kuna ID 83634</u> City State, Zip	<input checked="" type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip	<input checked="" type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> <u>DANIELLE HERRA</u> Print Name <u>711 EPORTER</u> Print Address <u>KUNA ID 83624</u> City State, Zip
<input checked="" type="checkbox"/> <u>Testify</u> <input checked="" type="checkbox"/> <u>Not Testify</u> <u>Douglas B Clegg</u> Print Name <u>715 W Blue Springs</u> Print Address <u>Angie UT 84009</u> City State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip	<input checked="" type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> <u>Ludette Leung</u> Print Name <u>1726 N Ryde Ave</u> Print Address <u>Kuna ID 83634</u> City State, Zip
<input type="checkbox"/> <u>Testify</u> <input checked="" type="checkbox"/> <u>Not Testify</u> <u>Becky Miller</u> Print Name <u>1708 N Ryde Ave</u> Print Address <u>Kuna ID 83634</u> City State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip	<input checked="" type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> <u>REBECCA GETZEN</u> Print Name <u>1684 N RYDE AVE</u> Print Address <u>KUNA ID 83634</u> City State, Zip
<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip	<input checked="" type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> <u>Robles</u> Print Name <u>13733 S 5 mile</u> Print Address <u>KUNA ID 83634</u> City State, Zip

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Sarah Elett

Print Name

177 N. Rye

Print Address

Kona ID 83634

City State, Zip

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City State, Zip

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City State, Zip

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Darcey Kern

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1344 N. Kaula Dr

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Kona ID 83634

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Joe Larson

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365 W. Allspice Ct

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