

## OFFICIALS

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



## CITY OF KUNA

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

### City Council Meeting MINUTES

Wednesday, May 18, 2016

#### 6:00 P.M. REGULAR CITY COUNCIL

##### 1. Call to Order and Roll Call

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

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

##### 2. Invocation: None

##### 3. Pledge of Allegiance: Mayor Stear

##### 4. Consent Agenda: (Timestamp 00:00:44)

*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:

##### 1. Regular City Council Minutes, May 3, 2016

B. Accounts Payable Dated May 12, 2016 in the Amount of \$450,183.58

C. Alcohol Licenses:

D. Resolutions

**Council President Jones moved to approve the consent agenda. Seconded by Council Member Buban-Vonder Haar. Motion carried 4-0.**

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**5. Community Reports or Requests:**

*(Timestamp 00:01:13)*

**A. Ada County Assessors Annual Report – Robert McQuade, Ada County Assessor**

Mr. McQuade updated the Council that 190,000 assessments will be going out in Ada County and 7,200 of those are for property owners. The numbers are not final but are very close. He explained that, in regards to the assessment, questions have come up about why land and improvement are separated. The reason for it goes back to the original homeowner's exemption in the early 1980s. Houses used to be the only thing that could get an exemption, not land, so they had to be separate. That was changed to the homestead exemption in 2006, making it possible for land to get an exemption as well as the building. He believes the separation on the assessment is a carryover from that and it won't be changed for transparency purposes.

Mr. McQuade went over the market value of Kuna and the numbers that deal with that. The market value of the City of Kuna, as of January 1, 2016, is \$1 billion, which is up 12% over last year. Removing the homeowner's exemption amount of \$327 million and factoring in the operating property amount of \$14 million leaves the potential taxable value of Kuna at \$690 million which is 18% over last year's value. Residential taxable market value is \$922 million, which is up 12% over last year. There is an 8% medium increase. County wide there is a 7% increase so Kuna is a little higher than county wide. Mr. McQuade believes this is because Kuna is still climbing out of the housing collapse. He feels Kuna will be good by next year. Commercial property taxable value is \$74 million, which is an 11% increase. Personal property taxable value is \$6.7 million, which is much lower than the years prior to 2012, when Kuna had an assessment of \$8.4 million. This is due to personal property tax exemption being added in. Total market value of all commercial is just about \$81 million.

Mr. McQuade discussed new construction. It is important to the county and the cities because budgets can be increased by 3%. Taxable value of new construction is \$3.5 million which is a 57% increase from last year. Residential is \$316 million which is up 30%. Commercial taxable value is \$3 million and that is up 121% over the previous year. The number that really caught his attention was the new subs and change in status of sub divided land. It is \$11.3 million which is up 100% from last year's value.

Mr. McQuade talked about the tax burden in Kuna. Residential pays 86% of the taxable value. Commercial pays 14%. County wide it is 67%. Kuna puts a lot more on the residential populace.

To wrap things up Mr. McQuade stated that typically residential increase is expected to be around 4.5% or 5%, but Kuna is at 8%. Kuna is strong in residential, commercial, and new construction value. The population increased to 20,000 which is a 4% increase. It does not seem like a lot but looking at that amount of increase over the course of twenty (20) years it becomes a staggering number.

Mr. McQuade stood for questions.

Council Member Buban-Vonder Haar thanked Mr. McQuade for his presentation. She said she really enjoyed it.

Mr. McQuade said he really enjoys doing this and thanked Council for the opportunity.

Mayor Stear thanked Mr. McQuade for his presentation.

**6. Public Hearings:** (6:00 p.m. or as soon thereafter as matters may be heard.)  
(Timestamp 00:11:25)

**A. Ordinance No. 2016-11 and Resolution No. R37-2016 Business License Renewals and Associated Fees – Chris Engels, City Clerk**

**1. Public Hearing on Resolution No. R37-2016 Establishing Fees for Business Licenses**

City Clerk Chris Engels stated that she had the fee schedule published for the public hearing to establish the business license fees discussed in the previous council meeting. She stood for questions.

There were no questions.

Mayor Stear opened the public hearing

Support: None

Against: None

Neutral: None

Mayor Stear closed the public hearing.

**Council Member Buban-Vonder Haar moved to close the public hearing on Ordinance No. 2016-11 and Resolution No. R37-2016. Seconded by council member McPherson. Motion carried 4-0.**

2. Consideration to approve Resolution R37-2016 Establishing Fees for Business Licenses

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO  
ESTABLISHING FEES FOR BUSINESS LICENSES ISSUED BY THE CITY  
OF KUNA, IDAHO.

Ms. Engels requested the Council consider approving Resolution R37-2016 establishing the fees and affective dates and to continue on with the three (3) readings of Ordinance No. 2016-11 amending the business license code.

Council Member Buban-Vonder Haar asked if a courtesy copy of the resolution had been sent to the Chamber of Commerce. She was surprised no one was saying anything about it because business licenses have always been ridiculously cheap in Kuna.

Ms. Engels said that she talked with Fabiola, the Chamber President, and the Economic Development Committee about it, but she had not sent anything over to them. She said she could certainly do that though and if the Council would like to wait until the next City Council Meeting to approve the resolution that would be fine.

Council Member Cardoza asked about the twenty-five dollar (\$25) fee for failure to procure a license as an infraction. He wanted to know if this fee was in addition to the twenty-five dollar (\$25) fee (sic) (resolution is \$24) for the license or does the infraction fee get you the license. Council Member Cardoza said he felt it was a bit ambiguous

Ms. Engels differed to Richard Roats, City Attorney, on the verbiage.

Mr. Roats said that the twenty five dollar (\$25) infraction is in addition. As an infraction, it goes to the court system as a citation and the court imposes the twenty-five dollar (\$25) penalty.

Council President Jones asked Ms. Engels how the business license applications are processed and what the timeline for that is.

Ms. Engels explained that before the Clerks Office can accept the application it has to be complete; meaning that applicants need to have seen Planning and Zoning, have the zoning reviewed, if there is a building inspection required they have to comply with that first, if it is a new build they need to have occupancy, and if it needs fire approval that needs to happen as well. When an application is brought to the Clerks Office it is reviewed to make sure that all required departments have approved it and that the applicant has provided any required supporting documents, such as CDC certification. It is then added to the system and signed. This process can take approximately three (3) to five (5) days.

Council President Jones asked if applying for a business license triggers inspections.

Ms. Engels gave an analogy of someone applying for a business license because they opened a motor repair shop in their garage. They would go to Planning and Zoning and have the zoning of the location reviewed to see if the code allows for that. If the code allows for that they would determine if any kind of inspection is needed for that type of business. Once that is done, depending on what type of business it is, the fire department may or may not need to sign off on it. If the zoning does not allow it, the business license cannot be issued. At that point the business owner would need to work with Planning and Zoning to see what options are available.

Council President Jones asked if anything would be triggered for established businesses.

Ms. Engels said not unless changes have been made to the structure of the building or something along those lines. Also, if a business switches from something like insurance sales to food service, something could be triggered.

Council President Jones said he is all for the license; it will benefit the city to have this information. He just wants to make sure that another burden is not being created for businesses by holding up licenses with extra hurdles for them to get through. He said that doesn't seem to be the case; there are no requirements above and beyond the normal.

Ms. Engels said the only time above and beyond would occur would be if a business had substantially changed; such as the building, type of business, ownership changes, and the like.

