

**CITY OF KUNA
REGULAR CITY COUNCIL MEETING
MINUTES**

TUESDAY, NOVEMBER 19, 2013

Kuna City Hall Council Chamber, 763 W. Avalon Street, Kuna, Idaho

7:00 P.M. REGULAR CITY COUNCIL

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, Planning & Zoning Director
Troy Behunin, Sr. Planner
Bobby Withrow, Parks & Rec Superintendent
Brenda Bingham, City Clerk

Call to Order and Roll Call

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

Invocation: Randy Maxwell, Seventh-day Adventist Church

Pledge of Allegiance: Mayor Nelson

Request to Amend the Agenda (*Timestamp 00:01:30*)

John Marsh, City Treasurer, has requested the agenda originally posted on Friday, November 15, 2013 be amended to increase the Accounts Payable on the Consent Agenda Item 1B by \$149,843.77 creating a total of \$271,771.86.

The information for the amendment was received on November 19, 2013.

Council Member Stear moved to amend the agenda to increase item 1B by \$149,843.77 creating a total of \$271,771.86. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.

1. Consent Agenda: *(Timestamp 00:02:17)*

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 November 6, 2013 Regular Meeting

B. Accounts Payable Dated November 19, 2013 in the Amount of \$121,928.09

C. Alcohol Licenses:

D. Resolutions:

1. Resolution No. R48-2013 Applewood Subdivision Landscaping Installation Agreement

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE LANDSCAPING INSTALLATION AGREEMENT BETWEEN THE CITY OF KUNA, IDAHO AND DBTV APPLEWOOD FARM, LLC WHEREIN DBTV APPLEWOOD FARM, LLC WILL LANDSCAPE THE COMMON LOT KNOWN AS BLOCK 4, LOT 1 OF APPLEWOOD SUBDIVISION NO.1

2. Resolution No. R50-2013 Lease Agreement – Snake River Young Marines
A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE REAL ESTATE LEASE AGREEMENT BETWEEN THE CITY OF KUNA, IDAHO AND THE SNAKE RIVER YOUNG MARINES

E. Findings of Facts and Conclusions of Law:

1. 13-01-AN, 13-01-DA, and 13-01-S; Merlin Point Subdivision Annexation, a Development Agreement and Preliminary Plat for approx. 52 acres over 2 parcels, into the City of Kuna, from Steve Arnold (A Team Consultants), requesting C-1 Zoning for commercial and residential uses on site. The site is located at 1380 E. Kuna Road, Kuna, ID. (APN#'s: R0645254601 & S1324449005)

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

2. Citizen's Reports or Requests:

A. 2014 Kuna Days Firework Donation – Jack Graham, Lions Club (*Timestamp 00:02:54*)

Jack Graham, five-time past President of the Kuna Lions Club, reported the Lions Club will be taking on the responsibility of Kuna Days. He thanked Pat Jones for his past endeavors in coordinating the event.

Mr. Graham explained the fireworks cost approximately \$10,000 and the City paid \$5,000 last year. Lloyd Stubbs also provides a substantial donation toward the fireworks. It was noted the check must be made out to Fireworks America and a better discount is received on the purchase if it is paid prior to January 1, 2014.

The Council expressed interest in donating additional funds if they are available in the budget.

Council Member Buban-Vonder Haar moved to table the decision for a final donation amount for the fireworks until the first meeting in December. Seconded by Council Member Stear, all voting aye. Motion carried 4-0.

3. Old Business:

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

5. New Business:

A. Chief of Police Report and Introduction of Kuna’s Three School Resource Officers – Justin Dusseau, Chief of Police (*Timestamp 00:09:17*)

Chief Dusseau explained the importance of the School Resource Officers and introduced them to the Council. They serve as educators, counselors, law enforcement officers and are liaisons with community organizations. They help develop a rapport and a good working relationship with students and their families. Their salaries are paid for by the Kuna School District.

Detective Ferguson, Kuna High School Resource Officer, has 9 years of experience and has a vested interest in the youth and wants to see them succeed in their lives and provides a variety of support to them. They not only provide safety to the schools but teach the students and teachers how to be safe.

Detective Feldman, School Resource Officer for Kuna Middle School and Initial Point High School, is dedicated to being a positive role model for the students. He also teaches them how to deal with conflict and educates them in making good choices.

