

OFFICIALS

Joe Stear, Mayor
Richard Cardoza, Council President
Briana Buban-Vonder Haar, Council Member
Pat Jones, Council Member
Greg McPherson, Council Member



CITY OF KUNA

Kuna City Hall Council Chamber, 751 W 4th Street, Kuna, Idaho

City Council Meeting MINUTES Tuesday, January 3, 2017

6:00 P.M. REGULAR CITY COUNCIL

1. *Call to Order and Roll Call*

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear
Council Member Pat Jones
Council President Richard Cardoza
Council Member Briana Buban-Vonder Haar via speaker phone
Council Member Greg McPherson

CITY STAFF PRESENT:

Richard Roats, City Attorney
Chris Engels, City Clerk
Wendy Howell, P & Z Director
Gordon Law, City Engineer
John Marsh, City Treasurer
Bobby Withrow, Parks Director
Trevor Kesner, Planner II
Troy Behunin, Planner III

2. *Invocation:* Justin Sturgeon, New Beginnings Christian Church

3. *Pledge of Allegiance:* Mayor Stear

Mayor Stear notified Council that item 7D needed to be removed from the agenda. It does not require Council approval.

Council President Jones moved to remove item 7D from the agenda. Seconded by Council Member McPherson. Motion carried 4-0.

4. *Consent Agenda:*

(Timestamp 00:02:19)

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.

A. City Council Meeting Minutes:

I. Regular City Council Minutes, December 20, 2016

B. Accounts Payable Dated December 29, 2016 in the Amount of \$198,382.12

C. Final Plat

I. Consideration to approve 16-15-FP (Final Plat) – Mineral Springs Sub No. 3

Applicant seeks final plat approval for Mineral Springs Sub No. 3. If approved, this will create 12 buildable lots at the south west corner of School Ave. and Ardell Roads.

D. Resolutions

I. Consideration to approve Resolution No. R01-2017 - Grant of ACHD Irrevocable Standby Letter of Credit

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE IRREVOCABLE LETTER OF CREDIT IN THE AMOUNT OF \$25,000 WITH THE ADA COUNTY HIGHWAY DISTRICT AS THE NAMED BENEFICIARY.

Council President Jones moved to approve the consent agenda. Seconded by Council Member McPherson. Motion carried 4-0.

5. Community Reports or Requests: None

6. Public Hearings: (6:00 p.m. or as soon thereafter as matters may be heard.)
(Timestamp 00:03:00)

A. Public Hearing and consideration to approve 16-04-ZC (Rezone) – Keith Clow – Trevor Kesner, Planner II

Applicant requests to rezone approximately 8.74 acres currently in city limits from an (A) agriculture zone to a (C-2) Area Business District commercial zoning designation, in order to construct a commercial storage facility. The site has no assigned address and is located on the east side of N. Meridian Road, south of E. Meadowview Road and north of E. Kuna Road.

Planner II Trevor Kesner explained the details of the application and the conditions that would need to be met by the applicant. He stood for questions. None were received.

Mayor Stear opened the public hearing.

In Favor: Lloyd Pack, P.O. Box 1381 Caldwell, Idaho, 83606, stated he is one (1) of the engineers on this project. Mr. Kesner covered what Mr. Pack wanted to say so he stood for questions. None were received.

Neutral: None

In Opposition: None

Council President Jones moved to close the public hearing. Seconded by Council Member McPherson. Approved by the following roll call vote: Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and McPherson. Voting No: None Motion carried 4-0.

Council Member Cardoza stated he had mixed emotions about a facility of that size at the curve on the north. There are speed limit changes. Coming south, there will be traffic, including trailers and big trucks, pulling into the facility. He doesn't feel it's a safe situation. He would be more comfortable with a lighter use.

Council President Jones said he has the same concerns as Council Member Cardoza but he also noticed the responding parties didn't have concerns with it. He wasn't sure if the requirements could be changed and doesn't want to deter business. He clarified with Planning & Zoning Director Wendy Howell that the SUP will go to the Planning & Zoning Commission and nothing else will be going before Council for a vote.

Ms. Howell responded. (*Unintelligible – mic was not on*)

Council President Jones reiterated the only thing Council will vote on is the rezone. He added that he has concerns but nothing to substantiate them.

Mayor Stear said it would be good to know if it is close to the half mile mark. The curve does come around quite a ways. He asked Mr. Kesner to comment.