Council President Jones asked Bob Bachman, Facilities Director, how the City would know if an existing business in an older building needs to make updates to the structure. He wanted to know how the City would protect the public and if the City has any control in these situations.

Mr. Bachman said if City staff observes a problem or if someone reports one to the City, the City does have the authority to go into a business to do an inspection, especially if it is a life safety issue. As far as going in and making someone change something that is in existing use, unless one of the changes Ms. Engels listed previously such as changing from an A use to a B use, the City can't really do anything because they fall under the existing building code. They are allowed to continue to operate as is, as long as there are no life safety issues.

Council President Jones said that is his main concern. He feels that the City has some duty to make sure the public is safe.

Mr. Bachman gave an example of a time when some fascia fell off a building sparking an inspection in order to make sure a safe environment was being maintained. There have been a few other instances like that.

Council President Jones asked Mr. Roats what section 3-4-7 from Ordinance 2016-11 is. There is nothing listed under it.

Ms. Engels told the Council that the redline version of the ordinance had somehow been left out of the agenda packet. The redline version shows that ~~section has been removed and renumbered.~~

Council President Jones asked if the intent was to make business license expiration dates coincide with corresponding licenses such as alcohol licenses.

Ms. Engels said yes, if the business owner is agreeable.

Council President Jones wanted to know, if there is a difference between the expiration date of a business' license and the business' alcohol license, for example one license expires four (4) months before the other, would the City make the business pay for the four (4) months and then pay again when the other license expires in order to get the licenses to expire at the same time after that.

Ms. Engels said that, in the renewal process for existing businesses, the hope is to use some latitude to get everybody on the same page. However, she has not had a situation where a business that has alcohol does not implement their alcohol license and business license at the same time. They typically are applied for at the same time because they need to be.

Council President Jones said he agrees that it is easier to do both licenses at the same time. He would prefer that businesses not have to pay extra to make the expiration dates match though.

Ms. Engels agreed and said that the effort would be made to use latitude when existing business come in.

Council Member Cardoza asked why licenses are not transferrable if the business doesn't change but, for example, the location changes.

Ms. Engels said a license is only not transferable to a new owner. If a new owner purchases the building they need to come in and get a license under their name. Typically licenses are not transferable because a new account is required. The reason that new licenses are more expensive than renewals is the cost to the City to get them in the database, bill their account, and to process them. If someone comes in and purchases an existing business the city has to set up a new account under the new owner. It is, in essence, a new business.

Council Member Cardoza asked why the license cannot be transferred for the time between the purchase of the business and the license expiration date and then changed at the time of renewal.

Ms. Engels explained that the City tracks businesses by the owners not the business. When a new owner purchases an existing business, the business is attached to the new owner under a whole new account.

Council Member Cardoza asked why it would be a whole new account when the only thing that changes is the owner's name.

Ms. Engels explained that, when owner A has business A, business A is attached to owner A. Owner A may also have businesses B and C, all attached to owner A. When owner A sells business A to owner B, an account has to be set up for owner B and then business A is attached to that account.

Bob Bachman, Facilities Director, offered to help explain. He clarified that a business license is issued to a person's name, so when a business ownership changes a new license has to be issued. This also gives the City a chance to make sure that the business is in compliance with all codes.

Council Member Cardoza confirmed that Mr. Bachman was saying business licenses are administered to applicants not DBAs.

Mr. Bachman said yes.

Council Member Cardoza asked if a renewal is due a certain month and is not paid until the second of the following month, will a twenty-five dollar (\$25) late fee be charged.

Ms. Engels said no. The hope is that payments are made on time but if someone is a little late, there will be no late charge. The twenty five dollar (\$25) charge is an infraction, so if someone blatantly conducted business and would not respond to the City's request to comply with the business license codes, the City has the option to have them cited for operating a business out of code.

Council Member Cardoza asked if that meant there is no penalty for any duration past the due date other than the City's ability to assign a late fee of twenty five dollars (\$25) at the City's discretion.

Ms. Engels said it is an infraction.

Council Member Buban-Vonder Haar said she reads the ordinance differently than Council Member Cardoza. She reads it as: if the license is not renewed there is no grace period. A new license would have to be issued. She wanted to know if that was the intent, because with no grace period provided her assumption is the business is no longer a licensed business and a new license would have to be issued. She was not sure if Council Member Cardoza's question was in regards

to the future application of this ordinance or if it is in regards to right now, when a grace period of a year is being given for existing businesses to renew. She asked about the intent of section 3-4-9 of Ordinance 2016-11.

Ms. Engels said her approach on this is to not assess a late charge at this time. She would like to take time to educate business owners and if getting people to renew becomes an issue or utilizing infraction is needed to get compliance, the City can re-evaluate. The ordinance can be amended to state that if someone does not renew by their expiration date it will be considered a new license and they will have to pay the full price of a new license.

Council President Jones said he would like to see some sort of deterrent, because without a grace period it is open to be enforced at whim. He feels that either there should be no grace period, late is late, or there should be a grace period of 30 days and then a late fee is charged. He feels it should be black and white instead of being open.

Council Member Buban-Vonder Haar asked if Council President Jones felt that having to go through the whole process of applying for a new license if a renewal is not done in time would be a big enough deterrent.

Council President Jones said he would be alright with that. He just wants to make sure there is something there to maintain consistency.

Council Member Cardoza said he finds the last sentence of section 3-4-3 of Ordinance 2016-11 interesting. "Applications for renewal of an existing business shall pay in advance the full renewal license fee regardless of the month renewed." He reads that as being able to retro actively pay the renewal fee eleven months into a late status and not be charged a late fee.

Council Member Buban-Vonder Haar said that is not how she reads it. When taking it in connection with the section that says there is no grace period, it means the license is expired so it could not be renewed.

Ms. Engels asked about amending the language in section 3-4-9 of Ordinance 2016-11 to say "no grace period is provided" and add some language to the effect of "if they go past their expiration date they are considered a new license and would have to comply with those requirements".

Council Member Cardoza suggested expiration plus thirty days.

Council Member Buban-Vonder Haar said if it was expiration plus thirty days everyone would take 13 months to renew.

Council Member Buban-Vonder Haar asked if notices would be sent out.

Ms. Engels said yes and a list of current businesses is being worked on so a copy of everything can be mailed out making business owners aware of this change.

Council Member Buban-Vonder Haar said that makes sense as well as there being no grace period provided and if a license is not renewed by the expiration, a new license is required.

