

**CITY OF KUNA  
TOWN HALL MEETING  
MINUTES  
FEBRUARY 23, 2006  
KUNA CITY HALL COUNCIL CHAMBER, 763 W. AVALON**

**NOTE: These minutes are an unofficial record of this City Council meeting until reviewed; corrected if deemed appropriate, and formally approved by the Kuna City Council at a subsequent Council meeting.**

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Council President Lang called the Town Hall Meeting to order at 7:10 p.m.

**Present:** Council President Jeff Lang, Councilmember Scott Dowdy and Councilmember Richard Cardoza. Mayor Obray and Councilwoman Stroebel were absent.

Also present were: City Engineer Keven Shreeve; City Attorney Randy Grove; City Treasurer Colleen Cook; City Clerk Lynda Burgess; Interim P & Z Director Diana Sanders; Chief Doug Rosin, Kuna Fire District; Librarian Ann Hankins, Kuna District Library; Jenny Gregor, Kuna Post Office; and Joe Stear, Fire District Board.

Council President Lang turned the meeting over to City Engineer Keven Shreeve.

Mr. Shreeve reported that the purpose of the meeting is to bring the public up to date with where the city is and what is going on.

**Growth is Coming!**

- *Kuna, Meridian, or Ada County:* For the last couple of years, the city has embarked upon a thorough study of their water, sewer and pressurized irrigation facilities which were completed in the past few months. Approximately 2 ½ years ago, Kuna approved an impact area between Columbia Road, Lake Hazel, between Locust Grove and Eagle Road and ½ mile between McDermott and Black Cat and the southern boundary of Kuna Mora Road. The document was then sent to Ada County for their approval. The County indicated that they wouldn't approve the impact area until it is known that the city can service the area with the necessary water and sewer. The city hired an engineering firm to do the water and sewer studies.
- *Where we are today:* A consulting firm was recently retained by the city to begin pre-design of the treatment plant and the associated work and active negotiations are currently taking place with the property owner on a site to put the treatment plant to the north of the city.
- *Utilities:* The city does have the ability to provide capacity to accommodate current growth but does have a plan in place to provide sewer in the future. Kuna has had issues for many years so the city is aggressively embarking on a plan to resolve the sewer issues.
- *Current land values:* Land values in north Meridian are quite high. Land values in north Kuna, compared to south Meridian, are very similar.
- *Impact area:* The impact area does not guarantee city boundaries. A city may legally annex outside its own impact area into another city's impact area. One way to solidify a

boundary is through the annexation process, unless a mutual agreement can be reached between the two cities.

- *Proposal from Kuna to Meridian:* The city is currently in discussions with Meridian. There is a meeting next week to try to come to a mutual agreement on boundaries of cities and services. Kuna has proposed to Meridian boundaries previously adopted by the city and not approved by Ada County and are roughly the same as the Kuna School District boundaries--Lake Hazel to the north to Highway 69, jog down a mile to Columbia and then to the east along Columbia to Eagle Road and then down. Kuna felt that was a fair and reasonable boundary and hopes that Meridian will agree.

### **Advantages of Kuna Annexation**

- *Tax rates are less than surrounding cities:* Taxes would increase with annexation into the city of Kuna but would be even higher if properties were to be annexed by another city.
- *Common city/school boundary:* Would help with the cohesiveness of the area and local camaraderie.
- *Library District:* Would help maintain the Library District's financial stability with city boundaries remaining close to existing school boundaries.

Ann Hankins, Kuna Library Director explained that the District's boundaries are similar to the Fire District and the same as the Kuna School District's. The library is funded by property taxes at 3% from the year before. The library receives no funds from the city or the school district. Thirteen years ago, a very dedicated library board fought for autonomy for Kuna so that they could have a place to call their own and Kuna would be serviced by this library. Annexation should be done very cautiously and carefully because it can affect a lot of different things.

- *Fire District:* Joe Stear, Fire District Board, explained that the Kuna Rural Fire Protection District works with a budget of approximately \$990,000, \$775,000 of which is generated by tax roll value based on a levy rate of .00107 on taxable property values. The District is allowed to increase its budget from tax income at the rate of 3% per year. With all the new construction and subdivisions the tax burden is spread out, so instead of a 3% increase per year, fire taxes have been going down each year. If the annexations occur as proposed on our maps by neighboring communities, the district will shrink to \$350,000,000 of property value, causing the district's budget to be cut a little over 50%. Current services provided for every tax dollar is 24/7 coverage at the station and increased ambulance service to full-fledged paramedic service. If annexation by neighboring communities occurred, the district would have to ask taxpayers to go to our maximum allowable levy, which would double tax bills. On top of that, the district would have to begin to levy 3% each year, because there would be no growth. If the district chose to consolidate with Meridian Rural Fire Protection District, Kuna's taxes would double and the ambulance service would be lost ambulance service. Kuna is one of the only fire districts in the area that provides an ambulance transport service.

