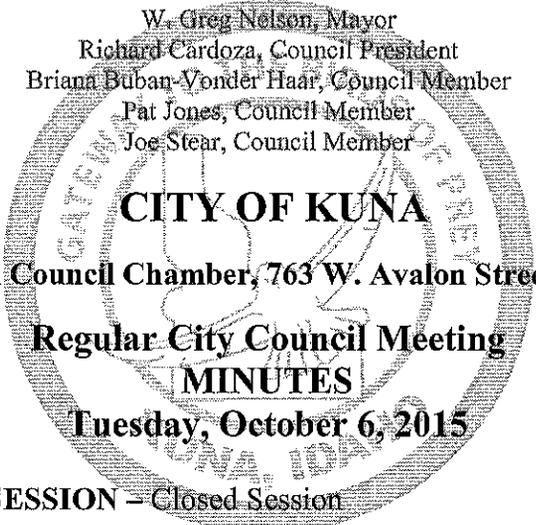


CITY OFFICIALS
W. Greg Nelson, Mayor
Richard Cardoza, Council President
Briana Buban-Vonder Haar, Council Member
Pat Jones, Council Member
Joe Stear, Council Member



CITY OF KUNA
Kuna City Hall Council Chamber, 763 W. Avalon Street, Kuna, Idaho
Regular City Council Meeting
MINUTES
Tuesday, October 6, 2015

6:00 P.M. EXECUTIVE SESSION – Closed Session

Potential Litigation 74-206(f) and Potential Property Acquisition 74-206(c)

1. Call to Order and Roll Call

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

**Council Member Stear moved to adjourn to Executive Session at 6:00 p.m.
Seconded by Council Member Buban-Vonder Haar with the following roll call
vote:
Voting Aye: Council Members Jones, Buban-Vonder Haar, Cardoza and Stear
Voting No: None
Motion carried 4-0.**

Council Member Stear stated information was received. No action taken.

7:08 P.M. REGULAR CITY COUNCIL

2. Call to Order and Roll Call

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

CITY STAFF PRESENT: John Marsh, City Treasurer
Richard Roats, City Attorney
Chris Engels, City Clerk
Wendy Howell, P & Z Director
Bob Bachman, Facilities Manager
Bobby Withrow, Parks Supervisor

NOTICE: Copies of all agenda materials are available for public review in the Office of the City Clerk. Persons who have questions concerning any agenda item may call the City Clerk's Office at 922-5546. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at 922-5546 at least forty-eight (48) hours prior to the meeting to allow the City to make reasonable arrangements to ensure accessibility to this meeting.

Gordon Law, City Engineer

3. **Invocation:** Marcus Omdahl, New Beginnings Christian Church

4. **Pledge of Allegiance:** Mayor Nelson

4. **Consent Agenda:**

(Timestamp 00:05:11)

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. Regular City Council Minutes September 15, 2015

B. Accounts Payable Dated October 1, 2015 in the Amount of \$378,080.52

Council President Cardoza asked City Engineer, Gordon Law about the expenditure to the Idaho Department of Environmental Quality.

Mr. Law explained the expenditure is an annual bill for the administration of the drinking water program. The charge is based on the number of water connections in the city.

C. Resolution:

R73-2015 Approving Purchase of Aerifier for Parks Department as budgeted for FY15-16

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING PURCHASE OF A SMITHCO AER-8 60" AERIFIER WITH TRANSPORT FRAME AND ELECTRIC/HYDRAULIC POWER PACK, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

D. Findings of Facts and Conclusions of Law:

Council Member Stear moved to approve the consent agenda as presented. Seconded by Council Member Buban-Vonder Haar. Motion carried 4-0.

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

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

(Timestamp 00:07:49)

- A. Consideration to approve 14-07-AN (Annexation) and 14-03-LS (Lot Split); Daniel and Gina Safford – Trevor Kesner, Planner 1 *Continued from September 15, 2015*

Applicants, Gina and Daniel Safford request Annexation of 2 parcels (approximately 9.34 acres) located at 1036 and 1200 Ten Mile Rd and Lot Split located at 1200 Ten Mile Rd.

