

**CITY OF KUNA
REGULAR COUNCIL MEETING
MINUTES
TUESDAY, FEBRUARY 19, 2013
Kuna City Hall Council Chamber, 763 W. Avalon Street, Kuna, Idaho**

6:30 P.M. PRE-COUNCIL WORK SESSION

COUNCIL MEMBERS PRESENT: Mayor W. Greg Nelson
Council President Richard Cardoza
Council Member Briana Buban-Vonder Haar
Council Member Doug Hoiland
Council Member Joe Stear

CITY STAFF PRESENT: Richard Roats, City Attorney
Gordon Law, City Engineer
John Marsh, City Treasurer
Wendy Howell, P & Z Director
Brenda Bingham, City Clerk

1. Call to Order and Roll Call

Mayor Nelson welcomed everyone and called the meeting to order at 6:35 p.m. Roll call reflected Council Members Buban-Vonder Haar, Hoiland and Stear present at the meeting. Council President Richard Cardoza arrived shortly after the meeting began.

2. Roundabouts Overview – Andrew Cibor, P.E., Assistant Traffic Engineer with Ada County Highway District

Andrew Cibor gave a presentation per Council's request on roundabouts depicting their qualities and how they work within various communities.

3. Adjournment

The work session adjourned at 7:12 p.m.

7:00 P.M. REGULAR COUNCIL MEETING

COUNCIL MEMBERS PRESENT: Mayor W. Greg Nelson
Council President Richard Cardoza
Council Member Briana Buban-Vonder Haar
Council Member Doug Hoiland
Council Member Joe Stear

CITY STAFF PRESENT: Richard Roats, City Attorney
Gordon Law, City Engineer
John Marsh, City Treasurer
Wendy Howell, P & Z Director
Bobby Withrow, Parks Superintendent
Brenda Bingham, City Clerk

Call to Order and Roll Call (*Timestamp 00:36:31*)

Mayor Nelson welcomed everyone and called the meeting to order at 7:13 p.m. Roll call reflected Council President Richard Cardoza and Council Members Buban-Vonder Haar, Hoiland and Stear present at the meeting.

Invocation: Randy Maxwell, 7th Day Adventist

Pledge of Allegiance: Mayor Nelson

Consideration to Amend Agenda (*Timestamp 00:37:57*)

(*Per IC 67-2343 Effective July 1, 2009*) The Council must move to amend the agenda to include the following:

2 D – A Fee Waiver Request for use of the Senior Center on March 9, 2013 for Distinguished Young Women (non-profit) to Hold a Luncheon with Special Speakers – Susan Walker

Council Member Stear moved to amend the agenda to include item 2D – A Fee Waiver Request for use of the Senior Center . Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0

1. Consent Agenda: (*Timestamp 00:38:30*)

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 Old Business or as instructed by the City Council.

A. City Council Meeting Minutes:

1. Minutes of February 5, 2013
2. Minutes of February 13, 2013 - Special Meeting

B. Accounts Payable Dated February 19, 2013 in the Amount of \$229,999.44

C. Alcohol Licenses: None

D. Resolutions:

1. Adopt Resolution R04-2013 A Resolution of the Mayor and Council of the City of Kuna, Idaho, Authorizing Destruction of Records

E. Findings of Facts and Conclusions of Law:

1. 12-03-AN / 12-03-DA – Joseph Guido Annexation and Development Agreement Request for 4000 W. Columbia Road, Meridian, Idaho

Council Member Stear moved to approve the Consent Agenda as presented. Seconded by Council Member Hoiland, all voting aye. Motion carried 4-0

2. **Citizen's Reports or Requests:**

- A. Fee Waiver Request for use of Senior Center on March 2, 2013 for a Chili Feed Fund Raiser by the Lions Club – Diana Cullin (*Timestamp 00:39:14*)

Council Member Stear moved to approve the Fee Waiver Request for use of the Senior Center on March 2 for a Chili Feed Fund Raiser by the Lions Club. Seconded by Council President Cardoza, all voting aye. Motion carried 4-0

- B. Kuna Farmers Market Agreement for use of Bernie Fisher Park – Quency Murphey, 2013 Kuna Farmers Market President (*Timestamp 00:44:22*)

Council Member Buban-Vonder Haar moved to approve the Kuna Farmers Market Agreement for use of the Bernie Fisher Park for the 2013 season. A question on the motion clarified the agreement states the Kuna Farmer's Market will pay \$250 for the entire season. Seconded by Council Member Stear, all voting aye. Motion carried 4-0

- C. Annual Crime Report – Kody Aldrich, Chief of Police (*Timestamp 00:51:19*)

Chief Aldrich presented a summary report for 2012 including statistics and the following highlights:

- Increased enforcement of aggressive driving and DUI through grants from the Idaho Transportation Department and Office of Traffic Safety.
- Instructed a semester-long leadership course at Initial Point High School.
- Created a Kuna Police Activities League (PAL) for Kuna youth to participate in activities.
- Expanded office hours and added a fulltime office manager to provide better public service.
- Crime and citizen calls for service reflected a slight increase.
- An additional School Resource Officer will be added this month.

