

**CITY OF KUNA  
REGULAR COUNCIL MEETING  
MINUTES  
TUESDAY, FEBRUARY 5, 2013  
Kuna City Hall Council Chamber, 763 W. Avalon Street, Kuna, Idaho**

**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  
Wendy Howell, P & Z Director  
Bobby Withrow, Parks Superintendent  
Royce Davis, Sewer Superintendent  
Brenda Bingham, City Clerk

**Call to Order and Roll Call**

Mayor Nelson welcomed everyone and called the meeting to order at 7:00 p.m. Roll call reflected Council President Cardoza and Council Members Buban-Vonder Haar, Hoiland and Stear present at the meeting.

**Invocation:** Karen Hernandez, United Methodist Church

**Pledge of Allegiance:** Mayor Nelson

**1. Consent Agenda: (Timestamp 00:02:15)**

*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 January 15, 2013

B. Accounts Payable Dated February 5, 2013 in the Amount of \$156,549.09

- C. Alcohol Licenses: None
- D. Resolutions: None
- E. Findings of Facts and Conclusions of Law: None

It was noted a policy regarding certification testing for city employees will be included with the Personnel Policy re-write. A suggestion was made for the City to pay the testing fee the first time, then half of the fee the second time and then the employee paying the full fee after that.

**Council Member Stear moved to approve the Consent Agenda. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0**

**2. Citizen's Reports or Requests:** None

**3. Old Business:**

- A. Mobile Vendor Discussion Regarding Private Property – Richard Roats, City Attorney

Attorney Roats asked if there was an interest in expanding the recently approved Mobile Vendor Ordinance to private properties. The Special Use Permit of \$800 was briefly discussed. Mr. Roats will prepare a draft ordinance based on comments received for review at a future meeting.

**4. Public Hearings:** (7:00 p.m. or as soon thereafter as matters may be heard.)  
(Timestamp 00:19:22)

- A. **12-03-AN / 12-03-DA – Joseph Guido Annexation and Development Agreement**  
**Request:** The applicant requests to annex a 2-acre parcel located at 4000 W. Columbia Road from the County into the City Limits of Kuna. There is an accompanying development agreement to guide possible future development with this request. The applicant and the owner are not planning for development at this time.

Troy Behunin, P&Z Planner, explained the request to annex a 2.0 acre parcel of ground currently zoned RR (Rural Residential) into the city limits with a request to change the zoning to an R-2 (Low Residential). A public meeting has been held with the Planning & Zoning Commission and a neighborhood meeting has been held with no objections noted.

The applicant would like to retain ability to use the meeting hall currently existing on the property which historically has been used to facilitate grange meetings and other civic uses. If approved, the historic meeting hall shall be considered a non-conforming use as long as the footprint does not change.

Kathy Guido asked for the building to be referred to as the Highline Star Building in the application.

A discrepancy of the property ownership was noted on the paperwork. Mr. Behunin explained that at the time of the application and submittal of the application, Joe and Kathy Guido were the owners of the property. The process began with a potential buyer for the property and they had an agreement with each other that they would follow through with the annexation request which led to a change in ownership.

Mayor Nelson opened the public hearing at 7:30 p.m.

#### SUPPORT

Kathy Guido was signed up in support of the proposed Annexation & Development Agreement but didn't have any additional information to state at this time.

#### NEUTRAL

None

#### OPPOSE

None

Mayor Nelson closed the Public Hearing at 7:31 p.m.

**Council Member Stear moved to approve case number 12-03-AN and 12-03-DA – Joseph Guido Annexation and Development Agreement Request. Seconded by Council Member Cardoza, all voting aye. Motion carried 4-0.**

#### **5. New Business:**

- A. Discussion on Revising Utility Billing Procedures – Richard Roats, City Attorney  
(Timestamp 00:31:27)

Mayor Nelson explained changes are needed to update the utility billing processes which include updating the Caselle Clarity software, moving utility billing staff to City Hall and bringing the billing services now performed in Caldwell in-house. This process is beginning now and estimated to be completely by early spring. A general discussion on the proposed changes took place.

#### **6. Ordinances:**

- A. **Second Reading of Ordinance No. 2013-03 Special Events** (Timestamp 00:57:14)  
*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.

This ordinance will be placed on the next agenda as a 3<sup>rd</sup> reading.

**7. Mayor/Council Discussion Items:** *(Timestamp 00:58:57)*

Mayor Nelson reported the Community Garden is moving ahead and gardening classes have been scheduled.

The Mayor met with Trail Association today and is checking into using a trail maker for the extension of the greenbelt.

A meeting will be held with the 5<sup>th</sup> grade Principals to engage the students with research on native plants as part of developing the historical trail.

Council Member Stear reported he and Mayor Nelson attended the Officials Day at the Capitol and briefly reported on the issue regarding the repeal of the personal property tax.

**8. Announcements:**

**9. Executive Session:**

- A. Adjourn to Executive Session Pursuant to Idaho Code 67-2345(b) for the Purpose of Discussing Personnel (01:11:55)

**Council Member Buban-Vonder Haar moved to adjourn to executive session pursuant to Idaho Code 67-2345(b) for the purpose of discussing personnel. Seconded by Council Member Stear with the following roll call vote:  
Voting Aye: Council Members Cardoza, Hoiland, Buban-Vonder Haar and Stear  
Voting No: None  
Absent: None  
Motion carried 4-0  
Time: 8:12 p.m.**

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

**10. Adjournment:**

Council Member Stear moved to adjourn the meeting at 8:35 p.m.

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W. Greg Nelson, Mayor

ATTEST:

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Brenda S. Bingham, City Clerk

*Minutes prepared by Brenda Bingham*

*Date Approved: CCM 2/19/13*

***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](http://www.cityofkuna.com).***