

**OFFICIALS**

Joe Stear, Mayor  
Chris Bruce, Council President  
Greg McPherson, 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, May 21, 2024**

**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 00:00:08)*

**COUNCIL MEMBERS PRESENT:**

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

**CITY STAFF PRESENT:**

Marc Bybee, City Attorney  
Jared Empey, City Treasurer  
Mike Fratusco, Kuna Police Chief  
Doug Hanson, P & Z Director  
Bobby Withrow, Parks Director  
Morgan Treasure, Economic Development Director  
Nancy Stauffer, Human Resource Director  
Nathan Stanley, City Clerk  
Troy Behunin, City Senior Planner

**Mayor Stear** All right. We'll go ahead and call this meeting to order. Nathan, would you take the roll, please?

**City Clerk Nathan Stanley** Council Member McPherson.

**Council Member McPherson** Here.

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.

**City Clerk Nathan Stanley** Council Member Biggs.

**Council Member Biggs** Here.

**City Clerk Nathan Stanley** Council Member Laraway.

**Council Member Laraway** Yes.

**City Clerk Nathan Stanley** Council President Bruce.

**Council President Bruce** Here.

**City Clerk Nathan Stanley** Mayor Stear.

**Mayor Stear** Here.

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

*(Timestamp 00:00:24)*

**Mayor Stear** And if you'll join me for the Pledge of Allegiance.

**Multiple Speakers** I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**Mayor Stear** Thank you.

## **3. 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 00:00:48)*

- A. Regular City Council Meeting Minutes Dated May 7, 2024
- B. Accounts Payable Dated May 16, 2024, in the amount of \$1,212,049.96
- C. Resolutions

- 1. Resolution R36-2024

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO:

- MAKING CERTAIN FINDINGS AND DECLARATION OF AUTHORITY; AND
- ADOPTING THE “MERIDIAN ROAD EXTENSION CORRIDOR STUDY”; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE

**Mayor Stear** First item up is the consent agenda. Any questions or comments?

**Council President Bruce** I make a motion, we approve the consent agenda as published.

**Council Member McPherson** Second.

**Mayor Stear** Motion made and seconded, any discussion on that motion? Nathan, would you call Council, please?

**City Clerk Nathan Stanley** Council Member McPherson.

**Council Member McPherson** Yes.

**City Clerk Nathan Stanley** Council Member Biggs.

**Council Member Biggs** Yes.

**City Clerk Nathan Stanley** Council Member Laraway.

**Council Member Laraway** Yes.

**City Clerk Nathan Stanley** Council President Bruce.

**Council President Bruce** Yes.

**Mayor Stear** And that motion carries.

*(Timestamp 00:00:55)*

**Motion To:** Approve the Consent Agenda

**Motion By:** Council President Bruce

**Seconded By:** Council Member McPherson

**Further Discussion:** None

**Members Voting Aye:** Council Members, Bruce, Biggs, McPherson, Laraway

**Members Voting Nay:** None

**Members Absent:** None

**Approved Via:** Roll Call Vote

**4-0-0**

#### **4. Public Comment**

*(Timestamp 00:01:18)*

**Mayor Stear** Public comment, is there anybody who wishes to address the Council? All right, seeing none...

#### **5. External Reports**

*(Timestamp 00:01:34)*

A. Amyotrophic Lateral Sclerosis “ALS” Awareness Month 2024 – Mayor Stear

**Mayor Stear** ALS Awareness Month Proclamation.

Whereas Amyotrophic Lateral Sclerosis, known by many as Lou Gehrig's disease, is a progressive, fatal neurodegenerative disease in which a person's brain loses connection with the muscle, slowly taking away their ability to walk, talk, eat, and eventually breathe.

And whereas every 90 minutes someone is diagnosed with ALS and someone passes away from ALS.

And whereas on average, patients diagnosed with ALS only survive two to five years from the time of diagnosis.

Whereas ALS has no cure and whereas, whereas people who have served in the military are more likely to develop ALS and die from the disease than those with no history of military service.