Planner Trevor Kesner explained the application has been tabled previously. The process length has been due to certain items in city code that needed to be updated. The applicants have followed all the requirements for an annexation and lot split. Mr. Kesner recommends approval.

1. Public Hearing for 14-07-AN (Annexation) and 14-03-LS (Lot Split)

Support: None

Neutral: None

Against: None

Mayor Nelson closed the public hearing.

Council President Cardoza asked City Engineer, Gordon Law if, as is stated in the documents, the entire matter is contingent on Central District Health approval, will the lot split stand or revert back if Central District Health doesn't approve.

Mr. Law explained the CDH portion is referencing the ability to obtain a building permit on a lot that is not connected to city sewer services. CDH would need to approve a site disposal system.

City Attorney, Richard Roats explained the lot split would stand in the event CDH did not approve the septic disposal system. The lot would be unbuildable.

Council Member Stear moved to approve 14-07-AN. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:

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

Voting No: None

Motion carried 4-0.

Council Member Stear moved to approve 14-03-LS. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:

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

Voting No: None

Motion carried 4-0.

- B. Consideration to table 15-04-S (Subdivision) Ardell Estates as per applicant request until October 20, 2015 – Troy Behunin, Senior Planner

No documents included

Ardell Estates Preliminary Plat: The request includes creating a 261 lot subdivision in an R-6 (Medium Density Residential) zone in the City. Applicant proposes to develop 27 additional lots into common lots. Applicant is proposing a minimum of seven (7) phases of development to be driven by the market.

Senior Planner Troy Behunin explained the applicant requests the postponement.

Council Member Stear moved to table 15-04-S until October 20, 2015. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:

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

Voting No: None

Motion carried 4-0.

7. Business Items:

(Timestamp 00:15:58)

- A.** Consideration to Approve Case No.'s 15-02-AN (Annexation) 15-02-ZC (Zone Change), 15-01-S (Preliminary Plat) – Troy Behunin, Senior Planner
Continued from September 15, 2015

Public Hearing Closed from September 15, 2015
Council Deliberation only

Memory Ranch Subdivision. A request from Jane Suggs with Suggs Community Solutions and Shawn Brownlee with Trilog Development to annex 10 acres into the city of Kuna, and rezone approximately 135 acres from Agriculture to R-6 (Medium Density Residential), in order to develop a 262 residential lot subdivision with 20 common lots.

Senior Planner Troy Behunin reiterated the previous public hearing had been closed but there was direction from Council to obtain the minutes from the neighborhood meeting. The city received the minutes and those minutes were forwarded to Council. The applicant has met with the neighbors between this meeting and the previous meeting.

Mayor Nelson disclosed he received a letter on this issue from Mr. Calvin McDonald after the hearing was closed.

Council Member Buban-Vonder Haar noted for the record, Council received the letter from Mr. McDonald as well. The same letter was also sent to Council by Bruce Durrant.

All Council Members confirmed they had received the same letters.

City Attorney Richard Roats gave the letters to City Clerk, Chris Engels and asked that they be marked Exhibit A.

Mayor Nelson stated each item would be discussed separately.

Council Member Buban-Vonder Haar has a number of thoughts but understands Council's role is to make decisions based on the comprehensive plan. Though she personally doesn't agree with the valuation estimates and would like to see larger lots, she doesn't believe Council can deny the matter.

Council Member Stear added that this matter has brought to light some concerns with the comprehensive plan that need to be looked into however the applicant has followed the comprehensive plan. He can't see that it can be stopped or changed.

Council Member Jones agrees with what has been said. He noted the annexation is land locked and supports the matter. The applicant has met all the requirements and he can't deny the application.

Council President Cardoza is concerned that the rezone from Ag to R6. He would prefer to see only the 10 acres before the Council at this time, then each phase come before Council as they were developed and the zoning be determined at that time. He understands it can't be changed.

Council Member Stear moved to approve Case No. 15-02-AN. Seconded by Council Member Jones with the following roll call vote:

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

Voting No: None

Motion carried 4-0.