Mr. Kesner responded that their concerns are correct and, duly noted, based upon the frequency of turning in and the ingress and egress there for commercial use. A Planning & Zoning Commissioner asked the same questions but ITD didn't provide any restrictions. The permit has been approved by ITD but there may be some form of provisions the design review committee could recommend or they could have

applicant explore some creative ways to possibly mitigate the potential for any dangerous ingress and egress situations.

Mayor Stear added that it is at the quarter mile mark and not the half mile mark as he had previously thought.

Council Member McPherson noted it is a five (5) lane road with a turn lane. He wasn't concerned.

Council Member Buban-Vonder Haar said, if ITD isn't concerned, she is comfortable relying on their expertise.

Council Member Cardoza asked City Engineer Gordon Law about use of a water pump to the location.

Mr. Law said the recommendation of the City Engineer, which is based on what the City has done in the past in these situations, was to take care of the issues of fire protection done through the provision of water surface immediately. Immediate connection to Pressure Irrigation or Sewer is not recommended but there are trigger points later on in time that would cause a connection to those facilities.

Council Member Cardoza wanted Council to note water would have to be pumped in.

Council President Jones, based on the staff analysis, the criteria for rezoning, and the comprehensive plan analysis of meeting Kuna's goals of property rights, economic development, and land use, moved to approve 16-04-ZC (Rezone). Seconded by Council Member McPherson. Approved by the following roll call vote:

Voting Aye: Council Members Jones, Buban-Vonder Haar, and McPherson.

Voting No: Cardoza

Motion carried 3-1.

7. Business Items:

(Timestamp 00:18:48)

- A. Election of a Council Member to serve as president of the Council until the first meeting in January of 2018 – Mayor Stear

Mayor Stear explained that this would be an annual election and a person would be asked to step in for situations and meetings when the Mayor is not available or double booked. The situations can be short notice.

Council Member Cardoza asked if there would be discussion.

Mayor Stear said the Council is welcome to discuss before making nominations.

Council President Jones said the code needed to be clarified for short notice. He is concerned about a member that has to leave their job on short notice, possibly with no compensation. There could be a time when there are four (4) council members that can't respond on short notice. He brought the matter up about compensation for a Council President for their availability on short notice. He was aware of other cities that have compensation for their Council Presidents. He felt, if it is going to a short notice thing, there should be something for the Council President so they do not lose time above what a typical Council Member would.

Council Member Buban-Vonder Haar asked if Council President Jones thought it should be a flat rate or something different based on actual needs.

Council President Jones said a flat rate could be done. A lot of the cities he looked at did flat rates. The amount would need to be figured out. He wasn't sure exactly how many times a Council President would need to fill in. He was only asked to fill in on two (2) occasions; one (1) he was unable to cover and the other never materialized. How much or how little a Council President will be asked to cover will need to be figured out and then who has the ability to cover that needs to be determined.

Mayor Stear said availability on short notice isn't in code but that is his preference if it fits the needs and wishes of Council. He provided some examples of times when he has trouble attending conflicting meetings. Those have not been very frequent in the past year and he did not expect them to be frequent in the following year but they are coming up more and more. Availability is his preference but it is up to Council. Compensation was up to Council as well. He thought it would be limited to eight (8) to ten (10) meetings a year unless the Council President wished to sit on committees.

Council Member Cardoza was willing to leave it open and have the president keep track of the time and then review it at the end of the year. He would like to see a description of what would be expected of the President. That might make it easier for Council Members when deciding who to elect in coming years.

Mayor Stear said the description was changed at the last meeting and it is pretty open.

Council Member Cardoza thought there should be a more adherent description of what is expected of that individual. That would make it easier for new members coming in.

City Attorney Richard Roats said he can draw up a description.

Council Member Buban-Vonder Haar said she has been on Council for five (5) years and is still unclear on everything the Council President is responsible for. She would like to see a description for more clarity as well.

Mayor Stear said right now the Council President is the co-signer for the financials and fills in for the Mayor when needed. It is pretty broad.

Council President Jones said if the ability to fill in on short notice is going to be required he would probably not be able to do it due to his job, however, if it is only to fill in if the Mayor becomes incapacitated or something of that nature, that is different matter. He asked if it needs to be a Council Member because of the issue of power.

