

**CITY OF KUNA**  
**REGULAR CITY COUNCIL MEETING**  
**MINUTES**  
**TUESDAY, DECEMBER 3, 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:** Stan Johnson, Kuna Life Church

**Pledge of Allegiance:** Mayor Nelson

**Amend Agenda** *(Timestamp 00:01:30)*

Consideration to amend the agenda to include the following two items:

- Consent Agenda, item 1C1, New Alcohol License for Ridley's Food Corporation, 1403 N. Meridian Road, Off Premise Beer and Off Premise Wine
- Agenda item 5D, Resolution R53-2013 Change of Water Right Ownership

Staff was notified of the request on Monday, December 2, 2013.

**Council Member Stear moved to amend the agenda to include Consent Agenda item 1C1 alcohol license for Ridley’s Food Corporation and item 5D Resolution R53-2013 Change of Water Right Ownership. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.**

**1. Consent Agenda:** *(Timestamp 00:02:13)*

*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 19, 2013 Regular Meeting

**B. Accounts Payable Dated December 3, 2013 in the Amount of \$105,512.19**

**C. Alcohol Licenses:**

1. New Alcohol License for Ridley’s Food Corporation, 1403 N. Meridian Road, Off Premise Beer and Off Premise Wine

**D. Resolutions:**

**E. Findings of Facts and Conclusions of Law:**

City Attorney Roats explained the payment to the New York Irrigation District listed on the Payment Approval Report may be less than the amount of \$2,400.48 pending information from the irrigation attorney.

Troy Behunin will prepare a report for the next meeting regarding the buffers for the property south of the new Ridley’s store.

**Council Member Stear moved to approve the Consent Agenda and to not exceed the amount of \$2,400.48 for the New York Irrigation District but noting it could be less. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.**

**2. Citizen’s Reports or Requests:**

**3. Old Business:**

- A. 2014 Kuna Days Firework Donation Discussion *(Timestamp 00:04:54)*

**Council President Cardoza moved to add another \$2,000 from the Contingency Fund to Kuna Days to be used for the fireworks making a total of \$7,000 with the understanding that any grant received for the fireworks would replenish the Contingency Fund. 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**

**Motion Carried: 4-0**

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

**A. 13-02-ZC; Boise Project Board of Control** (Bob Carter) – Travis Jeffers, Planning Technician (*Timestamp 00:11:23*)

Request by Boise Project Board of Control, for a rezone of approximately 1.4 acres located at the northwest corner of N School Road and W Avalon Street in Kuna.

The rezone would change the current zoning from R-6 (Medium-Low Density Residential) to C-1 (Neighbor Business District).

Travis Jeffers, Planning Technician, explained the request as stated above.

Mayor Nelson opened the public hearing at 7:27 p.m. reporting no one signed the list to testify. An invitation was extended to the audience to make public comment.

SUPPORT

None

NEUTRAL

None

OPPOSE

None

There being no testimony offered, Mayor Nelson closed the Public Hearing at 7:28 p.m.

**Council Member Stear moved to approve case no. 13-02-ZC rezone request by Boise Project Board of Control with the Conditions of Approval listed in the packets. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4 -0.**

**5. New Business:**

**A. Resolution R52-2013 Water Right – Richard Roats, City Attorney** (*Timestamp 00:15:52*)

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE CITY ENGINEER TO EXECUTE THE APPLICATION FOR AMENDMENT OF A PERMIT WITH THE IDAHO DEPARTMENT OF WATER RESOURCES TO AMEND PERMIT NO. 63-31741 TO PERMIT TWO ADDITIONAL POINTS OF DIVERSION.

**Council Member Buban-Vonder Haar moved to approve Resolution No. R52-2013. Seconded by Council Member Stear, all voting aye. Motion carried 4-0.**

- B. 2014 Project Report (No Action Needed) (*Timestamp 00:19:00*)

For information of Council only – no action required.

- C. Review Comprehensive Plan Amendment Section 6.0 Land Use (*Timestamp 00:20:23*)

Wendy Howell, P&Z Director, asked for comments and edits on the Plan. No action was necessary at this time.

- D. Resolution No. R53-2013 (*Timestamp 00:22:12*)

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE CITY ENGINEER TO EXECUTE THE NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP WITH THE IDAHO DEPARTMENT OF WATER RESOURCES TO AMEND PERMIT NO. 63-3009 AND PERMIT NO. 63-10228 TO CHANGE THE OWNER FROM TRAILBRIDGE, LLC TO THE CITY OF KUNA, IDAHO

**Council Member Stear moved to approve Resolution No. R53-2013. Seconded by Council President Cardoza, all voting aye. Motion carried 4-0.**

**6. Ordinances:**

**7. Mayor/Council Discussion Items:** (*Timestamp 00:23:54*)

The Mayor mentioned there has not been an adjustment on the water or sewer system since 2007 and suggested a \$.50 consideration be given.

The City Engineer has been asked to make adjustments to lower the building permit fees.

Mayor Nelson will be attending the Gateway West Sub-committee meeting this Thursday.

Feasibility Study Committee Meeting tomorrow at 1:00 p.m.

Discussion on chamber checks for employees or turkey/ham vouchers. Put on next agenda for discussion.

**8. Announcements:**

**9. Executive Session:**

- A. Adjourn to Executive Session Pursuant to Idaho Code 67-2345(f) for the Purpose of Discussing Pending Litigation – Local Improvement District (LID) (*Timestamp 00:29:00*)

**Council Member Buban-Vonder Haar moved to adjourn into an Executive Session pursuant to Idaho Code 67-2345(f) for the purpose of discussing pending litigation.**

**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: 7:41 p.m.**

**Council Member Stear moved to adjourn from Executive Session which had been called pursuant to Idaho Code 67-2345(f). Seconded by Council President Cardoza, all voting aye. Motion carried 4-0.**

**10. Adjournment:**

Council Member Stear moved to adjourn the meeting at 8:00 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: CCM12/17/13*

*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.kunacity.id.gov](http://www.kunacity.id.gov).*