Unidentified speaker: How many paramedics are certified and to what level—are they IV qualified?

Mr. Stear responded that the district currently has 9 paramedics and coverage is 24/7. The station is authorized to carry and administer IV drugs. Regarding an ambulance for the Desert View area, Mr. Stear stated that the current budget doesn't provide for ambulance staff at Desert View.

Jim Nelson asked if Meridian annexes what they are proposing and Boise annexes around Eagle and Cloverdale, how would that affect the fire department.

Mr. Stear explained that that would take up well over 50% of the district's income.

- *Community Identity*: Presenting a positive image and control property values.

### **Purpose of Annexations**

- *Wastewater Treatment Plant*: The sole intent of the initial annexations was to provide a path to get to a treatment plant location so the plant would be within city boundaries.
- *Local Improvement District (LID)*: Mr. Shreeve explained that a meeting had been held on February 22<sup>nd</sup> to discuss the formation of a local improvement district to help finance the treatment plant. The city is waiting for feedback from property owners and developers to learn whether this approach will work for our city. As proposed, if this LID is approved, would not impact the citizens of Kuna. It will be financed by growth or property owners and developers outside of existing city boundaries. If the LID fails, then we will look to the community to help finance and the project.
- *Sewer and Water service Available*: available.

### **Keep a “Voice in the Area – Growth is Coming!”**

- *Highway between Lake Hazel/Columbia Roads: Entrance to the City...* “First Impression:” Most people identify being “in Kuna” when traveling on Highway 60 in the area of Lake Hazel/Columbia Roads.
- *Control the Appearance and Quality of Any Development on “This Side of the Hill”*:
- *Direct Involvement with businesses established in the Area*: Control of the kinds of businesses along the corridor.
- *Direct Input Regarding Traffic Concerns Along Highway 69*: Kuna has an overlay ordinance for limited access on Highway 69 promoted by ACHD and the Kuna Transportation Task Force. Commercial access should only be allowed at the ½ mile or 1 mile points to avoid congestion similar to that on Eagle Road.
- *Improve Property Values by Controlling Development*: Encourage more diversity and variety in the area rather than stay status quo. Some developments coming into the city are on larger lots with more diversity than Kuna has experienced in the past

### **Ensure the Results:**

What is the city doing to ensure that the community is protected in this growth process?

- *Comprehensive Plan Update:* Kuna is in the process of a comprehensive plan update and considering joining a comprehensive plan study with the City of Meridian and Ada County. The city would like to establish land use values in conjunction with its neighbors and throughout the city as well.
- *City Code Update:* City codes are being updated, almost on a monthly basis.
- *Utilities Provided:* The city is in the process of correcting utility services to avoid moratoriums or delays in construction.
- *Development Agreements:* As developers come in there needs to be some special arrangements with a pending development to protect the interests of the city.

Mr. Shreeve stated that the last page of his presentation was just for information. (Taxes-Levy Rates see Page 6 of Engineer Shreeve's presentation attached to these minutes).

P & Z Interim Director Diana Sanders explained that Meridian actually had two proposed impact areas: Lake Hazel to Meridian Road to Columbia and down Locust Grove with an alternate impact area at Lake Hazel, down Linder, over on Hubbard, to Deer Flat and back west of Cloverdale.

In response to an unidentified speaker, Ms. Sanders explained that Meridian has developed two impact areas. Kuna has already annexed property in their impact area.

In response to an unidentified speaker, Mr. Shreeve stated that he had been in most of the meetings with Meridian and he felt that right now there is just a difference of opinion on the boundaries. The cities are currently working to resolve some of those differences.

City Attorney Randy Grove reported that there is a joint meeting scheduled with the City of Meridian on February 28, 2006. Communications with Meridian have broken down. Kuna's plan is to set its boundaries to coincide with school district boundaries. A new Meridian boundary map was proposed at their Council meeting a few weeks ago. Based on the new map, it appears as though Meridian's attitude is to take over to the north and to the east of Kuna, which butts up against our existing city limits. Kuna has annexed right up to the western boundary proposed by Meridian.

