

CITY OF KUNA
REGULAR CITY COUNCIL MEETING
MINUTES
TUESDAY, OCTOBER 1, 2013
Kuna City Hall Council Chamber, 763 W. Avalon Street, Kuna, Idaho

7:00 P.M. REGULAR CITY COUNCIL

COUNCIL MEMBERS PRESENT: Mayor W. Greg Nelson
Council President Richard Cardoza
Council Member Doug Hoiland
Council Member Joe Stear

EXCUSED ABSENCE: Council Member Briana Buban-Vonder Haar

CITY STAFF PRESENT: Richard Roats, City Attorney
Gordon Law, City Engineer
John Marsh, City Treasurer
Wendy Howell, Planning & Zoning Director
Brenda Bingham, City Clerk

Call to Order and Roll Call

Mayor Nelson welcomed everyone and called the meeting to order at 7:00 p.m. Roll call reflected Council President Cardoza and Council Members Hoiland and Stear present at the meeting. Council Member Buban-Vonder Haar was excused from the meeting due to illness.

Invocation: Scott Piper, First Baptist Church

Pledge of Allegiance: Mayor Nelson

Special Presentation: Recognition and Appreciation to Ralph Mellin for his Donation of Valuable Property and Distinguished Service to the Community. *(Timestamp 00:01:04)*

Mayor Nelson read the Certificate of Appreciation thanking Mr. Mellin for his generous donation and great service to the community.

Mr. Mellin gave recognition to other individuals who have also been involved with establishing a Boys & Girls Club in Kuna.

1. Consent Agenda: *(Timestamp 00:05:22)*

All items listed under the Consent Agenda are considered to be routine and are acted on with one motion by the City Council. There will be no separate discussion on these items unless

the Mayor, Council Member, or City Staff requests an item to be removed from the Consent Agenda for discussion. Items removed from the Consent Agenda will be placed on the Regular Agenda under Old Business or as instructed by the City Council.

A. City Council Meeting Minutes:

1. Minutes of September 17, 2013 Regular City Council Meeting

B. Accounts Payable Dated October 1, 2013 in the Amount of \$174,366.71

C. Alcohol Licenses:

D. Resolutions:

1. **Resolution No. R31-2013 Osprey DBTV CBH Assignment**
ADOPT RESOLUTION NO. R31-2013 AUTHORIZING THE ASSIGNMENT OF A CERTAIN NUMBER OF OSPREY RIDGE DEVELOPMENT SEWER CONNECTIONS NOW OWNED BY DBTV AGRICULTURAL HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY (“ASSIGNOR”) TO COREY BARTON HOMES, INC. AND IDAHO CORPORATION DBA CBH HOMES (“ASSIGNEE”)
2. **Resolution No. R32-2013 Idaho Humane Society Contract**
ADOPT RESOLUTION NO. R32-2013 AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT WITH THE IDAHO HUMANE SOCIETY
3. **Resolution No. R33-2013 Law Enforcement Services**
ADOPT RESOLUTION NO. R33-2013 AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT WITH THE ADA COUNTY SHERIFF
4. **Resolution No. R34-2013 Ada County Prosecutorial Services**
ADOPT RESOLUTION NO. R34-2013 AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT WITH THE ADA COUNTY PROSECUTING ATTORNEY
5. **Resolution No. R35-2013 NPDES Permit Renewal Support**
ADOPT RESOLUTION NO. R35-2013 APPROVING TASK ORDER NO.2 WITH HDR ENGINEERS, INC. FOR NPDES PERMIT RENEWAL SUPPORT
6. **Resolution No. R36-2013 Award Bid to Huber Technology**
ADOPT RESOLUTION NO. R36-2013 APPROVING AWARD OF BID TO HUBER TECHNOLOGY FOR FINE SCREEN EQUIPMENT
7. **Resolution No. R37-2013 Award Bid to Canyon Honda**
ADOPT RESOLUTION NO. R37-2013 APPROVING PURCHASE OF FARM UTILITY VEHICLE FROM CANYON HONDA