Mayor Stear said with most of the meetings he sits in on he needs to assign someone as his alternate at the beginning of the year. There are ways to make someone else available and able to fill in. At those meetings the vote is actually the vote of the Mayor, meaning, in that capacity, whoever is filling in has the power of the Mayor which is why it is important to have one (1) person who can do that. He would not say this requires a Council President to fill in at a meeting. It is just his preference to have a Council President who is more available than not.

Council President Jones said that is another example of why a description is needed. He had not been aware that the Mayor had to assign an alternate with the power to vote in the Mayor's stead for those meetings. It would be helpful to add that to the description with any other expectations.

Council Member McPherson asked if Council Member Cardoza would be interested in the position.

Council Member Cardoza was agreeable to accepting the nomination.

Council Member Buban-Vonder Haar asked if a rotation should be set up. She was concerned about the cost of having to reprint business cards all the time and the initial responsibilities falling on one (1) person without any additional compensation depending on how much of an impact there really is. She thought rotating might be useful so that one (1) person does not have to take the brunt of it. She is fine with whatever the rest of Council decides.

Mayor Stear said it is not necessary for the business cards to say Council President. The Council President can operate with whatever business cards they currently have.

Council Member Buban-Vonder Haar recalled having to reprint business cards for Council President Jones when he was elected.

Mayor Stear said yes, that was done last time.

Council Member Cardoza asked City Clerk Chris Engels the cost of 1,000 business cards.

Ms. Engels thought it was somewhere in the \$30.00 to \$40.00 range. The City did order new cards last time but that was also due to the new City logo that needed to be updated on the City's business cards. She believed name plates were retained so there would not be that cost if there was a change. Also, some previous business cards have been retained if they are needed as well.

Council President Jones recused himself from being considered for the position based on Mayor Stear's concerns and preferences. He asked who would like to be considered for the position.

Council Member Buban-Vonder Haar would probably be able to do it and would do it but wouldn't be upset if she doesn't.

Council Member McPherson nominated Council Member Cardoza. Seconded by Council President Jones. Motion Carried 4-0.

Mayor Stear added that staff would work on creating a list of meetings and committees that require a designated person involved.

Council President Jones asked that staff also look into what other cities are doing in regards to compensation for Council Presidents.

- B.** Consideration to approve 16-01-TE (Time Extension) – Applicant requests a time extension for the Merlin Pointe Subdivision – Troy Behunin, Planner III
(Timestamp 00:37:44)

Applicant requests a time extension to allow a large commercial user and the land owner to finalize preparations and agreements for construction responsibilities. The site is located on the north west corner of the Kuna Curve, near Sailor Place and Kuna Road.

Planner III Troy Behunin provided the details of the application and stood for questions.

Council Member Jones verified two (2) one (1) year extensions are allowed.

Mr. Behunin said applicants are allowed as many one (1) year time extensions as Council sees fit to give.

Council President Cardoza clarified that the applicant is allowed an unlimited number of extensions.

Mr. Behunin believed the Council approved an amendment a couple years back where the limit on the number of extensions an applicant can apply for was removed.

Council President Cardoza said, on page 2 of 7 in item 7B, section 6-2-3-J says the maximum number of time extensions the City Council can grant is two (2).

Mr. Behunin said that was a typo for the record. It is not what code says currently.

Council Member Jones clarified that the preliminary plat is complete.

Mr. Behunin clarified everything was approved according to code in 2013. They have not requested any amendments and there have not been any significant changes by the City that would require things be done differently.

Council President Cardoza asked if there is a development agreement.

Mr. Behunin responded there is and the agreement wouldn't be changed and extends what has already been approved.

**Council Member Jones moved to approve 16-01-TE (Time Extension).
Seconded by Council Member McPherson. Motion carried 4-0.**

- C. Discussion on ID Badges with the possibility to approve funds from contingency to purchase equipment – Bobby Withrow, Parks Director
(Timestamp 00:45:00)

Parks Director Bobby Withrow reviewed the options available for ID badges that he provided in his memo. He explained the details and said the total would be approximately \$1,462.00. If Council would like to move forward with it, the funds will need to come from contingency.

Mayor Stear said the purchase of a digital camera for City Hall would be good for more reasons than just the ID badges.

Council Member Jones asked if City Hall already has a digital camera.

Mr. Withrow said Planning & Zoning and the Clerk's Office both have cameras.

Council Member Jones said a digital camera is not needed which puts the amount requested at \$1,062.00.

Council Member Buban-Vonder Haar asked if any security measures could be added to the ID badges with this equipment.

Mr. Withrow said there are printers available that can add security measures but this one (1) does not have that capability. He wasn't sure what Council direction was on the matter.