And whereas securing access to new therapies, durable medical equipment and communication technologies is of vital importance to people living with ALS.

And whereas ALS awareness month increases the public's awareness Of people with. ALS dire circumstance and acknowledges the terrible impact. Of this disease. Has not only on the person, but on his or her family and the community, and recognizes the research being done to eradicate this disease.

Now, therefore, I Joe Stear, Mayor of the City of Kuna, do hereby proclaim May 2024 as ALS awareness month and call upon Kuna citizens to join in supporting analyst research, advocating for increased funding, and standing in solidarity with those affected by this relentless disease.

Did we have somebody of that brought this forward in the audience? No. Okay. All right.

## **6. 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 00:03:55)*

- A. Consideration to approve Case Nos. 23-04-AN (Annexation) and 23-04-S (Preliminary Plat): Aermotor Cove; Applicant requests to annex 4.83 acres into Kuna City Limits with an R-6 (Medium Density Residential) zone, and to subdivide the site into 12 lots (9 buildable, 3 common) with the existing home & outbuildings remaining as an outparcel. The subject site is located at 855 W Hubbard Road (APN: S1313212400); Section 13, Township 2 North, Range 1 West. ++ **Staff didn't receive critical agency comments and request this item be tabled to a date certain of June 4, 2024.** ++ – Troy Behunin, Senior Planner

*Open Public Hearing*

*Receive evidence*

*Consideration to close evidence presentation and proceed to deliberation*

**Mayor Stear** Public hearings; consideration to approve case # 23-04-AN and 23-04-S. Doug, are you taking this one? Basically, we didn't receive the critical agency comments and request this item to be tabled to a date certain of June 4th, 2024. I think they made several attempts to have the School District make comment and they didn't take any, and since we made them a critical agency that is holding up this case. So, I guess we'll continue to try to get the School District to comment on this case, but if not, I mean at some point we can't. They wanted us to do this, but they have to at least comment so. Anyway, that's where we are with that and they're requesting a table like this.

**Council President Bruce** I make a motion that we table case #23-04-AN to a date certain of June 4th, 2024

**Council Member McPherson** Second.

**Mayor Stear** Motion is made and seconded. Is there any discussion?

*[Inaudible Background Conversation]*

**Mayor Stear** You're going to need to...

**City Clerk Nathan Stanley** Sir...

*[Inaudible Background Conversation]*

**Mayor Stear** Okay, no, you're fine.

**Robert Horton** My name is Robert Horton.

**Mayor Stear** It's very complicated.

**Robert Horton** Sorry for the new complex situation here. My name is Robert Horton. I'm a resident at 835 W Hubbard Rd. which is adjacent to the property in Annex. My concern is that in the past I have been denied my irrigation rights, which are fully paid and acknowledged by the Irrigation District and would like to make sure that it's entered to the record that before this project go forward that they be reinstate it because they have been denied by the applicant.

**Mayor Stear** Okay. We will check into that. What was your name again?

**Robert Horton** Robert Horton.

**Mayor Stear** Thank you.

**Council President Bruce** Did you say Horton?

**Robert Horton** H.O.R.T.O.N. 935 W Hubbard Rd. Thank you for your consideration.

**Mayor Stear** That'll give staff homework. All right, we have a motion and the second. Oh, Okay.

**Danielle Horras, Kuna School District** Good Evening, Mayor, Council Members. Danielle Horras, 711 E Porter, Kuna School District. I just want to acknowledge that we understand that we did not submit for this, and I wanted to explain why. Just on Tuesday, we did supply a new letter that we will supply to packets like this, but we wanted it to go through our Trustees and we needed it to match the new zoning ordinance changes. So we've made a significant shift in, I guess, the language and how we communicate and what we include in our letter, but we needed that to go through our School Board. So, that did just happen on Tuesday. So you won't see that again and I apologize for the delay, but we wanted that language to be aligned.