Council Member Stear moved to approve Case No. 15-02-ZC Seconded by Council Member Jones with the following roll call vote:

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

Voting No: None

Motion carried 4-0.

Council Member Stear moved to approve Case No. 15-01-S. Seconded by Council Member Jones with the following roll call vote:

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

Voting No: None

Motion carried 4-0.

City Attorney Richard Roats asked Council if they intended to deliberate the list of items from the comprehensive plan to prepare the Facts and Findings.

Mayor Nelson stated the city has asked Elaine Clegg to help us with the situation with Meridian. Ms. Clegg has also offered to help the city in updating the

comprehensive plan. Ms. Clegg should be invited to discuss the smart growth principles and make recommendations.

Mr. Roats explained there are proposed findings that staff has put together. Going through the list of items from the comprehensive plan will assist staff in putting together those findings.

Council Member Buban-Vonder Haar said in the past Council has incorporated a reference, is that not the case this time?

Mr. Roats responded the Council needs to be more specific. Council needs to discuss the findings specifically not summarily concluding certain aspects of the comprehensive plan.

Council Member Buban-Vonder Haar said it would be helpful to have the proposed action by Council included.

Mr. Roats referred to the list, for example; economic development, income levels, number of lots and various sizes, protection of private property rights, land use factors, public services, transportation, recreation, housing design.

Council Member Buban-Vonder Haar asked for clarification; this is something Council has never been asked to do before and was not included in the packet. None of the examples just mentioned was included in findings of fact or conclusions of law. The Council is in need of additional direction.

Mr. Roats presented; the findings of fact require that you consider the facts as presented in the application and deliberate those to reach a conclusion. In the past, staff has not included all of those. Earlier today, Council was given a copy of the entirety that begins with private property rights. This has the list of items that staff felt was appropriate from the comprehensive plan for Council to review, apply those factors to the application, deliberate and reach a conclusion.

Council Member Buban-Vonder Haar is concerned because Council passed 3 motions based on the statement that the application complied with the comprehensive plan. She is still not clear on what is expected of Council.

Mr. Roats responded staff is going to be tasked with putting together the findings of fact for Council. Deliberation has to take place by Council. Each application will have items Council will feel is relevant in applying the facts of the case to the comprehensive plan for compliance. It is difficult to anticipate which items will be deliberated.

Council Member Buban-Vonder Haar said she is still unclear. Does Council need to state something like "we considered" or "we deliberated" about the comprehensive plan in making their decision?

Mr. Roats responded what is needed is for Council to go through the list of items from the comprehensive plan and choose the items that are felt to be relevant to discuss based upon the facts presented in the application to reach a decision. As an example, transportation; Ten Mile Rd is a transportation corridor/arterial.

Council Member Buban-Vonder Haar reiterated Council received the list shortly before the Council meeting. She feels everyone's time is being wasted because the deliberation has not been done. Does this need to be done now or are there options?

Mr. Roats responded if Council felt more time was needed to deliberate, a recess could be taken and Council could go through deliberations or it could be done after the Council meeting. It is important that it gets done.

Council President Cardoza asked why the item list was not included in the Council packet instead of given to Council half an hour before the meeting.

Mr. Roats responded staff had been asked to prepare this for Council. It was given to him to distribute today.

Mayor Nelson suggested the issue be tabled to be sure Council understands what is expected of them and continue with the agenda items.

Council President Cardoza asked for clarification; is the list of items is a guideline for the findings of fact.

Mr. Roats responded yes, they are.

Council President Cardoza asked if the objective is to determine how many of the guidelines are applicable to the findings of fact.

Mr. Roats responded staff listed those items that they felt were relevant. If there are facts that Council does not feel are applicable, they do not need to be discussed. Those that are important should be discussed.

Council President Cardoza asked for clarification; Council should pick specific issues that would pertain to this motion.

Mr. Roats responded, yes.

Mayor Nelson stated the matter should be tabled to address the remaining agenda items. Council can return to this item at the end of the meeting.