Detective Hudson, Elementary School Resource Officer, has 10 years of experience and covers all seven elementary schools. His office is at Crimson Point Elementary so he can work closely with the TLC Program involving special needs children. He has a great working relationship with the teachers to identify and address various safety needs. Lock down drills are being implemented in the schools where the children and teachers are

being taught to move away from danger to a place of safety; hide where they are out of sight; and as a last resort, fight if they have to.

Safety concerns were expressed by Council Member Hoiland which was followed by more discussion.

The Mayor and Council thanked the officers for all they do and the protection they provide to our community.

B. 13-02-FP: Merrell Family Center Subdivision No. 1 (Ridley's) – Troy Behunin, Senior Planner (*Timestamp 00:37:05*)

Applicant is requesting Final Plat approval for the Merrell Family Center Subdivision No.1. The final plat for Merrell Family Center Subdivision No.1 requests two construction phases. Phase 1 proposes 9 commercial lots and phase two includes a single lot (lot 10, block 1).

Troy Behunin, Sr. Planner explained the applicants request noting the property is located where the new Ridley's Family Market is being built. The Final plat has been reviewed by staff with no concerns reported.

Council Member Cardoza recalled concerns expressed at a previous meeting regarding landscaping buffers where it was his understanding that a buffer on the south side running east to west would be in place to separate it from the homes.

Mr. Behunin reported a buffer has been proposed in the landscaping on the north side of the street with additional buffering on the south side of the street.

Mr. Cardoza specified that the developer on the south side wanted a berm buffer installed for noise and appearance purposes for the homes that would be south of the site.

Mr. Behunin will research the information.

A discussion regarding the ingress/egress took place.

Thomas Judge, Fox Land Surveys, 1515 S. Shoshone Street, Boise, Idaho, explained the cross access easement has been addressed with the attorney who is preparing the documents but is unsure if they have been finalized. He has referred to the need for a cross access agreement on the plat so it will be a platted restriction. He has not heard any limitations, restrictions or promises in regards to the landscape buffers.

Mr. Behunin explained the landscaping plan is not part of the Final Plat. The Final plat has met the codes and delaying it would not be the thing to do for a landscaping buffer.

Council Member Stear moved to approve 13-02-FP the Merrell Family Center Subdivision No. 1 Final Plat. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.

- C. Consideration to Accept the Canvassed Election Results of the 2013 Kuna City Municipal Election Held on November 5, 2013 (*Timestamp 00:56:30*)

Council Member Stear moved to accept the Canvassed Election Results from November 5, 2013. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.

- D. Resolution R49-2013 East King Road Property (Oxnam Property) – Richard Roats, City Attorney (*Timestamp 00:59:20*)

A RESOLUTION DECLARING THAT A SINGLE CITY-OWNED PARCEL OF REAL PROPERTY CONSISTING OF APPROXIMATELY 19.84 ACRES AND LOCATED ON E. KING ROAD, EAST OF S. MERIDIAN ROAD, KUNA, IDAHO, IS SURPLUS AS THE PROPERTY IS UNDERUTILIZED, OR NOT USED FOR PUBLIC PURPOSES; DECLARING THE INTENT OF THE CITY OF KUNA TO SELL THE PROPERTY AT PUBLIC AUCTION TO THE HIGHEST BIDDER; DECLARING THE MINIMUM PRICE FOR THE PROPERTY; INSTRUCTING THE CITY CLERK TO PUBLISH A SUMMARY OF THE ACTION TAKEN BY THIS RESOLUTION AND ESTABLISH AND PUBLISH NOTICE OF THE HEARING DATE TO REVIEW THE PROPOSED CONVEYANCE, EXCHANGE OR SALE AND TO PUBLISH NOTICE OF THE PUBLIC AUCTION HEARING TO SELL THE PROPERTY TO THE HIGHEST BIDDER AT AN AMOUNT NOT LESS THAN THE MINIMUM SET BY THE CITY COUNCIL; APPROVING A SUMMARY OF THE ACTION TAKEN BY THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE

Council Member Buban-Vonder Haar moved to approve Resolution No. R49-2013 with the change to Section 4 reflecting that the hearing will commence at 6 p.m. Seconded by Council Member Stear, all voting aye. Motion carried 4-0.

