

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, November 17, 2015

7:10 P.M. REGULAR CITY COUNCIL

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

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

2. Invocation: Stan Johnson, Kuna Life Church

3. Pledge of Allegiance: Mayor Nelson

4. Consent Agenda:
(Timestamp 00:01:27)

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, November 4, 2015

B. Accounts Payable Dated November 12, 2015 in the Amount of \$347,180.85

C. Resolution:

1. Consideration to Approve R83-2015 Rejection of Additional Insurance Coverage For Acts of Terrorism – John Marsh, City Treasurer
2. Consideration to Approve R84-2015 Appointing a Board Member and Alternate Board Member to the Valley Regional Transit Board – Richard Roats, City Attorney

D. Findings of Facts and Conclusions of Law:

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

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

Voting No: None

Absent: None

Motion carried 4-0.

5. Citizen's Reports or Requests:

(Timestamp 00:02:06)

A. Introduction of Sheriff Stephen Bartlett – Police Chief Justin Dusseau

Chief of Police Justin Dusseau introduced Sheriff Bartlett. Chief Dusseau has worked with Sheriff Bartlett and they share many of the same values. Chief Dusseau looks forward to working together with Sheriff Bartlett and having him involved with Kuna.

Mayor Nelson welcomed Sheriff Bartlett.

Sheriff Stephen Bartlett thanked Mayor Nelson and Council for having him at the meeting. He gave a description of his background in law enforcement. Sheriff Bartlett stated it is a privilege for the Sheriff's office that the three cities they contract their services to; Kuna, Star and Eagle, are also the three lowest crime rate cities in the Treasure Valley.

Council thanked Sheriff Bartlett for coming.

Mayor Nelson expressed thanks for Kuna's Police Chief Justin Dusseau. Chief Dusseau has done a wonderful job for the city and relates very well to the city, schools and citizens.

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

(Timestamp 00:06:42)

A. Proposed Idaho Department of Commerce Block Grant (CDBG) application

Review of application, scope of work, budget, schedule, benefits of the project, how ICDBG funds will benefit low and moderate income persons, and location of the proposed project.

Lisa Bachman, JUB Engineers explained the process and noted the hard work of the committed individuals appointed by the Mayor and Council to the Downtown Revitalization Steering Committee. There was an open house to obtain public input regarding the concept for the block grant as well as the Downtown Revitalization Plan, agency meetings to discuss funding options to make this project a reality and a community stakeholder assessment meeting to receive further input on the block grant and downtown revitalization as a whole. All requirements have been met to position the city for success in obtaining funding. Ms. Bachman explained the processes after the application is submitted with final decisions coming sometime around April. Ms. Bachman presented a project overview; improvement of Avenue E and Main St. east to tie into the roundabout project. This will be divided into two Phases. The focus at this time is Phase One of the project; starting on the west side of downtown, tying into Avenue E/4th St to Main St and Main St. from Avenue E to Avenue C, including expanded sidewalks for improved pedestrian area, hardscape and landscape.

Support: One (No Testimony)

Neutral: None

Against: None

Mayor Nelson closed the public hearing.

- B.** Consideration to Approve Resolution R86-2015 Approving ICDBG Block Grant Application– Chris Engels, City Clerk
(Timestamp 00:17:46)

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE IDAHO DEPARTMENT OF COMMERCE COMMUNITY DEVELOPMENT BLOCK GRANT (ICDBG) APPLICATION FOR THE CITY OF KUNA'S DOWNTOWN REVITALIZATION PLAN.

Council Member Stear moved to approve R86-2015. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:

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

Voting No: None

Motion carried 4-0.

7. Business Items:

A. Consideration to Approve Resolution R85-2015 Downtown Revitalization Plan
(Timestamp 00:20:20)

- Lisa Bachman, JUB Engineers
- Fabiola Giddings, Downtown Revitalization Steering Committee member and Kuna Chamber of Commerce
- Ana Paz, Downtown Revitalization Steering Committee member, Economic Development Committee member, local business owner

A RESOLUTION OF THE CITY OF KUNA, IDAHO ADOPTING THE CITY OF KUNA DOWNTOWN REVITALIZATION PLAN FOR THE CITY OF KUNA, IDAHO.