Council President Cardoza said in fairness to the people in attendance regarding Memory Ranch, Council may want to pursue the deliberation to allow them to leave instead of having to wait until the end of the meeting.

Mayor Nelson responded the decision is up to Council.

Council Member Jones asked for clarification; Council agreed to the staff report why does Council need to deliberate the items again? The timing is poor.

Mayor Nelson asked Mr. Roats to explain.

Council President Cardoza asked Mr. Roats if Council can approve the findings of fact without going into detail.

Mr. Roats explained the staff report contains conclusions without factual support. The land use planning act requires decisions be supported by a written statement that explains the basis for the decision. Historically that has not been done. If a decision were to be challenged in the courts, the current findings of fact would not be adequate. Findings of fact must be a reasoned statement not just a conclusion.

Council Member Jones asked why this has not been followed in all cases.

Mr. Roats responded he is working with staff to ensure it is done in all cases.

Mayor Nelson asked Mr. Roats if Council could adopt the objectives under each heading.

Mr. Roats responded relevant facts should be discussed. There are not relevant facts in a heading.

Council President Cardoza asked if the findings of fact were not a composite of all the conditions. Doesn't Planning and Zoning use the same format to do their findings of fact? There is a statement by Planning and Zoning on line one; "this request appears to be consistent and compliant with all Kuna city code". Wouldn't that address all the issues?

Mr. Roats explained that the statement is a conclusion. There needs to be written reasoning to explain how the request is consistent and compliant. Mr. Roats offered examples of describing how the request is compliant.

Council President Cardoza asked for clarification; is Council to accept or deny each objective or are they to look at each item individually?

Mr. Roats responded the items do not need to be addressed individually. Mr. Roats offered an example based on land use.

Council President Cardoza asked; shouldn't this equally apply to every plat brought before Council? Wouldn't Council accept every issue to be correct by statute?

Mr. Roats explained as long as there is individual factual support, yes. Mr. Roats suggested Council may want to consider and discuss items about the project

generally as complying and offered an example. Staff can then refer to those discussed items and include them in the findings of fact.

Mayor Nelson stated Council would have considered all the elements in making their decision.

Mr. Roats explained there needs to be deliberation of the facts Council considered in making their decision.

Council Member Stear said when he looks at an application he bases his decision on the comp plan being followed. The process under discussion now seems to be backwards. If the process needs to be changed, Council needs to know. But now, while in public session, does not seem to be the appropriate time.

Council President Cardoza asked if Planning and Zoning hasn't already considered the guidelines to ok a plat before it comes before Council for a final approval.

Mr. Roats explained Planning and Zoning does consider the comprehensive plan. Mr. Roats offered examples with Council participation on consideration of facts and compliance with the comprehensive plan.

Council President Cardoza asked if the findings of fact shouldn't address everything that is being asked of Council.

Mr. Roats responded they should but they don't. Due to this application, it is important for Council to go through this list.

Council President Cardoza said line 2 states "the use appears to meet the general objectives of Kuna's comprehensive plan". What is not addressed in the findings of fact that Council is being asked to address?

Mr. Roats explained line 2 is a conclusion. The facts are not presented.

Council Member Buban-Vonder Haar clarified; Council needs to verbalize facts for the record. Advance notice in the future of what is expected of Council would be helpful.

Mr. Roats responded he understands. He wants to be sure the record is preserved. Lots, open area and green space, and swimming pool have been discussed. Would Council like to discuss any other items that comply with the comprehensive plan? If not, Mr. Roats believes he has enough information to work with. If Council directs, he and staff can apply those items that have been discussed and present the documentation at the next Council meeting.

Mayor Nelson stated that should be the route taken.

Council Member Stear agreed since this is a new, time consuming process.

Mr. Roats asked if he understood the direction; staff will take the packet, apply the facts to the comprehensive plan and bring it back to Council for deliberation at the next Council meeting. Is that correct?

Council agreed.

Council President Cardoza asked if this process is going to be required on every case that comes before Council.

Mr. Roats responded yes, it should be done on every case. Council will receive a list of the points staff feels is relevant in each case for deliberation and approval.