**Mayor Stear** Okay. All right. Thank you.

**Council President Bruce** We have a motion.

**Mayor Stear** All in favor, say 'aye.'

**All Council Members** Aye.

**Mayor Stear** Any opposed? Motion carries.

*(Timestamp 00:04:58)*

**Motion To:** Table case #23-O4-AN to a date certain of June 4th, 2024

**Motion By:** Council President Bruce

**Seconded By:** Council Member McPherson

**Further Discussion:** None

**Members Voting Aye:** Council Members, Bruce, Biggs, McPherson, Laraway

**Members Voting Nay:** None

**Members Absent:** None

**Approved Via:** Voice Vote

**4-0-0**

## **8. Business Items:**

*(Timestamp 00:07:53)*

- A. Discussion on the possible use of solar powered streetlights in City limits - Bobby Withrow and Doug Hanson

**Mayor Stear** Discussion of possible use of solar powered streetlights in the city limits, Bobby Withrow and Doug Hanson.

**Kuna Parks and Recreation Director Bobby Withrow** Mayor, Council, for the record, Bobby Withrow 751 W. 4<sup>th</sup> St. So as you guys may or may not know my department is in charge of taking care of the streetlights in our city and a lot of the time right now, we're going through some upgrades where we're upgrading the bulbs from low sodium LED. And with that, we've had fewer quests over the years to add a street light here or there because it's just... it's too dark in that area. When we've looked at it in the past. It has been non cost effective to pulling in because of price of power and how much it costs to get there. Now they're coming out with solar powered tree lights and we have had one at our shop off of Short line for two years now. And I think it's

something we need to look into to help illuminate those dark areas for our, for our citizens throughout this city. All right now. There is nothing in code that says we can't do it without, so there's also nothing saying we can. So we wanted to pick a spot that we've identified and try it out for about 6 months and then come to report to you to see if it's actually feasible to do projects like this in the future, the solar ones. The upfront cost is going to be cheaper because we don't have to run power to them. And with that, we won't have to pay the monthly power bill and those as well, which is... And. I don't think it's too extreme, but we wouldn't have that. That downfall with these or they're not going to be as bright as their Main Street lights. So we're not going to be able to switch them out totally for subdivision lights. These are only to help, like I said, illuminate the dark areas we have mostly in the field parts of town. With that, I stand for questions.

**Mayor Stear** Okay. Yes.

**Council Member Laraway** If we... I don't understand a lot of the mechanical part of it, but would we be just replacing the light and the charge system at the light or do we have to replace the whole stanchion?

**Kuna Parks and Recreation Director Bobby Withrow** Councilman Laraway, these are... We have to replace the whole thing and the cases I'm talking about, there's nothing there. So it actually put a concrete pedestal and then a light on top of that. So it would be brand new and that costs right around \$6000. For everything, for the concrete and the light. If we go solar. If we go the other way, the streetlight itself is \$4500 plus the cost of getting power to it. Which I can't tell you off the top of my head what that is because the distance is going to be different every Time. Is this something that planning and zoning is keeping the watch on for future development? Like maybe we should require developers to put solar in.

**Planning and Zoning Director Doug Hanson** For the record, Doug Hanson, Kuna planning and zoning. Bobby and I have worked back and forth on this quite a bit, had a lot of conversations. The plan currently is just to evaluate how one of these lights would perform for about 6 months. As Bobby mentioned, I don't think it would ever be feasible to utilize these types of lights on our classified roads, so collectors and arterial roadways. I think those will always be powered. This is going to be more of a if it would ever come to fruition. A case where if someone would submit an application on a case-by-case basis so we could then evaluate the area, see how far you would actually have to pull the power to supply power to light the level of darkness around it. Like Bobby mentioned, older parts of Kuna where it's just not really feasible to pull power several 100 feet and install a streetlight in that regard. Outside of this location, the Del Taco off State Hwy. 69 that served by solar powered parking lot lights, so that's something else we've been looking at as well as far as how efficiently those have been operating?