**Council Member Buban-Vonder Haar moved to approve Resolution No. R37-2016. Seconded by Council Member McPherson. Approved by the following roll call vote:**

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

**Voting No: None**

**Motion carried: 4-0**

3. *Second Reading of Ordinance No. 2016-11 Amending Business License Code (Timestamp 00:36:20)*

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO AMENDING THE CITY OF KUNA, IDAHO'S BUSINESS LICENSING CODE TO CLARIFY THAT IT APPLIES TO A COMMERCIAL BUSINESS OR HOME OCCUPATION OPERATING WITHIN THE CITY LIMITS; STRIKING THE EXCEPTIONS TO LICENSE REQUIREMENT; PROVIDING THAT THE CLERK OR DESIGNEE MAY ISSUE THE LICENSE; STRIKING THE FEE AMOUNT AND PROVIDING THAT THE FEE SHALL BE SET BY RESOLUTION OF THE CITY COUNCIL; PROVIDING THAT LICENSE FEES SHALL BE PAID IN FULL; PROVIDING THE APPLICATION FOR LICENSE SHALL BE SUBMITTED TO THE CLERK AND PAID IN FULL; PROVIDING FOR SUSPENSION OF LICENSES; PROVIDING A LICENSE SHALL BE VALID FOR A DURATION OF TWELVE (12) MONTHS; PROVIDING THAT FAILURE TO PROCURE A LICENSE SHALL BE PUNISHABLE AS AN INFRACTION IN THE AMOUNT OF TWENTY-FIVE DOLLARS (\$25.00) FOR EACH VIOLATION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**7. Business Items:**

*(Timestamp 00:37:34)*

- A. Ensign Subdivision Access Request – Lance Warnick, Aspen Engineers/Troy Behunin, Senior Planner

A request from Aspen Engineers for consideration to approve construction of a commercial driveway from Meridian Road (SH 69), for property located at 821 N. Meridian Road. This property is just south of McDonalds in the Ridley's Family Center Commercial Subdivision.

Lance Warnick PE, Aspen Engineers, appeared on behalf of his clients to request an approval for a commercial access. They are developing 16 acres and are proposing to do it in a couple phases. The first phase includes a tractor supply, a dollar tree, and a few lots they are trying to find use for. They had originally anticipated an access

down the south east corner where Meadow View connects to Meridian Road, but there are a few obstacles that cannot be overcome at this point. Idaho Transportation Department (ITD) wants Meadow View to exactly line up with Meadow View on the other side of the street. He explained the complications caused by that. ITD anticipates a long term solution would probably be to realign Allen Court, the private road located to the south, and to have Meadow View punch through to the west. They also approached Ridley's about making some connections through their driveway south of McDonald's. The City has been helpful with this. Ridley's initially denied all attempts to make a connection but have since agreed to let them use the back connection which puts back minor difficulties. The single access point is insufficient for the development though. In discussions with ITD, they have been asked to pursue an access point off the highway. It is located, at this point, 662 feet north of Meadow View. It is lined up with the field access that is on the east side of Meridian Road. It meets all separation criteria; even if they anticipate a signal at that intersection in the future. They submitted an application to ITD and resubmitted the traffic impact study after ITD's response and comments. They have construction drawings for that approach and have preliminary reviews. At this point they are just asking for permission to have that new access on the highway to serve this development. Mr. Warnick stood for questions.

There were no questions.

Senior Planner Troy Behunin said he doesn't have anything to add. Staff has worked closely with all parties and agencies. Staff and ITD support Ensign's proposed access point.

Council Member McPherson noted a date error in the letter. It was a typo on the year City Council approved the split. It should read December 1, 2015 instead of December 1, 2016.

Council Member Cardoza asked about Meadow View being on private property. He wanted to know if Ada County Highway District (ACHD) has right of way through that private property from that extension.

Mr. Warnick responded that on the map in the council packet there is a strip about eighty (80) feet wide along the south boundary. It is actually part of a flat lot that connects to a property west of the development that is currently owned by one of Kevin Emard's entities. ACHD has requested that they work with Mr. Emard to dedicate that section for half of the road. The other half would need to be on the property that is located south of the development. It is owned by somebody else as well. ACHD is anticipating that road would eventually be a collector road that would have four (4) lanes plus bike lanes, so a substantial driveway is needed through there. They had originally proposed to ITD that they could build the roads to offset so the portion on the west would be slightly north of the existing portion on the east side of the street but that proposal was refused because it has to match up exactly to center roadways. That is the operation rules, which are in place for future

signalization purposes. Therefore, they recommend going with this approach. The right of way will be dedicated on parts of the boundary for now and as the development grows and moves to the west, these situations will potentially resolve. It is likely that Meadow View will extend all the way to K in the future.

**Council President Jones moved to approve construction of a commercial driveway from Meridian Road (SH 69) for property located at 821 N. Meridian Road. Seconded by Council Member Buban-Vonder Haar. Motion carried 4-0**

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**B. Downtown Revitalization – Chris Engels, City Clerk**  
(Timestamp 00:47:08)

**1. Consideration to approve Resolution No. R38-2016 Idaho Transportation Department Cooperative Agreement**

WHEREAS, THE IDAHO TRANSPORTATION DEPARTMENT, HEREAFTER CALLED THE STATE, HAS SUBMITTED AN AGREEMENT STATING OBLIGATIONS OF THE STATE AND THE CITY OF KUNA, HEREAFTER CALLED THE CITY, FOR DEVELOPMENT OF ITS DOWNTOWN AREA IMPROVEMENT PROJECT; AND WHEREAS, EACH PARTY IS RESPONSIBLE FOR CERTAIN DUTIES AND COSTS FOR MAINTENANCE OF THE LUMINAIRES.

City Clerk Chris Engels explained that this resolution allows the City to begin the procurement of engineering services for the downtown project. Design needs to be completed and provided to COMPASS for the City's TMA TAP Grant Funds no later than March 1, 2017. In order to meet that deadline COMPASS, ITD, and JUB agree to let the City begin that process. The City received the CDBG funds of \$500,000. The City met with ACHD who is partnering with the City in the request for \$200,000 for phase one. There is pending funding from the TMA TAP in the total of approximately \$500,000; approximately \$200,000 comes in phase one (1) and \$300,000 in phase two (2). At this point phase one (1) is fully funded and phase two (2) is partially funded with pending applications to hopefully finish funding for phase two (2). If the cooperative agreement with ITD is approved by council she requests they also approve R39-2016 which is the request for proposal to procure the engineering services that will be needed. It will be published in accordance with the guidelines provided by the CDBG. The RFP will close on June 9, 2016 at 4:00 PM. The respondents will be evaluated. Once the firm is selected, because it is an engineering firm, the cost will be negotiated based on the scope of work. She stood for questions.

Council President Jones asked if Ms. Engels was requesting any funding at this point.

Ms. Engels said no. The Council had already provided funding of \$140,000 and the match for the CDBG so she is not requesting any additional funding.

Council President Jones asked about the cost of getting these proposals.

Ms. Engels said yes there is a cost but, because it is engineering professional services, a cost is not issued. The best qualified is chosen and the cost is negotiated which is standard as per Idaho State Code.

Council President Jones said he is assuming Ms. Engels does not expect the cost to exceed the amount already approved but he wants to be sure that the City is not stuck with a bill for \$50,000 if the cost does go above what is expected.

Ms. Engels said the estimated costs include procuring the engineering services and are included in the overall costs for phase one (1) and phase two (2) as well as being included in the submitted grant applications.

Mayor Stear added that they met with ACHD that morning to ask for their support and partnership on this project. It was the final piece to this puzzle for funding. It was done in workshop form so there was no official decision made but it looks like things are well underway. The cooperative agreement and engineering proposals have to be done by a certain timeline so it needs to get done in order to avoid causing problems with any grant funding.

Council Member Cardoza asked City Engineer Gordon Law why the City has a contract with ITD if their authority stops at Orchard and ACHD picks up and goes through town.

Mr. Law differed to Ms. Engels.

Ms. Engels stated the reason for the ITD Cooperative Agreement is they are one of the administrators for the federal funds of TMA and TAP, not because they have authority over this area. When it comes to federal highway funds that filter through the state and different organizations, there are certain requirements and standards that have to be met and ITD makes sure that everybody meets those standards when those funds are used. The TMA money is federal money.