Council President Cardoza said all of the points on the list should be applicable. Why pick and choose certain points?

Mayor Nelson responded some points are more applicable than others.

Mr. Roats added there will be cases where some points are not applicable, so no discussion would be necessary.

Council Member Stear moved to table the findings of fact until October 20, 2015 for deliberation. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:

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

Voting No: None

Motion carried 4-0

Council Member Jones suggested a summary for the audience for clarification.

Mayor Nelson noted for the audience the Council approved the annexation, zone change and preliminary plat. The subject that has been tabled is the presentation of the elements that specifically applied to this subdivision in the findings of fact. This is normally done in Council's own study time. This will be the first time the deliberations will be included in written form in the findings of fact. Mayor Nelson apologizes to the audience for the time taken to arrive at an understanding regarding the process.

- B. Consideration to Approve Resolution R50-2015 Authorizing Letter of Credit for Unfinished Construction in Timbermist Subdivision No. 2 – Gordon Law, City Engineer**
(Timestamp 01:13:43)

City Engineer, Gordon Law explained the primary request is for landscaping, some fencing and 2 crossings of canal that couldn't be completed until the water has been emptied. The resolution includes itemized costs and margins. It will allow the developer to obtain a letter of credit for the work to be done.

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING A PERFORMANCE BOND BY COLEMAN HOMES INC. FOR THE TIMBERMIST NO. 2 SUBDIVISION FOR UNCOMPLETED WORK INCLUDING A DOMESTIC WATER CROSSING AT THE CANAL, A PRESSURE IRRIGATION CROSSING AT THE CANAL, A SINGLE STREET LIGHT NEAR THE CANAL CROSSING, LANDSCAPING AND FENCING AS REQUIRED FOR PHASE NO. 2 PURSUANT TO THE TERMS OF THIS RESOLUTION.

**Council Member Stear moved to approve Resolution R50-2015. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:
Voting Aye: Council Members Jones, Buban-Vonder Haar, Cardoza and Stear
Voting No: None
Motion carried 4-0.**

- C. Consideration to Approve Resolution R51-2015 Adopting the Step and Grade Policy for City Directors – Richard Roats, City Attorney
*Continued from August 18, 2015
(Timestamp 01:15:49)*

City Attorney, Richard Roats updated Council this had been before Council previously. The job descriptions have been completed, reviewed and accepted. Mr. Roats asked for the resolution to be approved.

Council Member Stear asked if staff has reviewed the step and grade and everyone involved is comfortable with it.

Mr. Roats responded, yes.

Council Member Jones asked for confirmation the job descriptions have been reviewed by appropriate personnel and the positions will be exempt from comp time.

Mr. Roats responded, yes.

A RESOLUTION OF THE CITY OF KUNA, IDAHO ADOPTING THE STEP AND GRADE POLICY FOR THE DIRECTORS FOR THE CITY OF KUNA, IDAHO AS ATTACHED HERETO; REPEALING THOSE SECTIONS OF RESOLUTION R9-2007 THAT ARE INCONSISTENT WITH THE ADOPTION OF R51-2015; AND DECLARING THE EFFECTIVE DATE.

**Council Member Stear moved to approve Resolution R51-2015. Seconded by Council Member Jones with the following roll call vote:
Voting Aye: Council Members Jones, Buban-Vonder Haar, Cardoza and Stear
Voting No: None
Motion carried 4-0.**

- D.** Consideration to Approve Resolution R64-2015 Ada County Sheriffs Contract –
Richard Roats, City Attorney
(Timestamp 01:18:57)

City Attorney, Richard Roats explained the amount budgeted for the fiscal year is included and asked for it to be approved.

Council President Cardoza asked if anything had changed in the contract from previous years.

Mr. Roats said only the cost.

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE
MAYOR TO EXECUTE THE CONTRACT WITH THE ADA COUNTY
SHERIFF.