Lisa Bachman, JUB Engineers described the Downtown Revitalization Plan; the plan began with the Downtown Corridor Study in 2013 to identify and prioritize projects by the community. There was a visioning session that was very well attended in 2014 with businesses offering very solid input. These launched the Downtown Revitalization Plan. The committee was formed and the planning area established. There have been three meetings between summer and fall; a stakeholder assessment, an open house, and an agency meeting. There has also been an existing conditions assessment, development of a high level capital improvement plan, conceptualization of the CDBG project, development of an action strategy implementation plan as well as a strategic funding plan. A few things not covered in this plan for future development focus would be designing a façade improvement program, identifying downtown design standards and a business retention and attraction plan. Future funding tool recommendations would be an Urban Renewal District, a Business Improvement District similar to an HOA for businesses, Local Improvement District, and Art and History elements in downtown improvements. The project list is also included in the plan. The projects are listed in ranked order reflecting community response to what they would like to see. The final piece of the plan is the implementation plan with recommendations to maintain communication with the Downtown Revitalization Steering Committee, involving adjacent property owners and local business owners during the design process and ongoing fundraising. The community has contributed approximately \$4300 towards Downtown Revitalization.

Fabiola Giddings, Downtown Revitalization Steering Committee member and Kuna Chamber of Commerce described the economic growth and strengthening of the Kuna community the Downtown Revitalization Plan will encourage.

Ana Paz, Downtown Revitalization Steering Committee member, Economic Development Committee member, and local business owner described the investments in the community and revitalization of downtown properties their own businesses have made. To encourage and attract businesses to come to Kuna, investment needs to be made to revitalize the area as a whole. Also, people want to live in a city that has shops, restaurants, walking areas and things to do. Now that the Downtown Revitalization Plan has been developed, these things can happen with Council support.

Lisa Bachman, JUB Engineers clarified for Council; for the ICDBG there is a funding match from general fund of approximately \$100,000 and approximately \$40,000 for water.

Council Member Jones thanked everyone that contributed their efforts toward the Downtown Revitalization Plan. He is very proud to be part of it and intends to make sure the plan continues to move forward with his full support.

Council Member Stear said there has been a culmination over the past few years of the city having someone that can write grants to bring money in, public involvement and business owners involvement that has put the city in a good position to make this plan a reality. He is also proud to be a part of it and thanked everyone.

Council Member Stear moved to approve R85-2015. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:

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

Voting No: None

Motion carried 4-0.

- B.** Consideration to Approve Resolution R87-2015 Accepting the terms of the certifications for the CDBG grant – Chris Engels, City Clerk
(Timestamp 00:46:10)

City Clerk, Chris Engels explained this is a requirement of the CDBG and is included in the application.

A RESOLUTION OF THE CITY OF KUNA, IDAHO ACCEPTING AND AGREEING TO THE TERMS OF THE CERTIFICATIONS AS CONTAINED IN SECTION 13 OF THE CITY OF KUNA, IDAHO'S DOWNTOWN REVITALIZATION APPLICATION FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT; AND AUTHORIZING THE MAYOR TO EXECUTE THE CERTIFICATIONS DOCUMENT.

Council Member Stear moved to approve R87-2015. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:

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

Voting No: None

Motion carried 4-0

- C.** Consideration to Approve Resolution R82-2015A Amending R82-2015 Establishing a Redevelopment Area – Chris Engels, City Clerk
(Timestamp 00:47:23)

City Clerk, Chris Engels explained the amendment is language clarification in the document.

**Council Member Stear moved to approve R82-2015A. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:
Voting Aye: Council Members Buban-Vonder Haar, Cardoza, Jones and Stear
Voting No: None**

Mayor Nelson thanked everyone that participated in the Downtown Revitalization Plan.

Council President Cardoza referred to Resolution 86-2015 and asked for a motion to have the allocation of \$100,826 come from the FY 2016 contingency fund. He also asked if the in kind labor from the city in the amount of \$45,540 needs to be allocated to a specific fund as well.

City Attorney, Richard Roats asked City Clerk, Chris Engels if the expenditure was in this budget year or next budget year.

Ms. Engels responded the option is up to Council. Half can be allocated this fiscal year and half next fiscal year.