Council Member Cardoza asked if ACHD requested the funds through COMPASS through ITD.

Ms. Engels said the City requested the funds through COMPASS. Then COMPASS brought in the federal funds for the City and, as part of that funding process, the City agrees to use federal standards and ITD oversees those federal standards.

Council Member Cardoza asked if ITD will be overseeing the project.

Ms. Engels said no, the City oversees the project because the City is the owner and lead on the project.

Council Member Cardoza wanted to clarify that the City does have to meet the guidelines of ITD for any kind of road service.

Ms. Engels confirmed this. CDBG has strict guidelines the City has to meet as well.

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Council Member Cardoza asked if there will be a contract with ACHD as well.

Ms. Engels said yes. After the meeting they had that day, they spoke with Justin Lucas. Mr. Lucas let them know it would go into the budget and integrated work plan. There will also be an agreement drafted by ACHD to be reviewed and put before Council. The agreement will cover some road work for ACHD to do, the standards, and what the City agrees to.

Council Member Cardoza wanted to know if ACHD would have funds allocated for this project.

Ms. Engels said yes, it will be in ACHD's budget.

**Council President Jones moved to approve Resolution No. R38-2016.  
Seconded by Council Member Buban-Vonder Haar. Motion carried 4-0.**

2. Consideration to approve Resolution No. R39-2016 Request for Proposal for Engineering Services for Main St and Ave E

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO  
APPROVING THE REQUEST FOR PROPOSAL (RFP) FOR THE CITY OF  
KUNA, IDAHO TO OBTAIN PROPOSALS FOR ENGINEERING SERVICES  
FOR THE DESIGN OF THE MAIN STREET/AVENUE E, KUNA, IDAHO  
PROJECT AND ITS PUBLICATION AS PROVIDED FOR BY LAW.

**Council President Jones moved to approve Resolution No. R39-2016.  
Seconded by Council Member Buban-Vonder Haar. Motion carried 4-0**

- C. Discussion and Council Direction on Park Standards – Bobby Withrow, Parks Director  
(Timestamp 00:56:53)

Parks Director Bobby Withrow explained the need for the Park Standards. The City of Kuna currently has none and with the Park Impact Fee something needs to be done to figure out how to give them credit. Mr. Withrow has been putting together the park standards and requirements for what they would like to see in the parks and what needs to be in parks. He asked Council for any changes, comments or concerns.

Mayor Stear said if there are no changes, comments or concerns requested by the council these changes will be made.

Council Member Buban-Vonder Haar noted a grammar correction and a lay out correction.

Council Member Cardoza asked if “within a one (1) -mile area” in section 1.02.01 meant within less than 1 mile.

Mr. Withrow said the minus shouldn't be there and it will be removed.

Council Member Cardoza asked if three (3) acres is the minimum size for a neighborhood park.

Mr. Withrow said yes, that is what he is proposing. In the third paragraph of the introduction he wrote that parks less than three (3) acres will not be considered by the City. He explained that anything smaller than that is hard to do anything with other than just mow it. The intention is to do more with the parks.

Council Member Cardoza asked about restroom facilities being at every park regardless of the size.

Mr. Withrow said that was correct.

Council Member Cardoza asked where Mr. Withrow came up with the minimum of three hundred feet (300') of street frontage mentioned in 1.03.01. He wanted to know the purpose of that.

Mr. Withrow said that is in there so the parks can be more visible. He found that this is a common requirement with other cities.

Council Member Cardoza asked if a community park was going to be required to have every bulleted item listed in section 1.04.02.

Mr. Withrow said that a community park would be required to have everything that is bulleted in the first part of the section and only four (4) of the additional items listed in the second part of the section.

Council Member Cardoza asked if the developers would get to choose which four (4) additional items to include or would the City be choosing.

Mr. Withrow said it is a little bit of both. A developer will pick four (4) and then those four (4) have to be approved by the City. This enables the City to mix things up a bit.

Council Member Cardoza asked if the requirements listed in 1.08.01 were for hard ball or soft ball.

Mr. Withrow said hard ball.

Council Member Cardoza said he would prefer to see a six foot (6') fence for dog parks without the four foot (4') minimum stated in 1.08.06. He does not feel a four foot (4') fence would contain all dogs.

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Mr. Withrow agreed.

Council Member Cardoza asked about the parking guidelines for the baseball/softball fields. He does not think twenty (20) spaces is enough.

Mr. Withrow said the numbers he used were just what he found in City Code.

Council Member Buban-Vonder Haar asked if the twenty (20) spaces listed for the ball fields was in addition to the number of spaces listed for other amenities.

Mr. Withrow said yes, so if a park has a baseball field there would be twenty (20) spaces designated for that field and there would also be designated spaces for any other amenities.

Council Member Buban-Vonder Haar asked what the minimum number of parking spaces would be for a community park not including the spaces designated for amenities.

Mr. Withrow did not know the answer off the top of his head but he could get back to her on that.

Council Member Buban-Vonder Haar said it wasn't a big deal.

Council Member Cardoza asked about the construction material for restroom facilities. He does not think stick frames would work for these facilities. He would prefer them to be mandatory masonry because they last longer.

Mr. Withrow said ok.

Council President Jones said a lot of the items listed say everything will be in accordance with specifications, but some do not say that, even though they do have specifications. He would like it generalized so that everything has to meet specifications provided.

Council President Jones also clarified with Mr. Withrow that an eleven (11) acre neighborhood park does not automatically become a community park once the exceed the ten (10) acre maximum set for neighborhood parks.

Council President Jones asked if someone wanted to donate twenty (20) acres for a park but does not donate the amenities, would the City take the land being offered.

Mr. Withrow said yes. A lot of the specifications are set by the Park Impact Fee, so if a developer wanted to donate the twenty (20) acres plus put in the community park amenities as per these specifications, they can be credited that with the Park Impact Fee on the building.

Council President Jones said he is a little confused on how the shelters are split up. He wants to know if someone builds a nine (9) acre park do they only have to do one (1) shelter instead of the two (2) to four (4) that would be required for ten (10) acres. He recommends something like one (1) shelter with a minimum area of four hundred square feet (400 sf) or two (2) with a combined five hundred square feet (500 sf) for every three (3) to five (5) acres and parks that are five (5) to ten (10) acres should have the one (1) plus the other one.

Mr. Withrow agreed.

Mayor Stear asked if that would affect the ability of someone putting a ball field in their park.

Council President Jones asked about the size of a ball field.

Mr. Withrow explained that that the ball fields that the City has right now are roughly three point three (3.3) acres.

Council President Jones asked if the requirement for the amenities listed for a community park would even fit in ten (10) acres and how much space would be left. He wanted to know how much space the amenities would take.

Mr. Withrow said it depends on the lay of the land. Some layouts would make it very hard to fit everything which is why the City has to approve plans.

Council President Jones said he has confidence in the City's choices.

Council president Jones asked, if someone wanted to dedicate a community park, could they name it.

Mr. Withrow said he hadn't thought of that. It would be up to Council and asked if they had any thoughts on it.

Council President Jones asked if all park names have been a Council decision and should they be.

Mr. Withrow said he thinks council should make the final decision on that. He believes all but one (1) park has been named since he has been with the City so he hasn't personally dealt with this situation.