**Council Member Stear moved to approve Resolution R64-2015. Seconded by
Council Member Buban-Vonder Haar with the following roll call vote:
Voting Aye: Council Members Jones, Buban-Vonder Haar, Cardoza and Stear
Voting No: None
Motion carried 4-0.**

- E.** Consideration to Approve Resolution R66-2015 Modifying Resolution R36-2015 –
Richard Roats, City Attorney
(Timestamp 01:20:17)

City Attorney Richard Roats explained the history of the matter and requested approval.

Council President Cardoza asked why it has to come to Council each time. Wasn't a previous ordinance passed allowing for transfer of EDU's on the open market?

Mr. Roats said these are not EDU's from the LID. These are sewer connections that were prepaid. Documenting the owners of the prepaid connections is important because the connections have monetary value. Council approval is the best way to keep track of the transactions.

A RESOLUTION OF THE CITY OF KUNA, IDAHO MODIFYING
RESOLUTION R36-2015 TO REFLECT A DECISION BY THE PARTIES TO
TRANSFER THE OWNERSHIP OF THE THIRTY-THREE (33) OSPREY
RIDGE DEVELOPMENT SEWER CONNECTIONS FROM DBTV
AGRICULTURAL HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY
COMPANY (ASSIGNOR) TO VIPER INVESTMENTS, LLC, AN IDAHO
LIMITED LIABILITY COMPANY (ASSIGNEE).

**Council Member Stear moved to approve Resolution R66-2015. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:
Voting Aye: Council Members Jones, Buban-Vonder Haar, Cardoza and Stear
Voting No: None
Motion carried 4-0.**

- F. Consideration to Approve Resolution R67-2015 Approving Animal Control Services Contract – John Marsh, City Treasurer
(Timestamp 01:25:54)

City Treasurer, John Marsh explained there are no changes to the contract other than the rate increase of 4%.

City Clerk, Chris Engels asked if Council be interested in receiving more information about the cat population in Kuna that is creating citizen phone calls and social media conversations. Information from the Humane Society indicates in Ada County there are 56,000 untended cats. Would Council like to offer direction to look into possible solutions or if Council prefers monitoring the situation?

Council Member Buban-Vonder Haar asked if borrowing live traps or mobile spay clinic were considerations or are there other options?

Ms. Engels responded there are some funding opportunities to promote neutering and spaying based on trapping. A mandatory requirement for all cats to be spayed or neutered is another option.

Police Chief, Justin Dusseau said the police department does receive some calls about cats. Transporting animals is a challenge for officers but he would like to be a part of exploring the options for citizens.

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE IDAHO HUMANE SOCIETY TO PROVIDE ANIMAL CONTROL SERVICES WITHIN THE INCORPORATED CITY OF KUNA, IDAHO LIMITS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016.

**Council Member Stear moved to approve Resolution R67-2015. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:
Voting Aye: Council Members Jones, Buban-Vonder Haar, Cardoza and Stear
Voting No: None
Motion carried 4-0.**

- G. Consideration to Approve Resolution R68-2015 Authorizing Acceptance of Sewer Easements from Water's Edge Farm, LLC – Gordon Law, City Engineer
(Timestamp 01:32:26)

City Engineer, Gordon Law explained the easements are required for a sewer project. He recommends approval.

Council President Cardoza asked if this had been approved previously.

Mr. Law responded the easements approved previously were for the Deerhorn sewer line.

RESOLUTION APPROVING ACCEPTANCE OF THREE EASEMENTS ON WATER'S EDGE FARM, LLC PROPERTY FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A SEWER MAIN FOR THE BIRDS OF PREY SEWER PROJECT.

**Council Member Stear moved to approve Resolution R68-2015. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:
Voting Aye: Council Members Jones, Buban-Vonder Haar, Cardoza and Stear
Voting No: None
Motion carried 4-0.**

- H. Consideration to Approve Resolution R69-2015 Authorizing Consultant Services Agreement with Keller Associates, Inc. for 2016 Pressure Irrigation Pipeline Project – Gordon Law, City Engineer
(Timestamp 01:34:20)

City Engineer, Gordon Law explained this project is to continue and complete this year's projects and continue the remarkable results. This will connect Chaparossa pump station with the network of pump stations and relieve some of the demand on the Chaparossa station. Mr. Law recommended approval.