8. **Resolution No. R38-2013 Pickup Purchases from Dan Wiebold Ford**
ADOPT RESOLUTION NO. R38-2013 APPROVING PURCHASE OF PICKUPS FROM DAN WIEBOLD FORD
9. **Resolution No. R39-2013 Blower Energy Audit**
ADOPT RESOLUTION NO. R39-2013 APPROVING ENERGY AUDIT BY CASCADE ENERGY

E. Findings of Facts and Conclusions of Law:

A correction was made by President Cardoza on the bid received from the Chrysler Group regarding agenda item 1D8 noting the price should reflect \$65,180.00.

Council Member Stear moved to approve the Consent Agenda with the change to 1D8 on the price under the Chrysler Group changing it to \$65,180.00. Seconded by Council Member Hoiland, all voting aye. Motion carried 3-0.

2. **Citizen's Reports or Requests:** (*Timestamp 00:08:46*)

- A. Fee Waiver Request for Use of the Senior Center for a Thanksgiving Potluck – Diana Cullin

Ms. Cullin was not in attendance at the meeting.

Council Member Stear moved to table the Citizen's Report for the fee waiver request for use of the Senior Center from Diana Cullin. Seconded by Council Member Hoiland, all voting aye. Motion carried 3-0.

3. **Old Business:**

4. **Public Hearings:** (7:00 p.m. or as soon thereafter as matters may be heard.)
(*Timestamp 00:09:43*)

- A. **13-02-AN, 13-01-DA, 13-01-ZC and 13-01-S; Merlin Point Subdivision – TO BE HEARD ON NOVEMBER 6, 2013 AT 7:00 P.M.**

Requests for Annexation, a Zone Change, Development Agreement and Preliminary Plat for approx. 52 acres over 2 parcels, into the City of Kuna, from Steve Arnold (A Team Consultants), requesting C-1 Zoning for commercial and residential uses on site. The site is located at 1380 E. Kuna Road, Kuna, ID. (APN#'s: R0645254601 & S1324449005) – Presented by Troy Behunin, Senior Planner

Mr. Roats explained that one of the developers did not post a sign on the property for the Public Hearing so it has been rescheduled for November 6, 2013 at 7:00 p.m.

5. **New Business:**

- A. Bid Packet for Lake Hazel Farm Property – Richard Roats, City Attorney
(*Timestamp 00:11:13*)

Attorney Roats briefly reviewed the bid packet information explaining it was prepared per the language in Resolution No. R27-2013 approved at the September 17, 2013 meeting.

A request was made by the Council to note in the contract that the irrigation equipment on the property is not included with the sale.

6. Ordinances:

A. *First Reading of Ordinance No. 2013-20 Irrigation Annexation – Greyhawk*

Subdivision No. 2 (*Timestamp 00:14:58*)

Consideration to dispense with full reading and three consecutive readings.

Consideration to approve ordinance.

Consideration to approve a summary publication of the ordinance.

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING GREYHAWK SUBDIVISION No. 2, AS DESCRIBED IN EXHIBIT A, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE NEW YORK IRRIGATION DISTRICT AND CHANGING THE BOUNDARIES THEREOF; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Council Member Stear moved to dispense with the full reading and three consecutive readings of Ordinance No. 2013-20. Seconded by Council Member Hoiland, all voting aye. Motion carried 3-0.

Council Member Stear moved to approve Ordinance No. 2013-20. Seconded by Council Member Hoiland with the following roll call vote:

Voting Aye: Council Members Cardoza, Hoiland and Stear

Voting No: None

Absent: Council Member Buban-Vonder Haar

Motion carried 3-0.

Council Member Stear moved to approve a summary publication of Ordinance No. 2013-20. Seconded by Council Member Hoiland, all voting aye.

Motion carried 3-0.

B. *First Reading of Ordinance No. 2013-21 Irrigation Annexation – 700 S. Luker Road*

(*Timestamp 00:16:54*)

Consideration to dispense with full reading and three consecutive readings.