Council President Jones said if someone came in and wanted to develop everything for the City he would not have a problem with them choosing the name, within reason, however if they just gave the land and the City had to develop the park, he would have a problem. He thought maybe something allowing someone who develops a park the opportunity to name that park should be in the standards.

Mr. Withrow said he could put that in.

There were no further questions.

**D. Discussion on City owned twenty (20) acres located at Meadow View Road – Mayor Stear**  
*(Timestamp 01:14:18)*

Mayor Stear said the City is starting to get some interest in the property located at Meadow View Road. Before he has staff spend time looking into what should happen and what could possibly happen he would like to discuss a couple of things that have come up in the past and recently. The Council does not have to make a decision right then. He is open to ideas.

Mayor Stear said trading the twenty (20) acres to the school district for the 4<sup>th</sup> Street Gym has been discussed. He was not sure if the Council had any interest in that and he has no specifics on it, but if the Council does have any interest he will look into the possibilities.

Mayor Stear said the other thing that has come up is a person who wants to build a privately owned gym with a community pool. They have done this before in Eagle and it was fairly successful. He does not have any specifics at this time. The gentleman presented this idea simply to see if the City would have an interest in it. He has looked at and is able to finance right now, if he doesn't have to pay for a piece of property, a five (5) lane twenty-five (25) yard pool. That is high school competition regulations. He would have the ability to expand on that as things grow. What the City would have to do in that instance is lease the property. Stipulations can be made such as low income membership options and requirements the City would like to see with the pool. It would be a joint venture where they would own and operate the pool and the City would fund it. The only thing that might be an obstacle there would be the possibility of a twenty (20) month timeline to get this into place. Obviously the City does not have water and sewer services over to that property and he is not sure it could be done within that timeframe.

Mayor Stear asked the Council to weigh in on these ideas.

Council Member Cardoza said he thought the City might look at maintaining that property for athletic fields. He says he knows the City is short on fields.

Bobby Withrow, Parks Director, confirmed this.

Council Member Cardoza said it may be beneficial for the City to see about developing that property for the use of baseball, soccer, and PAL.

Council President Jones said he has some reservations about allowing private businesses on City owned property. He said maybe the City should put their own pool there. He would not be interested in trading the property for the 4<sup>th</sup> Street Gym and he would not be interested in selling the property either. The growth in the Meadow View area may change what can be put in that area and it may be that the property would be better used for something else in the future.

Mayor Stear said there is no reason anything has to be done right away. This was just brought up to him and he thought he would get Council's thoughts.

Council President Jones said he does agree that the City needs more athletic fields and if the City got a pool he would be extremely happy too.

Council Member Cardoza asked, if the City developed those twenty (20) acres into a park, would the City be obligated to follow the park standards Mr. Withrow presented earlier.

Mr. Withrow said yes.

Mayor Stear wanted to clarify whether or not there was interest in the proposal for a privately owned gym at that location. It is not that they would take the entire twenty (20) acres. They would only lease part of it for their gym and the City would still have access to some of the property. It would be just a matter of having the gentleman make the presentation and then the Council can decide from there.

Council Member Buban-Vonder Haar said she is a little unclear on how that would function. She wanted to know if the City was just renting the land but he would permanently change it and own the fixtures. She said it seems complicated.

Mayor Stear asked Richard Roats, City Attorney, if he had an idea of how that would work.

Mr. Roats said it would be complicated. The City would continue to own it and the gym owner would build on it. There would have to be reversion on the building if there was a breach of the agreement. It is not impossible for this public/private venture to go forward, but it is complicated.

Council Member Buban-Vonder Haar asked if the City would be charging rent.

Mr. Roats said yes.

Council President Jones asked if it would be leased at a commercial rate or an agricultural rate.

Mr. Roats said commercial.

Council Member Buban-Vonder Haar clarified that the City would have some ability to dictate how the business is run; such as mandating a certain number of passes for low income families. She is curious as to what extent the City would be involved with how the gym is run.

Mr. Roats said the thought, without knowing exactly what the lease would be, was that the property would be leased at a commercial rate but the rate would be lowered a bit, provided that the owner provides certain services for the community such as the certain number of passes for low income families.

Council Member Buban-Vonder Haar said one of the things that have always concerned her about a community pool is the idea of school swim teams. She feels that would tie up the pool during the times the community would want to use it most. It has never been clear to her how those things could coincide. She would not be opposed to hearing a presentation, but at the risk of sounding bitter or jaded, people really want entertainment for their kids but do not want to pay for it. The City tried a rec district which failed as well as the library bond. She feels this may be the only way to make progress in this area.

Mayor Stear said that was kind of his feeling too. When this was brought to him, he thought this might be a way to not have to bond for a pool, but he knows there are some complications to it. He figures if Council has an interest in it; a presentation can be made.

Council Member Buban-Vonder Haar and Council President Jones said they would be interested in a presentation.

Council Member Buban-Vonder Haar said she would not be interested in trading for the 4<sup>th</sup> Street Gym without a lot more information. She feels it is telling that it has been on the market so long with absolutely no interest.

Mayor Stear thanked the council for their input.

**8. Ordinances:**

*(Timestamp 01:26:33)*

- A. Consideration to Approve Ordinance No. 2016-13 Amending Areas of Dog Off-Leash – Mayor Stear

*Consideration to waive three readings*  
*Consideration to approve ordinance*  
*Consideration to approve a summary publication of the ordinance*

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO AMENDING TITLE 7, CHAPTER 3, SECTION 17 STRIKING SEGO PRAIRIE PARK FROM THE AREAS WHERE DOGS ARE PERMITTED OFF LEASH AND ADDING LANGUAGE THAT A DOG OFF LEASH CANNOT BE HARASSING OR CHASING ANY PERSON OR WILDLIFE; AND PROVIDING AN EFFECTIVE DATE.

Mayor Stear explained that Nicholson Park has been posted that dogs must be on leash. It is in ordinance that Segoe Prairie Park is an on-leash park; however there is no Segoe Prairie Park. Over the years Eagle Scouts have put in nesting posts for geese and Fish and Game stocks a pond there. Wild Life has been invited into the park. Recently there has been an incident where nesting ducks were killed. Now there are geese in the pond with their babies. What Mayor Stear would like to do with the approval of Council is to amend the ordinance to remove Segoe Prairie Park from the ordinance because there is no Segoe Prairie Park and add language that a dog off leash cannot be harassing or chasing any person or wildlife. He would like to provide that it be effective immediately in order to deal with the current situation. The original intent was to work with Fish and Game to see about a seasonal thing for dogs, but Fish and Game's rules are quite cumbersome so the decision was made to work with Parks and Recreation instead. They have some seasonal limitations on dogs in parks. Approving the ordinance right then would take care of the immediate situation and moving forward the City would work with Boise Parks on posting seasonal rules and when then season should start. The season is over soon so it would be good to move quickly on this.

Council Member Cardoza asked how things were coming along with the dog park.

Mayor Stear said it would not be budgeted until the next fiscal year. Bobby Withrow, Parks Director, has put some numbers together to look at. It is possible the park would have to be done in phases. The dog park could possibly cost over \$100,000. It depends on the amenities put into the park. It is possible the City would have to start with just a fence and a water feature.

Council Member Cardoza said he thinks the park at the end of Stagecoach would be ideal for the dog park. It has a large pond the dogs could cool off in.