RESOLUTION AWARDING CONTRACT FOR THE 2016 PRESSURE IRRIGATION PIPELINE PROJECT TO KELLER ASSOCIATES, INC. IN THE AMOUNT OF \$31,400.00 FOR DESIGN OF THE PROJECT; DIRECTING EXPENDITURE OF FUNDS FROM THE IRRIGATION AND WATER FUNDS FOR SAID PROJECT; AND AUTHORIZING THE MAYOR, CITY CLERK AND CITY ENGINEER TO EXECUTE CONTRACT DOCUMENTS WITH SAID BIDDERS.

**Council Member Stear moved to approve Resolution R69-2015. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:
Voting Aye: Council Members Jones, Buban-Vonder Haar, Cardoza and Stear
Voting No: None
Motion carried 4-0.**

- I. Consideration to Approve Resolution R71-2015 Approving the Transfer of Treatment Connections for thirty-three (33) Osprey Ridge Wastewater Treatment Certificates – Richard Roats, City Attorney

(Timestamp 01:37:12)

City Attorney, Richard Roats explained this is the secondary transfer of the previous resolution approved.

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE TRANSFER OF THE TREATMENT CONNECTION CERTIFICATES FOR THE THIRTY-THREE (33) OSPREY RIDGE WASTEWATER TREATMENT CERTIFICATES FROM VIPER INVESTMENTS, LLC TO THE INDIVIDUAL LOTS IN DANSKIN RIDGE SUBDIVISION; AND AUTHORIZING THE MAYOR, THE CITY ATTORNEY AND THE CITY ENGINEER TO EXECUTE THE AGREEMENT.

**Council Member Stear moved to approve Resolution R71-2015. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:
Voting Aye: Council Members Jones, Buban-Vonder Haar, Cardoza and Stear
Voting No: None
Motion carried 4-0.**

J. Consideration to Approve Resolution R72-2015 Authorizing the Expense of Tree Removal and Landscaping and Kuna Senior Center – Bob Bachman, Facilities Director
(Timestamp 01:38:41)

Facilities Director, Bob Bachman explained this was brought to him by the Senior Association President. The pine needles cause a falling/slipping hazard for the members and rain gutter clogging. He stood for questions.

Council Member Stear asked if the association members vote on the matter.

Mr. Bachman explained the seniors as a group approached the Association President and asked if the tree could be removed and the landscaping redone in that area.

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE BID FROM A-TREE COMPANY IN THE AMOUNT OF \$1,350.00 TO REMOVE THE TWO PINE TREES AT THE KUNA SENIOR CENTER, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

**Council Member Stear moved to approve Resolution R72-2015 and funds from contingency to cover the costs. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:
Voting Aye: Council Members Jones, Buban-Vonder Haar, Cardoza and Stear
Voting No: None
Motion carried 4-0.**

- K.** Consideration to Appoint Bob Bachman to Kuna Facilities Director – Richard Roats, City Attorney and Mayor Nelson
(Timestamp 01:41:43)

Council Member Buban-Vonder Haar said other employees such as Chris, had to compete for a job. Are we treating people consistently or was there logic behind not having this job competitive?

City Attorney Roats explained the logic was this is a new position. Chris was moving from a Deputy Clerk position and filling a vacated, established position.

Council President Cardoza asked if there was a law that required the position to be advertised.

Mr. Roats responded, no, there is not and the personnel manual provides a policy of promoting from within.

Council Member Jones said he would like to see consistency. Probationary periods and advertising for positions need to either be in place or not in place.