In response to an unidentified speaker, Mr. Grove responded that negotiations with Meridian have stalled because there is a piece of property that is under dispute. Part of that property is owned by developer Greg Johnson and part of the property is under contract to him. He is looking to develop a 700 acre tract and has been talking to Meridian about annexing the entire parcel of land into their city limits.

Terry, Desert View, stated that the Desert View subdivision comprises 215 houses, is located on the other side of Cloverdale and is within the Kuna School District. The residents are concerned that Boise will annex the subdivision. She wondered why that subdivision is not included in Kuna's impact area map.

Ms. Sanders explained that Kuna needs to have an impact map for planned water, sewer and irrigation. The city has to be able to reasonably provide service to those people annexing into the

city limits and into our area of impact. Properties wanting to be annexed into the city must touch city limits and be contiguous to city limits. Cloverdale is a long distance from Kuna city limits.

In response to Cathy Nelson, Ms. Sanders stated that the master plan could be revised, but the city would still have to show that it can provide services to the impacted area within a certain amount of time.

Mr. Shreeve stated that persons in the Desert view area need to talk about the feasibility of annexation into Kuna with their representatives after the meeting.

James Persedi asked who has the ultimate say when cities disagree on their boundaries.

Mr. Shreeve explained that the property owners ultimately decide. Master plans help cities plan what their boundaries might be to arrange for services to the area.

Mr. Grove further explained that cities put together comprehensive plans to try figure out an area of impact that they want to propose to the county. The Ada County Commissioners then make a decision whether they are going to grant the city's proposal of that area of impact. The approved area of impact does not prevent any other city that has contiguous land from annexing into another city's impact area. Kuna is asking for an area of impact around the area of Lake Hazel and Meridian is asking for an impact area south of Lake Hazel. The disputed area in between can be resolved in a number of different ways: 1) Ada County Commissioners would be faced with making the decision as to which city to grant that area of impact. If a city had its impact area taken away by this decision, it could appeal that decision to a district judge; 2) in those areas where there is a disputed boundary, if the county draws a line and one of the cities appeal that line, then County Commissioners have to hold an election. In that election, all persons living in the proposed area of dispute get to vote and the majority vote would draw the line. Cities can annex anything that is contiguous as long as annexation is requested by the land owner; 3) forced annexation: Large tracts and large parcels of land cannot not be forcibly annexed by a city--the limit is 2-1/2 acres.

Sheri Russell stated that she had been watching the boundary dispute and attending a lot of meetings regarding the issue with great concern. She stated that she would like to see all land owners within the area from Lake Hazel work together to annex into the city to help create that boundary. Further, she indicated that Kuna should protect the integrity of Highway 69 because the first impression one gets of Kuna is by traveling south on that corridor. If Meridian takes Highway 69, it will not affect the integrity of Meridian because it is over the hill and nobody sees it. They won't care how the city looks and they won't care what is out here as long as they get the taxes. It will not impact what Meridian looks like, but it will affect the looks of Kuna. She encouraged all land owners within the area of Lake Hazel to annex into Kuna.

Ron Johnson asked when plans Meridian would have for fire protection if they annex areas within Kuna's impact area.

Fire Chief Doug Rosin explained that it depends on the growth and the annexations. If there were a lot of growth in that area, the District would probably need a station in that location.

An unidentified speaker stated that his property is on the west side of Highway 69 right at the brow of the hill and wondered if he would have to landscape along the highway if annexed into Kuna.

Ms. Sanders explained that the requirements for landscaping along Kuna's corridor would be in place. Every city on a state highway is will have to have a landscaping requirement when the property is developed.

Ray Patterson asked if the Greg Johnson property is contiguous to Meridian.

Mr. Shreeve stated that Kuna has a potential annexation route to the property but that issue has not been settled as yet.

Mr. Patterson reported that the Patterson Family, with properties on both sides of Linder, south of Columbia, would like to be part of Kuna since family members and grandchildren feel that Kuna is their home.

In response to an unidentified speaker regarding Letters of Intent, Councilman Dowdy responded that the Letters may not hold much clout if another city is planning to annex those properties. If the landowner requests annexation into a city, then that would be reviewed by that city's council. The purpose of the Letter of Intent is to get a feel for how the people that own land out in the unincorporated area between the two cities feel about affiliating with either city.

The same unidentified speaker asked if the Kuna City Council received Letters of Intent from 1,000 or more property owners, would the value of Kuna's argument again Meridian encroaching on Kuna's impact area be increased.