Mr. Withrow said that is one of the sites he is looking at. The biggest expense is the fence. They are looking at \$44,000 for a fence. Other than that, the park Council Member Cardoza is suggesting would be relatively cheaper.

Council Member Cardoza asked the location of the other area Mr. Withrow is considering.

Mr. Withrow said over by Nicholson Park but it has too much lava rock.

Council Member Cardoza asked how much use Butler Park gets.

Mr. Withrow said it is used by the people close to it and it would be too small for the dog park.

Mayor Stear asked if Mr. Withrow tried bidding the fence through ACHD.

Council Member Cardoza said he is amazed at the community feedback on the dog park. It sounds like it is a priority with the citizens here.

Council President Jones asked Mr. Roats, City Attorney, about the definition of being under control.

Mr. Roats said he would have to find it but he thinks an eight foot (8') leash or voice control.

Council Member Buban-Vonder Haar said she could not find the definition.

Mr. Roats remember that the section Council President Jones was referring to is meant to clarify what is meant by the term "owner".

Council President Jones asked how that applies to the meaning of under control.

Mr. Roats said he can add a definition for under control.

Council Member Buban-Vonder Haar said the definition of at large is already there and the definition of under control would be the opposite of that. She suggested building the language around that.

Council President Jones asked what it means to not be harassing or chasing wildlife. He feels that it is in a dog's nature to chase wildlife and no one could ever be in complete control of a dog. He feels that, based on the community's concern, he is afraid this is opening a can of worms with confusion over interpretation. His biggest question is how this will be enforced. He has no problem with the community calling incidents in but it isn't their responsibility to be the City's enforcement officers. He feels the City should figure this out.

Mayor Stear said he would view it the same as the other park rules. The police shouldn't have to worry over the little things like chasing a robin, but it gives them some teeth when a dog is chasing down the ducks and geese.

Council President Jones said, technically, the police could enforce this when a dog is harmlessly chasing birds and that is the problem he has with this. He does not like people picking and choosing when to enforce a law. He would like to see something more along the lines of community education and a code enforcement officer.

Mayor Stear said not every incident will be enforced. Generally, when the police are called out, they do education. The point is to make it available for the police to say this is a rule and it needs to be followed. The intent is not to arrest everybody whose dog goes after a random bird, but there need to rules. This is meant to give the police some teeth when dealing with habitual offenders and people who think they are above the law, because it is a law not to harass the wildlife. This is a temporary fix and will continue to be worked on.

Council President Jones said his concern is not the police force. It is the confrontation between citizens over dogs off leashes. If someone was there giving out tickets maybe people will think twice. He thinks this is not going to fix it.

Mayor Stear said citizens who were argumentative over the incident noted in social media all came around to the fact that, if it is nesting season they would keep their dogs on leash. They just want the ability to train in the proper season. He does not feel this will stir up a big hornets nest. This issue was presented poorly on Facebook and that is what started the negativity. If it had been presented properly it would never have gone there.

Council President Jones asked what happens if Nicholson Park becomes exclusively on leash and Sadie Creek Park becomes exclusively off leash, then a duck lands in the pond at Sadie Creek Park. Sadie Creek gets shut down for months for nesting season and citizens have nowhere to take their dogs. He is trying to look at it from both sides. He understands the need for this but he doesn't know how to make it work.

Mayor Stear said that a park being used as a dog park won't attract nesting wildlife because of the regular activity. The problem with Nicholson Park is that it has been setup to attract wildlife and then dogs that are out of control get mixed in and attack these animals. It needs to be protected. This ordinance is not a permanent fix. The intention is to work with Boise Parks and Recreation to find a better solution.

Council President Jones asked if there are any fish in Sadie Creek.

Mr. Withrow said no.

Council President Jones asked if there was any nesting there.

Mr. Withrow couldn't be sure because he hadn't been there in the last couple weeks but he hadn't seen any the last time he was there.

Council President Jones said he has no problem with what is being suggested for Nicholson Park but he is concerned Sadie Creek won't stay open for the dogs. If this is temporary that is fine with him but he will be very disappointed if Sadie Creek gets shut down next.

Council Member Buban-Vonder Haar asked if changing the language concerning harassing and chasing wildlife should be considered. There is a difference between playful chasing and harassing.

Council President Jones said he feels there are some communication issues and he would like to see that corrected, such as how parks are described on the City website.

Mayor Stear agreed.

**Council Member Buban-Vonder Haar moved to waive the three (3) readings of Ordinance No. 2016-13. Seconded by Council President Jones. Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve Ordinance No. 2016-13. 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 Buban-Vonder Haar moved to approve publication of Ordinance No. 2016-13. Seconded by Council Member McPherson. Motion carried 4-0**

- B.** *First Reading* of Ordinance No. 2016-09A Amending Ordinance No. 2016-09 to Modify and Re-Number Certain Sections – Richard Roats, City Attorney  
(Timestamp 01:54:16)

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO AMENDING ORDINANCE NO. 2016-09- THE KUNA CITY MUNICIPAL UTILITIES SYSTEM BILLING CODE TO MODIFY AND RE-NUMBER CERTAIN SECTIONS, SPECIFICALLY: SECTION 7-7-6a ENTITLED "THIRD PARTY BILLING AGENT" TO ALLOW THE CITY TO PROVIDE THE FORM FOR THE THIRD PARTY AGENT; SECTION 7-7-6b ENTITLED "SECONDARY RECIPIENT OF BILLS" TO PROVIDE FOR THE BILLING PROCESS TO BE PERFORMED BY THE CITY WHEN IMPLEMENTED AND THE NOTICING OF THE SHUT OFF WARNING; SECTION 7-7-9 ENTITLED "INDIGENCY DISCOUNT" TO CLARIFY THAT THE PROGRAM IS AVAILABLE ONLY IF THE FUNDS ARE APPROPRIATED BY THE CITY COUNCIL; SECTION 7-7-

12 ENTITLED "LATE FEE" TO PROVIDE THAT THE LATE FEE WILL BE ASSESSED IF PAYMENT IS NOT RECEIVED BY THE LAST DAY OF THE MONTH; SECTION 7-7-14 ENTITLED "ACCOUNT SHUT OFF" TO PROVIDE AN EFFECTIVE DATE ON OR AFTER NOVEMBER 16, 2016 FOR SHUTOFFS OF ACCOUNTS PAST DUE SIXTY (60) DAYS; SECTION 7-7-15 ENTITLED "ACCOUNT TURN ON- WATER SERVICE" TO PROVIDE AN EFFECTIVE DATE ON OR AFTER NOVEMBER 16, 2016 FOR ACCOUNT WATER TURN ON SERVICE AND CHARGES INCLUDE ALL CHARGES OR FEES THAT HAVE ACCRUED SINCE THE LAST BILL; SECTION 7-7-16 ENTITLED "NOTICE OF SHUT OFF-WATER SERVICE" TO PROVIDE THAT NOTICE OF SHUT OFF MAY BE TRANSMITTED BY ELECTRONIC DELIVERY OR AUTOMATED DIALER IN LIEU OF POSTING ON THE PROPERTY; SECTION 7-7-17 ENTITLED "PAYMENT ARRANGEMENTS" TO PROVIDE THAT THE LATE FEE SHALL BE SUSPENDED IF THE PAYMENT AGREEMENT IS COMPLIED WITH OR IMPOSED IF IT IS NOT COMPLIED WITH; SECTION 7-7-18 ENTITLED "HARDSHIP ARRANGEMENTS" TO ALLOW THE CITY TO PROVIDE THE FORM FOR HARDSHIP REQUEST AND FOR THE SUSPENSION OF ANY LATE FEES IF THE PAYMENT AGREEMENT IS COMPLIED WITH; ADDING SECTION 7-7-13 ENTITLED "ACCOUNT SHUT OFF WARNING" TO ADD A SECTION TO PROVIDE FOR A SHUT OFF WARNING; AND CHANGING THE EFFECTIVE DATE TO AUGUST 31, 2016.