Council Member Buban-Vonder Haar said if this printer is just printing and laminating it seems like that is something the City could have already been doing.

Mr. Withrow said these won't be laminated. The printer will print right on the card and it will dry. Holders can be purchased for the badges to help them last longer.

Council Member Buban-Vonder Haar just wanted to make sure that the public can be confident that the employee is actually from the city.

Council Member Jones explained what he knew about the printer set up. He thought they would be difficult to duplicate but may not meet long term security goals. He told Mr. Withrow he thought the prices were high and everything could be obtained for \$700.00 without the camera.

Mr. Withrow said he wasn't sure but would look into something cheaper.

Council Member Buban-Vonder Haar asked how much card covers would be and to eliminate the cost of the punch.

Mr. Withrow would price the sleeves and deduct the punch.

Council Member Buban-Vonder Haar was fine with approving an amount for both options and having Mr. Withrow move forward with the best and most cost effective option.

Council Member Jones was fine with that as well and confirmed that this cost would be split across all departments.

Council President Cardoza asked if there is a policy about wearing the badge.

Mayor Stear said staff has discussed this and will work on a directive for employees on when to wear them and when not to wear them.

Planning & Zoning Director Wendy Howell asked if the badges were only for people who go out in the field of if they are for employees across the board.

Council Member Jones thought it should be across the board. He suggested looking into arm sleeves for public works employees.

Council Member Buban-Vonder Haar suggested clips instead of lanyards.

Mr. Withrow said he would look into different options and get employee input but he felt lanyards would be the easiest to use.

Council President Cardoza asked who would pay for lost badges.

Mayor Stear said the cost for the ID badges is minimal after the initial cost of the equipment. The badges are only a couple dollars.

Mr. Withrow said the cards are very inexpensive but did not have the exact amount. He did not think the City will need to purchase more cards for at least a year or two (2) since 100 cards are included.

Council President Cardoza was concerned about time lost for bringing an employee in from the field to repeatedly replace their badge.

Mr. Withrow said, with the digital camera, staff can go to the employees in the field and the picture can be stored and reused if needed.

Council Member Jones asked Mr. Withrow to look at breakaway lanyards for safety reasons.

Mayor Stear asked if Council would like to approve an amount not to exceed.

Council President Cardoza was fine with that.

Council Member Jones said he was comfortable approving up to \$1,000.00.

Council Member Buban-Vonder Haar said she would like the amount to be a little higher since they are asking Mr. Withrow to look into card holders and breakaway lanyards, adding to the cost. She would be fine with \$1,300.00 to give him wiggle room and with the direction to be as cost effective as possible within their expectations.

Council President Cardoza asked where the pictures would be stored.

Mr. Withrow said they would probably be kept on the S: drive.

Council Member Jones added the software allows for great detail and stores everything on it.

Council Member Jones moved to approve up to \$1,300.00 from contingency funds of each individual department split to HR's discretion to purchase ID Badge equipment and materials. Seconded by Council Member Buban-Vonder Haar. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and McPherson.

Voting No: None

Motion carried 4-0.

- D.** *Removed from the Agenda* Consideration to approve Resolution No. R02-2017 – Approving the Financial Guarantee Relating to City of Kuna Improvement Agreement (Cash Bond) – Richard Roats, City Attorney

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE FINANCIAL GUARANTEE RELATING TO COMPLETION OF

SUBDIVISION IMPROVEMENT ENTITLED CITY OF KUNA IMPROVEMENT AGREEMENT (CASH BOND) FOR P&F DEVELOPMENT RELATED TO THE INSTALLATION OF ONE STREET LIGHT IN THE AMOUNT OF \$4,944.00, AS PROVIDED FOR IN KUNA CITY CODE 6-4-3.

8. Ordinances:

9. Mayor/Council Discussion Items:

(Timestamp 01:01:24)

Mayor Stear reiterated his appreciation to the School District for the easement for Main Street storm drainage.

Mayor Stear discussed the need for safety in the upcoming snow storm and appreciates ACHD's work.

10. Announcements:

11. Executive Session:

12. Adjournment: 7:03 pm



Joe L. Stear, Mayor

ATTEST:


Chris Engels, City Clerk

*Minutes prepared by Ariana Welker, Customer Service Specialist
Date Approved: CCM 01.17.2017*

IN FAVOR

NEUTRAL

IN OPPOSITION

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