**Council Member Stear moved to appoint Bob Bachman to Facilities Director. Seconded by Council Member Jones with the following roll call vote:
Voting Aye: Council Members Jones, Buban-Vonder Haar, Cardoza and Stear
Voting No: None
Motion carried 4-0.**

- L.** Consideration to Appoint Bobby Withrow to Kuna Parks Director – Richard Roats, City Attorney and Mayor Nelson
(Timestamp 01:45:59)

**Council Member Buban-Vonder Haar moved to approve Bobby Withrow to Kuna Parks Director. Seconded by Council Member Jones with the following roll call vote:
Voting Aye: Council Members Jones, Buban-Vonder Haar, Cardoza and Stear
Voting No: None
Motion carried 4-0.**

- M.** Consideration to Approve RFP for grant writing and administration for proposed Community Development Block Grant (CDBG) grant funds – Chris Engels, City Clerk
(Timestamp 01:47:15)

City Clerk, Chris Engels referred to the memo included in the Council packet. There are a lot of grant projects right now; this one is for Downtown Revitalization. Ms. Engels is a certified grant writer however there are other grant writers that are currently assisting us that would be good candidates to write this grant for submission to CDBG.

Council President Cardoza asked if the other grant writers were in-house.

Ms. Engels responded, no. There would be an RFP to solicit. There is a list of approved, certified grant writers for CDBG.

Council President Cardoza said he thought Ms. Engels has done a wonderful job.

Ms. Engels responded there are other large grants that are due and she believes the city is better served hiring a consultant in this matter.

Mayor Nelson asked for clarification; this is a \$500,000 grant isn't it?

Ms. Engels responded, yes it is. Along with this grant there are 3 or 4 others that are in the \$300,000 range.

Council Member Buban-Vonder Haar moved to approve RFP for grant writing and administration for proposed Community Development Block Grant (CDBG) grant funds. Seconded by Council Member Stear with the following roll call vote: Voting Aye: Council Members Jones, Buban-Vonder Haar, Cardoza and Stear Voting No: None Motion carried 4-0.

- N. Update of September Construction Report (*No Action Required*) – Gordon Law, City Engineer
(*Timestamp 01:49:46*)

City Engineer, Gordon Law stood for questions.

No questions.

- O. Consideration to approve Purchase Order authority for Bob Bachman to purchase a Bucket Truck through an auction or private seller – Bob Bachman, Facilities Director
(*Timestamp 01:50:34*)

Facilities Director, Bob Bachman said he has found a bucket truck that will save the city money. He did a walk through and inspection today and would like to move forward with purchasing. Mr. Bachman would like to contract a certified inspector to ensure the safety of the equipment and possibly set up inspections on a schedule recommended by the inspector. This purchase, including inspection will save the city approximately \$10,000 under the amount that was budgeted.

Council President Cardoza asked if the truck could be certified before it is purchased.

Mr. Bachman responded the dealer certified it when they bought it but he would be more comfortable with the safety of the truck if we had it certified. The contractor would do an inspection, safety check and certification on site. Part of the price negotiation was the stipulation that the transaction be completed as soon as possible.

Mayor Nelson asked the cost of the certification.

Mr. Bachman responded the estimate is \$500.00.

Council Member Jones asked if the truck needs a DOT inspection and if there would be any additional costs involved for hitches, lights, etc.

Mr. Bachman responded the truck does not need a DOT inspection. There will be some additional items needed such as a compressor and some tools. The additional expenditures would come from the purchase price cost savings.

Council Member Jones asked if there are funds to cover the additional expenditures.

City Treasure, John Marsh explained the funds for the bucket truck are budgeted. Council can choose which fund they prefer to use which does not change the overall budget.

Council Member Buban-Vonder Haar moved to approve Purchase Order authority up to \$15,000 for Bob Bachman to purchase a Bucket Truck through auction or private seller and all associated accessories. Seconded by Council Member Stear with the following roll call vote:

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

Voting No: None

Motion carried 4-0.

8. Ordinances: None

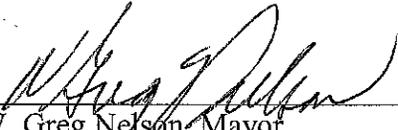
9. Mayor/Council Discussion Items:

10. Announcements:

11. Executive Session:

12. Adjournment:

Council Member Stear moved to adjourn the meeting at 9:07 p.m. Seconded by Council President Cardoza. Motion carried 4-0


W. Greg Nelson, Mayor

ATTEST:


Chris Engels, City Clerk

Minutes prepared by Dawn Stephens
Date Approved: CCM 10.20.2015