Mr. Roats reminded Council that this ordinance was passed at the last City Council Meeting with requests for some changes geared towards those who receive social security. Mr. Roats and City Treasurer John Marsh consulted on the changes. Some implementation issues arose and it became obvious that this would be more difficult than was thought at the last meeting. Based on input from Mr. Marsh and his staff, some changes were made, mostly minor, but a significant change was made in order to accommodate those who receive social security and disability on the fourth (4<sup>th</sup>) Tuesday of the month by changing that billing period to the last day of the month. The other significant change was made in an attempt to get the collections done by changing the first billing period to the second billing period and in section 7-7-13 changing the verbiage from sixty (60) days delinquent to two (2) billing periods delinquent. Utility Billing will be switching to a new system so some of the changes made are to account for that. He stood for questions.

Mayor Stear clarified that staff ran some numbers after the last Council Meeting because a gentleman came in and brought up some issues. These issues showed that the Ordinance would not have the proper impact; a few things needed to be changed from what was passed at the last meeting.

Council President Jones asked if there is an actual set date of the month that the billing cycle stops. He wanted to know when the statement period ends; when the first day a meter is read and when is the last day.

John Marsh, City Treasurer, said that there is no set day.

Council Member Buban-Vonder Haar said it is roughly 30 days. A billing cycle is from the twenty-fifth (25<sup>th</sup>) to the twenty-fifth (25<sup>th</sup>).

Council President Jones wanted to know if zero to thirty (0-30) days is one (1) cycle and thirty-one to sixty (31-60) days is two (2) cycles.

Katie Jensen, Utility-Billing Payroll Specialist, said no, because the goal is to keep the cycles as consistent as possible. However depending on when a meter is read it can be anywhere from twenty-nine (29) days to thirty-one (31) days.

Council President Jones said if the Ordinance was changed to thirty (30) days, late fees would still show up on the next billing cycle.

Mrs. Jensen confirmed this.

Council President Jones wanted to clarify that this meant that if late fees were applied thirty (30) days, sixty (60) days, or forty-five (45) days, as Council Member Cardoza had wanted at the last meeting, the late fees would still show up on the same billing cycle.

Mrs. Jensen confirmed this.

Council President Jones suggested that a thirty (30) day grace period be given before applying a late fee to an account. The concern is for people who get paid at the end of the month and, if it doesn't hurt anything to give that extra week, why not give it.

Council Member Buban-Vonder Haar asked if there is a way to set up a continuous payment schedule for those who struggle to make payment at the end of the month.

Mr. Marsh said that would make it extremely messy. The exception that is being made for those receiving social security is creating a cumbersome process. It can be done but it requires manual tracking and extra work for employees.

Council Member Buban-Vonder Haar asked if, with these changes, this Ordinance solves the issue of people getting months behind on their payments.

Mr. Marsh explained how the delinquent process works now and how the proposed process eliminates the problem of people getting months behind by not turning water back on until a bill is paid in full. He does believe this Ordinance will take care of this problem.

Council Member Buban-Vonder Haar asked about hardship arrangements and payment arrangements.

Mr. Roats explained that a hardship is when someone needs more time and a payment arrangement is when someone can make payments in increments. Both options allow citizens the opportunity to be proactive in letting the city know their intention to pay.

Mr. Roats explained the goal of the rewrite is to save staff time and to give some teeth to these shut offs. He feels that, given a few months, this will be where it needs to be.

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Council Member Buban-Vonder Haar asked if payment arrangements are available until the day before the water gets shut off.

Mr. Roats said no.

Mr. Marsh clarified that if someone were to not apply for payment arrangements by the shut off date, they are still able to apply for payment arrangements for the following month. They only lose the ability to make payment arrangements for what they already owe.

Council Member Buban-Vonder Haar asked how payments work in regards to water being shut off.

Mrs. Jensen explained that the water would be shut off until everything was paid, even if it took a couple months.

Mr. Roats explained that this set up avoids the late fee by shutting off the water before another cycle adds up.

Council Member Buban-Vonder Haar asked if the language of the Ordinance would be changed to reflect the thirtieth (30<sup>th</sup>) as the due date.

Mr. Roats said the due date hasn't changed nor has the billing cycle. What has changed is the implementation of the late fee. It is now applied the last day of the month.

Council Member Buban-Vonder Haar and Council President Jones found it confusing to have a due date and allow payment arrangements up to that due date; then allow a two (2) week grace period in which a late fee will not be charge but payment arrangements will not be permitted.

Council Member Buban-Vonder Haar and Council President Jones wanted to ascertain if it makes sense to have hardship and payment options available throughout the grace period.

Mrs. Jensen said that, with the timing of processing bills, this would compound the problem and it would be best to keep this as is.

Council Member Buban-Vonder Haar said she is not opposed to it.

Council Member McPherson asked when shut off would occur if the bill comes out May 1, 2016.

Mrs. Jensen said it would occur the Tuesday after July 15.

Mr. Marsh said that would make the bill sixty (60) days past due.

Council Member McPherson said that means they would owe \$150 plus half a month.

Council President Jones said it is sixty (60) days from the statement but it is less than sixty (60) days owed on the bill.

Mr. Marsh explained that when someone is on the shut off list they do not get their water turned back on until their past due and late fees are paid off. This is how many billing entities handle this type of situation. He assured Council every effort would be made to educate the citizens of Kuna before this goes into effect on August 31, 2016.

Council President Jones asked about the effective date of August 31, 2016 when the Ordinance says account shut off date not effective until November 16, 2016.

Mr. Marsh says that is correct because the accounts with shut offs on November 16, 2016 will be the ones that did not pay their August bill by September 30, 2016. Waiting until August to make this Ordinance effective gives time for educating citizens on the changes.

Council President Jones recapped the new system. A meter reading is done around the 23<sup>rd</sup> of the month; the bill is received around the first (1<sup>st</sup>) of the month and due on the sixteenth (16<sup>th</sup>). Payment arrangements can be made until the fifteenth (15<sup>th</sup>) of the month. If the bill is not paid by the last day of the month a late fee is incurred but payment arrangements are no longer available after the fifteenth (15<sup>th</sup>). The late fee will show up on the bill two (2) billing cycles from when the original bill was received.

Council Member Cardoza requested the grace period be extended to the fifteenth (15<sup>th</sup>) of the following month. He feels this will take in to account the reality of Kuna tax payers' lives.

Mayor Stear suggested putting indigence in the City's budget.

Council Member Cardoza said that would not solve the problem. He suggested giving the forty-five (45) days to make a payment and do away with some of the hardship arrangements.

Council Member Buban-Vonder Haar said she does not see a difference, from a billing stand point, if the grace period were to be pushed out another fifteen (15) days, but she feels this gets back to the problem of letting late payments go so long they are never paid on time. She asked Council Member Cardoza if the indigence the Mayor suggested would be more helpful since it forgives part of a bill when someone is in true financial need.