Council Member Jones asked if there was there intent to do something next year which would require funds.

Ms. Engels responded ideally, in order to accomplish Phase 1 and Phase 2 effectively, Council would commit to the full amount in this fiscal year. There will be an effort to offset the amount with fundraising and other foundation grants and opportunities.

Council Member Jones asked if the intent was to move to Phase 2 in the next budget year.

Ms. Engel responded Phase 2 would probably commence in 2017 but would affect fiscal year 2018.

Council President Cardoza asked City Treasurer, John Marsh the allocation sum in the contingency fund.

Mr. Marsh responded there is just under 1.1 million in the contingency fund.

Council Member Jones asked if any of the funding had been set aside already.

Ms. Engels responded no, Council has not committed to an amount. Resolution 86-2015 did have recommended amounts of match funds, which was passed.

Council President Cardoza moved to allocate \$100,826 from the FY 2016 contingency fund. Seconded by Council Member Jones with the following roll call vote:

Voting Aye: Council Members Buban-Vonder Haar, Cardoza, Jones and Stear
Voting No: None

- D.** Discussion Item – Direction for unpaid bill for staff time for Pristine Pools of Meridian. Richard Roats, City Attorney
(Timestamp 00:54:10)

Council Direction; Mr. Roats will review the Ordinance for withholding permits for unpaid debt to the city and options for retaining a collection agency then bring back to Council on December 1, 2015.

8. Ordinances:

- A.** *Second Reading* of Ordinance No 2015-12 Idaho Power Franchise Agreement – Richard Roats, City Attorney
(Timestamp 01:05:52)

Consideration to waive three readings

Consideration to approve ordinance

Consideration to approve a summary publication of the ordinance

AN ORDINANCE IN ACCORDANCE WITH IDAHO CODE SECTIONS 50-328, 50-329 AND 50-329A GRANTING A FRANCHISE TO IDAHO POWER COMPANY, AN IDAHO CORPORATION, AND TO ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, MAINTAIN AND OPERATE IN AND UPON THE PRESENT AND FUTURE STREETS, HIGHWAYS AND OTHER PUBLIC PLACES WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, IDAHO, ELECTRIC UTILITY PROPERTY AND FACILITIES FOR SUPPLYING ELECTRICITY AND ELECTRIC SERVICE TO THE CITY, THE INHABITANTS THEREOF, AND OTHERS FOR A TERM OF TEN (10) YEARS; PROVIDING A RIGHT TO THE CITY TO PHYSICALLY LOCATE AND MAINTAIN TELEPHONE, CABLE, FIBER OPTICS OR OTHER COMMUNICATIONS FACILITIES ON THE POLES AND OTHER FACILITIES OF GRANTEE; PROVIDING FOR A HOLD HARMLESS CLAUSE; PROVIDING FOR A REQUIREMENT FOR INSURANCE; PROVIDING FOR A PROCESS TO IMPLEMENT A FRANCHISE FEE; PROVIDING FOR A NON COMPETE CLAUSE; PROVIDING A CLAUSE THAT PERMITS THE CITY TO GENERATE POWER FOR ITS OWN CONSUMPTION; RESERVING POWER OF EMINENT DOMAIN; PROVIDING FOR THE PAYMENT OF FRANCHISE FEES; AND

SPECIFYING OTHER LIMITATIONS, TERMS AND CONDITIONS
GOVERNING THE EXERCISE OF SAID FRANCHISE.

9. Mayor/Council Discussion Items:

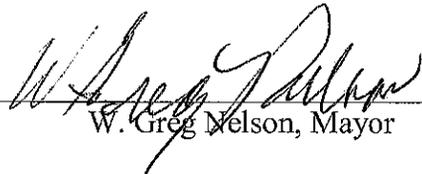
10. Announcements:

11. Executive Session: Adjourn to Executive Session pursuant to I.C. Section 74-2061(c)
Property Acquisition

Council Member Buban-Vonder Haar moved to adjourn Executive Session at 8:15 p.m. Seconded by Council Member Jones Motion carried 4-0.

12. Adjournment:

Council Member Stear moved to adjourn the meeting at 8:52 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 12.1.2015*