**Council Member Laraway** Thank you.

**Mayor Stear** That helped to resolve an issue there. There's a couple of spots in town that are really quite in need of a light and it is just cost prohibitive to I think the one area we looked at it was like \$80,000 or \$100,000 even to run the power to get light there because we're in the in the right of way to tear up the side of the street. It's pretty expensive to do one light in the middle of

the street, so. I think it's a good thing and like they said, this kind of a test run to see how it works and if it doesn't work, I guess we won't do too many, but...

**Council Member Biggs** So you're saying the old part of town. Are you talking about, like downtown Kuna? Or were you talking about like, like?

**Council President Bruce** What location?

**Mayor Stear** On Cleveland Ave., so.

**Mayor Stear** You go through the roundabout one more block and then that street that goes...

**Council Member Biggs** Yeah. So that okay, so that area. Okay, that makes sense.

**Kuna Parks and Recreation Director Bobby Withrow** Councilman Biggs, yes that' area.

**Council Member Biggs** That's what I was thinking like, you know, the library area and those streets down from there.

**Kuna Parks and Recreation Director Bobby Withrow** Yeah, I like downtown Kuna and some of those other areas.

**Mayor Stear** So, basically just looking to give a blessing to carry on with...

**Council President Bruce** Will it? ... I have a question.

**Mayor Stear** Yes.

**Council President Bruce** Will it come out of a budget that we've already set aside?

**Kuna Parks and Recreation Director Bobby Withrow** Councilman Bruce, there is a streetlight budget that in the future we will budget for these kinds of things. Right now, we do have a couple lights that aren't utilized at the moment that we can use for the next six months while we get one ordered.

**Council President Bruce** And so you're... the question is, he's just asking us to put together an estimate or is he asking us to fund it right now? Is that what it?

**Kuna Parks and Recreation Director Bobby Withrow** Councilman, right now, just your blessing to start to start the transition into looking into this and see if it's feasible. And then in the future, we'll try to build it into the budget where we can do two or three of them. We'll make sure it's within the budget.

**Council Member Biggs** We don't need to vote for that because that would be the...*[Inaudible]*

**Mayor Stear** Marc.

**City Attorney Marc Bybee** Marc Bybee, City Attorney I noted that this doesn't look like it's marked as an action item, so I think this is really discussion. So, if Bobby can just get an idea how the Council feels about him pursuing this. I wouldn't recommend taking a vote when you have no action item designated.

**Mayor Stear** Right, so unless somebody was just terribly opposed to it. Let them go ahead and proceed with that, yeah.

**Council Member McPherson** Should we do thumbs up?

**Council Member Biggs** Thumbs up?

*[Laughter]*

**Mayor Stear** All right. Very good. Thank you. And was there any further questions on that?

**9. Ordinances:**

*(Timestamp 00:15:35)*

A. Consideration to approve Ordinance 2024-08 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 VIPER INVESTMENTS 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 NAMPA~MERIDIAN IRRIGATION DISTRICT, THE OWNERS AND UPDATE THE IRRIGATION SYSTEM MAP; and
- PROVIDING AN EFFECTIVE DATE.

*Consideration to waive three readings.*

*Consideration to approve Ordinance.*

**Mayor Stear** Okay, next we have an ordinance consideration to approve Ordinance 2024-08, 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 Assessors, Viper Investments LLC. And declaring water rights of pertinent 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 Nampa-Meridian Irrigation District, The owners, and update the irrigation system map, and providing an effective date.

**Council President Bruce** I make a motion that we waive 3 readings of Ordinance 2024-08.

**Council Member McPherson** Second.

**Mayor Stear** Motion is made and seconded to waive the three readings. Is there any discussion on that motion? All those in favor say ‘aye.’