Councilman Dowdy responded that the Letters would add value against Meridian's encroachment and enable Ada County Commissioners to make a decision on where they draw the line of the impact area.

Mr. Shreeve stated that it is Kuna's intent to reach out and learn people's interests regarding city boundaries. Kuna has started this process and that is the purpose of the Letters of Intent.

Ms. Sanders reported that samples of the Letter of Intent are available at this meeting for anyone interested in obtaining a copy.

Charlie Chinn expressed concern that the Letter of Intent was somewhat intimidating in that it is a legal document.

Ms. Sanders clarified that the Letter of Intent is not a legal document but simply an expression of a property owner's interest in being a part of Kuna.

Cathy Nelson asked if there would be any protection for the Desert View subdivision to be annexed into Kuna if 80% of the residents were to sign Letters of Intent.

Councilman Dowdy explained that if Boise is thinking about coming into the Desert View area and forcibly annexing, then the residents will have to deal with the City of Boise on that issue. There is no contiguous route from the existing boundary of Kuna city limits to this subdivision at this time. It is the properties between Kuna and Desert View that prevents Desert View from requesting annexation by Kuna.

Attorney Grove clarified that State Code breaks annexations up into different categories. Property owners opposed to annexation cannot be forcibly annexed unless the property is inside a city's impact area. Consensual annexation can go outside a city's area of impact as long as the property is contiguous to the city's boundaries

In response to an unidentified Desert View speaker, Mr. Shreeve responded that annexation must be parcel by parcel and the parcels have to be contiguous. Strip annexation is illegal

Jenny Gregor, Kuna Postmistress reported that the Kuna Post Office also has strange boundaries and where mail is delivered. Many people residing north of Hubbard Road get their mail from Meridian. It is important to the Kuna Post Office to support the city's annexation proposals and proposed impact area.

Alicia, Desert View stated that she wanted to raise her children in Kuna and wondered how the subdivision could become a part of the Kuna community.

Mr. Shreeve explained that two miles of contiguous annexations would have to take place before the Desert View Subdivision could be annexed into Kuna's boundaries.

In response to an unidentified speaker from Desert View, Mr. Grove explained stated that as long as the subdivision is not in Boise's impact area and the residents oppose annexation, the homes in Desert View are safe from annexation.

In response to an unidentified speaker from Desert View asking how the subdivision would avoid being added to Boise's impact area, Ms. Sanders replied that two public hearings would have to be held before being added to the impact area. One public hearing will be held by Ada County and the other hearing will be held by City of Boise where Desert View residents could give public testimony asking to remain outside Boise's area of impact.

An unidentified speaker stated that he was appalled at Meridian's attempt to annex all the way down to Hubbard Road and wondered how they would feel if Boise tried to annex within two miles of their downtown. He thought that it would be terrible if Meridian annexed to within two miles of downtown Kuna.

An unidentified speaker stated that everyone on this side of the hill wants to be in Kuna, not Meridian. He felt that Meridian is a bunch of land grabbing politicians.

An unidentified speaker stated that he didn't want to be a part of Kuna because of what Kuna has done to its land and property. He felt that the Planning & Zoning Commission turns down larger lots and the city needs to look at those smaller lots. If this is the way Kuna is going to grow, he did not want to be a part of Kuna.

Ms. Sanders explained that Kuna has been zoning properties with larger lots. There are a lot of starter home communities. The average square footage of new homes over the last several years has been between 2,000 and 2,300 sq. ft.

An unidentified speaker stated that he would protest splitting Meridian Highway down the center between Kuna and Meridian.

Councilman Dowdy responded that it has never been Kuna's proposal to split Highway 69 down the center but rather the proposal is to annex over to Locust Grove. The map referred to by the previous speaker was prepared by the City of Meridian, not by the City of Kuna.

Susan Palmer stated that she lived between Columbia & Hubbard and that she would like to be a part of Kuna.

Cathy Nelson, Desert View, asked for more clarification on city impact area boundaries as shown n the map and annexi

Mr. Grove stated there are two issues involved with annexation: 1) whether or not property owners want to be annexed by a particular city and 2) justification of an annexation from a city's perspective and legally, the annexation has to be done for a public purpose. The city would have a problem with an annexation in providing city services to the annexed area in a reasonable period of time and the annexation has to be done for a public purpose.

An unidentified speaker felt that a lot of land grab is going on by both cities with little preparation behind it. Both cities need to slow down a little bit and make sure that the growth and planning is done well so that Kuna is an attractive and well-planned community in which to live.