- D. A Fee Waiver Request for use of the Senior Center on March 9, 2013 to Hold a Luncheon with Special Speakers for a Scholarship Program for Kuna High Distinguished Young Women (non-profit) – Susan Walker (*Timestamp 01:02:03*)

Council Member Stear moved to authorize the fee waiver request for use of the Senior Center on March 9th for the Kuna High Distinguished Young Women. Seconded by Council Member Hoiland.

Voting Yes: Council Members Cardoza, Hoiland and Stear

Voting No: Council Member Buban-Vonder Haar

Motion carried 3-1

3. Old Business: None

4. Public Hearings: (7:00 p.m. or as soon thereafter as matters may be heard.) None

5. New Business:

A. Consideration for Approval Resolution R03-2013 (*Timestamp 01:10:23*)

A Resolution Amending that Portion of Resolution No. R10-2010 that Provided for Restrictions on the Conditions of Transfer of an Equivalent Dwelling Unit (EDU) to a City Platted Lot Where the EDU is Paid in Full, Now Amending Said Restriction and Permitting an EDU to be Transferred to any Platted Lot, Parcel or to be Held Without Attachment to Land, so Long as the EDU is Paid for in Full; Providing for Restrictions on Transfer of the EDU Between the North and the South Wastewater Treatment Plants; Providing that this Resolution Shall Not be Separable from Ordinance 2010-3; and Providing an Effective Date – Richard Roats, City Attorney

Attorney Roats summarized the significant changes and explained this resolution is Exhibit C to the LID Settlement Agreement approved on February 13, 2013.

Council Member Buban-Vonder Haar moved to approve Resolution R03-2013. Seconded by Council Member Stear, all voting aye.

Motion carried 4-0

B. Results of Financial Operations through January 2013 – John Marsh, City Treasurer (*Timestamp 01:15:04*)

John Marsh reported on revenues and expenditures for each fund noting revenues exceeded expenditures by \$782,635 for the fiscal year period October 2012 through January 2013. The combined cash balance at the end of January 2013 reflected \$5,729,756.

6. Ordinances:

A. **Third Reading of Ordinance No. 2013-03 Special Events** (*Timestamp 01:23:40*)
Consideration to dispense with full reading and three consecutive readings.

Consideration to approve ordinance.

Consideration to approve a summary publication of the ordinance.

An Ordinance of the City of Kuna, Idaho Creating a New Chapter 8, Title 3 of the Kuna City Code Defining Special Events, Creating Permits and Terms Specific to the Same, Requiring Special Event Permits to Operate Within the City of Kuna, Providing for a Method for Application and Issuance of Such Permits, Providing a Method for Establishing Fees, Providing for Revocation of Such Permits, Providing for a Penalty for Violations, a Severability Clause, and Providing an Effective Date.

Council Member Buban-Vonder Haar moved to approve Ordinance No. 2013-03 Special Events. Seconded by Council Member Hoiland with the following roll call vote:

Voting Yes: Council Members Cardoza, Hoiland, Buban-Vonder Haar and Stear

Voting No: None

Absent: None

Motion carried 4-0

Council Member Buban-Vonder Haar moved to approve a summary publication of Ordinance No. 2013-03 Special Events. Seconded by Council Member Stear, all voting aye.

Motion carried 4-0

7. Mayor/Council Discussion Items:

8. Announcements:

9. Executive Session: (Timestamp 01:25:45)

- A. Adjourn to Executive Session Pursuant to Idaho Code 67-2345(f) for the Purpose of Discussing Potential Litigation – Tort Claim / Ada County Highway District / 4th Street

Council Member Buban-Vonder Haar moved to adjourn into an Executive Session. Seconded by Council Member Stear with the following roll call vote:

Voting Yes: Council Members Cardoza, Hoiland, Buban-Vonder Haar and Stear

Voting No: None

Absent: None

Time: 8:02 p.m.

Motion carried 4-0

Council Member Buban-Vonder Haar moved to adjourn from the Executive Session and reconvene the Regular Council Meeting. Seconded by Council Member Stear, all voting aye. Motion carried 4-0

10. Adjournment:

Council Member Stear moved to adjourn the meeting at 8:20 p.m.

W. Greg Nelson, Mayor

ATTEST:

Brenda S. Bingham, City Clerk

Minutes prepared by Brenda Bingham

Date Approved: CCM 3/5/13

An audio recording of this meeting is available at City Hall upon request or it can be accessed at the City of Kuna website www.cityofkuna.com.