- E. Resolution No. 51-2013 S. Swan Falls Road (Falco Catena) Richard Roats, City Attorney (*Timestamp 01:09:18*)

A RESOLUTION DECLARING THAT TWO ADJACENT CITY-OWNED PARCELS OF REAL PROPERTY CONSISTING OF APPROXIMATELY 52.12 ACRES AND 107.43 ACRES AND LOCATED ON S. SWAN FALLS ROAD, SOUTH OF E. KING ROAD, KUNA, IDAHO, ARE SURPLUS AS THE PROPERTIES ARE UNDERUTILIZED, OR NOT USED FOR PUBLIC PURPOSES; DECLARING THE INTENT OF THE CITY OF KUNA TO SELL THE PROPERTIES AT PUBLIC AUCTION TO THE HIGHEST BIDDER; DECLARING THE MINIMUM PRICE FOR THE PROPERTIES; INSTRUCTING THE CITY CLERK TO PUBLISH A SUMMARY OF THE ACTION TAKEN BY THIS RESOLUTION AND ESTABLISH AND PUBLISH NOTICE OF THE HEARING DATE TO REVIEW THE PROPOSED CONVEYANCE, EXCHANGE OR SALE AND TO PUBLISH NOTICE OF THE PUBLIC AUCTION HEARING TO SELL THE PROPERTIES TO THE HIGHEST BIDDER AT AN AMOUNT NOT LESS THAN THE MINIMUM SET BY THE CITY COUNCIL; APPROVING A SUMMARY OF THE ACTION TAKEN BY THIS

RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

Council Member Buban-Vonder Haar moved to approve Resolution No. R51-2013 with a change to Section 4 reflecting the hearing will start at 6 p.m. Seconded by Council Member Stear, all voting aye. Motion carried 4-0.

- F. Review Comprehensive Plan Amended Section 5.0 Economic Development and Section 16.0 Public Safety and Emergency Preparedness – Wendy Howell, P&Z Director
(Timestamp 01:10:51)

Wendy Howell, Planning and Zoning Director, explained the purpose of the amendment is to update the data to reflect the 2010 Census data. Any context that was changed was due to incorrect or duplicated information elsewhere in the plan.

Council Member Buban-Vonder Haar has some copy editing items that she will work with Ms. Howell on to get corrected and also requested the paragraph regarding the 107 acres on page 21 of 41 be deleted.

Council Member Cardoza questioned the growth as stated in the document on page 22 of 41. The figures will be checked for accuracy.

Recommendation for the bridges at Ten Mile Road and Indian Creek along Highway 69 will be updated at a later time.

6. Ordinances:

7. Mayor/Council Discussion Items: (Timestamp 01:19:56)

John Marsh provided information regarding laptops and tablets for ideas in transitioning to electronic packets. The following preferences from the Council were noted:

- Convenience in referencing material at meetings verses shuffling through papers.
- Small, convenient and user friendly device.
- Ability to open PDF and Word documents (read only) and to view PowerPoint presentations.
- Take notes /markups
- Internet access
- Normal keyboard for easier use
- Facetime or Skype capabilities
- Good sized screen
- 32 GB
- Access personal calendar
- USB ports

More information and discussion will take place at the next meeting.

8. Announcements:

9. Executive Session: (*Timestamp 01:41:46*)

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

Council Member Buban-Vonder Haar moved to adjourn into an 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: 8:41 p.m.

Council Member Buban-Vonder Haar moved to adjourn from Executive Session which had been called pursuant to Idaho Code 67-2345(b) for discussing personnel.

Seconded by Council Member Stear, all voting aye. Motion carried 4-0.

Council Member Buban-Vonder Haar moved that the City of Kuna does not now nor in the future provide separation remuneration unless or until a policy is established that would govern it. Seconded by Council Member Stear, all voting aye.

Motion carried 4-0.

10. Adjournment:

Council Member Stear moved to adjourn the meeting at 9:26 p.m.

W. Greg Nelson, Mayor

ATTEST:

Brenda S. Bingham, City Clerk

Minutes prepared by Brenda Bingham

Date Approved: CCM12/3/13