Councilman Dowdy explained that most of the homes being built right now are in subdivisions approved more than two years ago, prior to the current city council. Recent annexations were requested by landowners, not by developers. Kuna needs a new sewer plant because the current plant has reached capacity. The City had discussions with Ada County Commissioners about putting the treatment site to the north of town because all flow runs in that direction rather than pumping everything up hill the way it is now. During the discussion with the County, the need for a special use permit was discussed to site a plant in county territory. The unofficial response from the County was that they would prefer not to deal with a special use permit in County territory but that the city should annex the property for the site to locate it within Kuna city limits. After meeting with the County, the city spoke to landowners in that area who were willing to annex and all the land has been annexed and zoned agricultural. One of the first developments brought before the current City Council was Durango Springs. It is part of the parcel of land owned by Greg Johnson, which he is now looking to annex into the City of Meridian. Kuna's Council denied annexation of that property because it didn't approve of his plans for the subdivision. Therefore, Mr. Johnson is looking elsewhere for annexation because Kuna was not willing to accept what he was proposing for his property. Two other subdivisions approved by the current City Council include Denali Heights and Silverdale because they proposed larger lots and higher end homes. This is the direction the city is trying to get the development community to move toward. It has been a difficult battle, but because of the

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situation with sewer capacity, the city cannot approve more development. That was part of reason for the moratorium a couple of years ago. The current City Council is not interested in approving subdivisions containing starter homes and has been working with the development community to build larger, higher quality homes.

With respect to the speaker's comments that Kuna is participating in a land grab, Councilman Dowdy stated that the city does not consider its annexation efforts to be a land grab. The annexations started out as a means to get to a new treatment site to the north of the city limits. Shortly after Kuna started its current annexation process, the City of Meridian began pushing to aggressively annex into Kuna's impact area. Meridian's proposed area of impact would cut off the City of Kuna to the east and the north, which has precipitated the town hall meetings. Kuna is trying to protect its identity and protect its space for economic viability and future growth. It is coming down to sewer, protecting our identity and having a commercially-viable option along the highway, which won't happen if Meridian's annexations cut into Kuna's proposed boundaries. The proposed Meridian area of impact basically butts up to Kuna's existing boundary on the north and east. The City Council is very concerned about losing Highway 69 and other major roads, which could become arterials in the future. The result would be that Kuna won't have a commercial base and the city will dry up or turn into a slum. The City Council wants to protect the city and in turn, protecting all of its residents living on the outskirts in nicer homes.

Councilman Lang stated that the Council has asked the developers when they come before the Council for larger lots and homes. Many of them have told us that larger homes are not what are driving the product today. They build what sells. If property owners want something larger, they need to be careful who they sell their property to and assure themselves that the type of development is what they foresee placing on the land. Denali Heights is being developed by the property owners themselves, not by a developer, which is why the subdivision will have larger lots and higher end homes. Developers tell the city that larger lots and higher end homes are not what people want out here. People want to move to Kuna for the quality of life and the school district and they will buy whatever is available here. Many residents leave Kuna because there is nothing to step up to. Even though the city cannot compel developers to build on larger lots and provide up-scale homes, the city has strongly suggested the benefits of providing higher end homes to developers. The City Council is dedicated to the community and wants to see the community grow and develop to become a quality community where the citizens are proud to live. If property owners share that vision, they need to encourage developers to provide the type of projects that fit that vision.

In response to an unidentified speaker, Council President Lang explained that library boundaries would not change even if Meridian annexed properties within Kuna School Districts boundaries.

Anna Canning, City of Meridian, spoke regarding areas of the common boundaries. She stated that Kuna has made a tentative commitment to participate in a joint open space and land use study for the area between the two cities. Meridian would really like to work together to learn of Kuna's concerns regarding development in that area.

Mr. Shreeve stated that two plans have been developed: 1) the land use plan, which Anna was referring to for joint planning and making sure that certain things occur out there; 2) utility

planning to provide sewer and water. The plan for Kuna to provide utilities for its impact area is in motion. On a land use perspective, the City may participate in the joint plan with Meridian and Ada County to see what may be accomplished. The purpose of this Town Hall meeting is for Kuna to obtain letters of intent to annex before the joint meeting with Meridian next week. The letters will give Kuna and Meridian feedback on how property owners want this area to be developed and by whom.

There being no further business to conduct, the meeting was adjourned at 9:10 p.m.

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Jeffery T. Lang, Council President

ATTEST:

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Lynda Burgess, City Clerk

APPROVED AS SUBMITTED: April 18, 2006