Consideration to approve ordinance.

Consideration to approve a summary publication of the ordinance.

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING THE PROPERTY AT THE ADDRESS OF 700 S. LUKER RD, KUNA, IDAHO, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT AND CHANGING THE BOUNDARIES THEREOF; DECLARING

WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Council Member Stear moved to dispense with the full reading and three consecutive readings of Ordinance No. 2013-21. Seconded by Council Member Hoiland, all voting aye. Motion carried 3-0.

**Council Member Stear moved to approve Ordinance No. 2013-21. Seconded by Council Member Hoiland with the following roll call vote:
Voting Aye: Council Members Cardoza, Hoiland and Stear
Voting No: None
Absent: Council Member Buban-Vonder Haar
Motion carried 3-0.**

**Council Member Stear moved to approve a summary publication of Ordinance No. 2013-21. Seconded by Council Member Hoiland, all voting aye.
Motion carried 3-0.**

- C. **First Reading of Ordinance No. 2013-22 Irrigation Annexation – Idaho Central Credit Union** *(Timestamp 00:18:23)*
Consideration to dispense with full reading and three consecutive readings.
Consideration to approve ordinance.
Consideration to approve a summary publication of the ordinance.

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING THE PROPERTY CURRENTLY OWNED BY IDAHO CENTRAL CREDIT UNION AND AS DESCRIBED IN EXHIBIT A, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT AND CHANGING THE BOUNDARIES THEREOF; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Council Member Stear moved to dispense with the full reading and three consecutive readings of Ordinance No. 2013-22. Seconded by Council Member Hoiland, all voting aye. Motion carried 3-0.

**Council Member Stear moved to approve Ordinance No. 2013-22. Seconded by Council Member Hoiland with the following roll call vote:
Voting Aye: Council Members Cardoza, Hoiland and Stear
Voting No: None
Absent: Council Member Buban-Vonder Haar
Motion carried 3-0.**

Council Member Stear moved to approve a summary publication of Ordinance No. 2013-22. Seconded by Council Member Hoiland, all voting aye.

Motion carried 3-0.

7. Mayor/Council Discussion Items: *(Timestamp 00:20:07)*

Water Tower Painting Project – The painting is almost completed with white being the final color. Options for painting a “K” on the tower were discussed.

Extension of Greenbelt east of Swan Falls – Boy Scouts will be doing an Eagle Project of placing rocks along the trail to keep it from sloughing off. More work to develop the trails will take place when the grant money is received.

Amphitheater – The project to build an amphitheater was discussed noting the individual was unable to get the necessary donations for the project.

High Five Grant – The winner for the grant funds will be announced at the upcoming conference scheduled for this Thursday.

Bike Path – Blue informational signs are being installed to connect the bike paths to the schools and the greenbelt.

8. Announcements:

9. Executive Session: *(Timestamp 00:27:53)*

A. Adjourn to Executive Session Pursuant to Idaho Code 67-2345 (c) to Discuss Property Acquisition; and 67-2345 (f) for the Purpose of Discussing Potential Litigation

Council Member Stear moved to adjourn into Executive Session Pursuant to Idaho Code 67-2345 (c) and (f). Seconded by Council Member Cardoza with the following roll call vote:

Voting Aye: Council Members Cardoza, Hoiland and Stear

Voting No: None

Absent: Council Member Buban-Vonder Haar

Motion carried 3-0.

Time: 7:30 p.m.

Council Member Stear moved to adjourn from Executive Session. Seconded by Council Member Hoiland, all voting aye. Motion carried 3-0.

Council President Cardoza gave an update on possible impacts from the new healthcare program.

10. Adjournment: *(Timestamp 00:34:47)*

Council Member Stear moved to adjourn the meeting at 8:15 p.m.

W. Greg Nelson, Mayor

ATTEST:

Brenda S. Bingham, City Clerk

Minutes prepared by Brenda Bingham

Date Approved: CCM10/15/13