**All Council Members Aye.**

**Mayor Stear** Any opposed? Motion carries.

*(Timestamp 00:16:32)*

**Motion To:** Waive 3 readings of Ordinance 2024-08

**Motion By:** Council President Bruce

**Seconded By:** Council Member McPherson

**Further Discussion:** None

**Members Voting Aye:** Council Members, Bruce, Biggs, McPherson, Laraway

**Members Voting Nay:** None

**Members Absent:** None

**Approved Via:** Voice Vote

**4-0-0**

**Council President Bruce** I make a motion that we approve ordinance 2024-08, as published.

**Council Member McPherson** Second.

**Mayor Stear** Motion is made and seconded. Is there any discussion on that motion? Nathan, would you pull the Council?

**City Clerk Nathan Stanley** Council Member McPherson.

**Council Member McPherson** Yes.

**City Clerk Nathan Stanley** Council Member Biggs.

**Council Member Biggs** Yes.

**City Clerk Nathan Stanley** Council Member Laraway.

**Council Member Laraway** Yes.

**City Clerk Nathan Stanley** Council President Bruce.

**Council President Bruce** Yes.

**Mayor Stear** And that motion carries.

*(Timestamp 00:16:50)*

**Motion To:** Approve Ordinance 2024-08

**Motion By:** Council President Bruce

**Seconded By:** Council Member McPherson

**Further Discussion:** None

**Members Voting Aye:** Council Members, Bruce, Biggs, McPherson, Laraway

**Members Voting Nay:** None

**Members Absent:** None

**Approved Via:** Roll Call Vote

**4-0-0**

## 10. Executive Session:

## 11. Mayor/Council Announcements:

*(Timestamp 00:17:16)*

**Mayor Stear** And that is all we've had on the agenda for tonight. Is there anybody who has anything they want to bring up?

**Council President Bruce** If... we have a long Kuna resident, Eric Willis, who passed away yesterday or this morning from esophageal cancer. He lives over by Bi-Mart, so. He's... he worked... I worked with him so he always tries to pay for it in the community. So, maybe put them on your prayer list.

**Council Member Biggs** I wanted to say congratulations to our Centennial class graduating on Thursday at 2:30 at the Idaho Center, my son will be one of them.

**Mayor Stear** Very nice.

**Council Member Biggs** Class of 2024.

**Mayor Stear** 2024, a hundred years ago. Good, anything else?

**Human Resources Director Nancy Stauffer** Mayor, for your proclamation, would it be okay if I deliver a copy of that to Tom Rivera's wife?

**Mayor Stear** Oh, yes.

**Human Resources Director Nancy Stauffer** For our former employee who passed away from ALS.

**Mayor Stear** Yeah, we'll have them put it in a folder like that.

**Human Resources Director Nancy Stauffer** Perfect. Thank you.

**Mayor Stear** Yes.

## 12. Adjournment:

*(Timestamp 00:18:30)*

**Mayor Stear** All right. Well, I want to thank the staff. Good work you do and appreciate everything you do, and with that meeting is adjourned. Thank you.

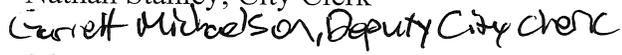


Joe L. Stear, Mayor

ATTEST:



Nathan Stanley, City Clerk



*Minutes prepared by Garrett Michaelson, Deputy City Clerk*

*Date Approved: CCM 06.04.2024*



# CITY OF KUNA

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## SIGN-UP SHEET

**May 21st, 2024 – City Council Public Comment**

The City of Kuna welcomes Public Questions and/or Comments during the Public Comment Session, as noted in the agenda. In accordance with Idaho State Code, Public Comments may NOT include specific land use issues or cases. All comments regarding specific land use issues or cases MUST be heard in their associated Public Hearing(s). Idaho State Code also requires all comments and/or complaints regarding City personnel to be heard in Executive Session.

In all instances The Mayor and City Council may determine if your comments are appropriate for the Open Comment Session, particularly if your comments are covered by Idaho Code § 74-206(1) and may notify you accordingly. If you are recognized to speak you may "have the floor" for up to three (3) minutes, unless a separate time duration is determined by The Mayor and/or City Council.

### Public Comment Sign Up

Print Name

Print Address

City State, Zip

Topic

Print Name

Print Address

City State, Zip

Topic