Council Member Cardoza felt that there are many who are too proud to ask for that assistance. The forty-five (45) days would give them the chance to come up with the money on their own.

Council President Jones asked if the payment arrangements were extended to the thirty (30) days would that not be enough for citizens and save staff time.

Council Member Buban-Vonder Haar asked if what Council Member Cardoza was requesting could be done.

Mr. Marsh said it could. Another option he provided was to do away with payment options and late fees altogether and just shut off the water at sixty (60) days past due. The only way to get the water turned back on would be to pay the balance off and the turn off fee.

Council Member Cardoza preferred the forty-five (45) days.

Council Member Buban-Vonder Haar clarified how late fees and shut offs would work with Council Member Cardoza's suggested.

Mrs. Jensen confirmed that two (2) late fees and a fifty dollar (\$50) shut off fee plus the original billing amounts would be due in order to get the water turned back on.

Council Member Buban-Vonder Haar asked if everyone would be agreeable to going with a grace period that extends to the fifteenth (15<sup>th</sup>) of the following month, no payment or hardship arrangements, and still implement the fifteen dollar (\$15) late fee.

Everyone was in agreement.

Mr. Roats had made notes of all the changes. They will be implemented and brought before the Council at the next meeting.

**9. Mayor/Council Discussion Items:**  
(Timestamp 02:56:48)

Mayor Stear brought some developments before the Council that would be profitable for the City; the relocation of a lift station and to help enlarge a lift station a developer is putting in. He asked Gordon Law, City Engineer, to explain these.

Mr. Law explained the first venture has been budgeted in the Mason Creek/Lake Hazel Project. The project involves constructing a lift station somewhere in the vicinity of the Ten Mile/Lake Hazel intersection and to open some areas to come into the treatment plant. Mr. Law has been looking for a location for that lift station for the last several months; in the meantime, Memory Ranch has come along. Mr. Law said it seemed appropriate to talk to Memory Ranch about the possibility of converting their lift station into a more regional lift station. Memory Ranch would continue paying what they would have paid for that lift station and the City would pay the increased cost for a little larger and deeper wet well. This will accomplish what the City had planned and save the City time and some of the money it would have cost to build without Memory Ranch.

Mr. Law then explained that the City has a lift station on Orchard Street that now, with the approval of Journey's End, goes over the capacity of that lift station. This means the lift station either needs to be increased in size where it is at or it needs to be moved to a different location in order to serve a larger area. After looking at both options, he believes the best option would be to move to a new location. Some property in a better location has been made available for this. This project has not been budgeted but Mr. Law would like to have the design ready to go shortly after the beginning of the fiscal year.

Mr. Law would just like Council to be aware of these ventures should any questions arise about either. He stood for questions.

Council President Jones asked where Journey's End is located.

Mr. Law said it is just to the east of the Orchard area and south of Les Schwab and Walgreens. There is also another property just to the south and west as well. Both properties could put the City over the capacity of the Orchard Street Station.

Council President Jones asked if developers contribute to lift stations. He is concerned about not getting enough help from subdivision developers.

Mr. Law said developers contribute to the trunk line and they pay connection fees. He feels the City is well taken care of in this situation.

Council Member Cardoza asked about the disposition of the new City Hall. City Attorney, Richard Roats, said the preliminary title report and the appraisal are in. Mr. Nelson's attorney is working on some title issues. The title is held by the Two Amigos. Once that is taken care things can move forward.

Council Member Cardoza asked what the appraisal came in at.

Mr. Roats said the cost approach came in at \$791,000, the sales approach came in at \$815,000, and the average is \$805,000.

Council Member Cardoza asked about the difference between a cost approach and a sales approach.

Mr. Roats said the cost approach is the assessment of how much it would cost to build it. The sales approach is the comparison to other similar properties. The sales approach is the better one to go by, but the average is also helpful.

Council President Jones asked if everything was still on schedule.

Mr. Roats said yes.

Council Member Cardoza asked when Lima Limon would have to be out of the building.

Mr. Roats said June 15, 2016 is the anticipated moving date.

Council President Jones asked the status of the Senior Center fee waivers.

Mayor Stear deferred to City Clerk Chris Engels.

Ms. Engels said they are being published with some new fees proposed based on Facilities Director Bob Bachman's calculations and the input of the Council. The recommendation and a resolution will be brought before the Council with a Public Hearing because the fees would increase more than the percentage allowed.

Council President Jones asked if the seniors were consulted about taking over the Senior Center.

Ms. Engels believes some conversations occurred but it does not look financially feasible.

Council President Jones asked Ms. Engels the status of the ID badges that were approved.

Ms. Engels said the options that were being considered did not work out so they are looking for a better option.

Council Member Cardoza asked what is happening with the building at the park that was being used by the Frisbee group.

Mayor Stear differed to Ms. Engels again.

Ms. Engels said that it was indicated last year that they would like to use the building again this year, but with modified terms. However, she has sent out three (3) emails regarding that and there has been no response. It would be well within Council's direction to send out a Request For Proposal to see if someone else is interested.

Council Member Cardoza said renting it out should be looked into.

Mayor Stear brought up the AIC Conference. He asked who would be interested in going as a voting alternate.

Council Member Cardoza asked to be sent an itinerary of the classes.

Council Member Buban-Vonder Haar said that, if Council Member Cardoza would like to go, she is fine with that and, if he can't, she would see if she can.

Mayor Stear shared a situation the sheriff's department has asked for assistance in. Historically people have floated down to Secluded Court to get out at that spot. Someone has purchase the vacant lot there and has heavily posted no trespassing. The sheriff's department is now getting a lot of calls to come out and educate people on no longer being able to get out there. Normally the City of Kuna would not handle this, but finding an exit point would be helpful. Mayor Stear just wants Council to be aware of the situation.

Mayor Stear said the roundabout will be open on Friday but there will still be some restrictions required for road blending; meaning it still needs some work done on it.

Council Member Buban-Vonder Haar asked when the fence would be completed and how the City's portions of its cost are being handled.

Bob Bachman, Facilities Director, said he and his team built the fence and it is just waiting to go in, but the contractors have to be done before he and his team can do that. It will probably be in the next two (2) weeks, but it will be a lengthy process.

Council Member Buban-Vonder Haar asked what was decided on for the center of the roundabout.

Mayor Stear said a flag pole and a "Welcome to Kuna" rock for now and it can be figured out from there.

Council Member Buban-Vonder Haar asked about landscaping or a design contest.

Mr. Bachman said they are looking at a lavender rock in the middle with black and gold rock along the sidewalk. The electrical and water has been plumbed in. The electrical is for a light for the flag and any future lights that might go in. Bobby Withrow, Parks Director, is planning on planting some shrubs. They are also thinking about putting a big "K" in the middle. Everything is still well within budget.

Council Member Buban-Vonder Haar asked if this would look cluttered.

Mr. Bachman said it is a very big area and he has no concerns about it being cluttered.

**10. Announcements:**

**11. Executive Session:**

**12. Adjournment:** Meeting adjourned at 9:24 pm

  
\_\_\_\_\_  
Joe L. Stear, Mayor

ATTEST:

  
Chris Engels, City Clerk



*Minutes prepared by Ariana Welker, Customer Service Specialist*  
*Date Approved: CCM 06.07.2016*



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