

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, 751 W 4th Street, Kuna, Idaho

City Council Meeting MINUTES

Tuesday, November 15, 2016

Please note the new City Hall location: 751 W 4th Street, Kuna, Idaho

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
Gordon Law, City Engineer
John Marsh, City Treasurer
Bob Bachman, Fleet/Facilities Director
Bobby Withrow, Parks Director
Troy Behunin, Senior Planner
Trevor Kesner, Planner II

2. Invocation: Scott Piper, First Baptist Church

3. Pledge of Allegiance: Mayor Stear

4. Consent Agenda:
(Timestamp 00:00:53)

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.

Mayor Stear requested the agenda be amended to move item 4.E.1. from the Consent Agenda to Business as item 7.G. and moving item 7.D. to Discussion items.

Council President Jones requested 4.C.1. accounts payable Kendall Ford bill be moved to Business as one (1) item and a bill from The Jordel Company with a bill from ConPaz be moved to Business as one (1) item.

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

A. City Council Meeting Minutes:

1. Regular City Council Minutes, October 18, 2016

B. Accounts Payable Dated November 9, 2016 in the Amount of \$643,467.59

C. Final Plat

1. Consideration to approve 16-14-FP (Final Plat) – B & A Engineers representing CBH Homes, Inc d.b.a. Challenger Development, LLC: Applicant requests Final Plat approval for Arbor Ridge Subdivision No. 3. The Final Plat for Arbor Ridge Subdivision No. 3 proposes 49 residential lots and two (2) common lots.

16-14-FP (Final Plat) moved to Business as item 7.H.

D. Resolutions

1. Consideration to approve Resolution No. R72-2016A – Adopting Amended 2017 Irrigation Assessment Resolution correcting assessment language for commercial properties

AMENDED RESOLUTION OF THE COUNCIL OF THE CITY OF KUNA, IDAHO SETTING FORTH FEES, ASSESSMENTS AND POLICIES FOR THE KUNA MUNICIPAL IRRIGATION DISTRICT FOR SAID CITY; RECEIVING AND ACCEPTING THE ASSESSMENT BOOK FOR THE 2017 IRRIGATION SEASON; RECEIVING AND ACCEPTING THE ESTIMATE OF EXPENSES FOR THE 2017 IRRIGATION SEASON; SETTING THE TIME AND PLACE FOR THE MEETING OF THE BOARD OF CORRECTION FOR 2017 ASSESSMENTS; SETTING FEES FOR CONNECTING TO SAID IRRIGATION SYSTEM; SETTING AMENDED UNIFORM METHOD OF ALLOCATING ASSESSMENTS FOR THE 2017 IRRIGATION SEASON; ESTABLISHING BILLING POLICIES; SETTING CUSTOMER SERVICE CHARGES; SETTING SYSTEM POLICIES; REPEALING EXISTING FEES AND POLICIES AS PREVIOUSLY SET BY RESOLUTION, AND SETTING AN EFFECTIVE DATE.

E. Findings of Fact and Conclusions of Law

1. Consideration to approve the Findings of Fact and Conclusions of Law for Case No.s 16-01-ZC (rezone) and 16-01-S (Preliminary Plat); a request from Steve Arnold with A-Team Consultants, representing Oasis Properties, LLC; to rezone approximately 6.3 acres from R-6 (Medium Density) to R-8 (Medium Density) residential zone and to subdivide the property creating a 20 lot subdivision (12 buildable lots and 8 common lots) in Kuna, Idaho (APN #: S1326428020).

Findings of Fact and Conclusions of Law for Case No.s 16-01-ZC (rezone) and 16-01-S (Preliminary Plat) moved to Business as item 7.G.

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

5. Community Reports or Requests:

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

7. Business Items:

(Timestamp 00:03:18)

- A. Consideration to approve Stephen Damron as the new Planning and Zoning Commissioner whose term would expire November 15, 2019. – Wendy Howell, Planning and Zoning Director

Planning and Zoning Director Wendy Howell reviewed the summary narrative provided by Stephen Damron and included in the City Council Packet. Mr. Damron was interested in the Planning and Zoning Commissioner position that was vacated by Stephanie Wierschem. His term would expire November 15, 2019 not the first as listed in her memo. This was the only application for the position at that point and Ms. Howell submitted it to Council for approval.

Council Member Jones moved to approve Stephen Damron as the new Planning and Zoning Commissioner. Seconded by Council Member Buban-Vonder Haar. Motion carried 4-0.

- B. Consideration to approve Resolution No. R86-2016 Approving Agreement with J-U-B Engineers, Inc. to Design Ardell Pump Station – Gordon Law, City Engineer
(Timestamp 00:05:06)

City Engineer Gordon Law explained it has been about 9 (nine) years since the City has built a pump station. There is a location that deserves consideration and a design for it by JUB, in response to the request for proposal, was received. This is important now that the city is reaching the end of the capacities of the existing pump stations. There are also some dead spots in the system where it is hard to maintain pressure for certain locations. This project will address that and it will figure out how the ponds that go with the pump stations can take up less space and be more economical. That is part of the reason he asked for a particular individual to help figure out the design for this pump station. The price is listed in the memo that came with the

resolution in the Council Packet. It has been reviewed, discussed, and haggled and this was the resulting number. He recommended approval and stood for questions.

RESOLUTION AWARDING CONTRACT FOR DESIGN OF THE ARDELL PRESSURE IRRIGATION PUMP STATION PROJECT TO J-U-B ENGINEERS, INC. IN THE AMOUNT OF \$44,200.00; DIRECTING EXPENDITURE OF FUNDS FROM THE IRRIGATION AND WATER FUNDS FOR SAID PROJECT; AND AUTHORIZING THE MAYOR, CITY CLERK AND CITY ENGINEER TO EXECUTE CONTRACT DOCUMENTS WITH SAID PROPOSER.

Council President Jones moved to approve Resolution No. R86-2016. Seconded by Council Member Buban-Vonder Harr. 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.

- C. Consideration to approve Resolution No. R87-2016 Approving Agreement with Keller Associates to Design the Kuna 2017 Pressure Irrigation Project – Gordon Law, City Engineer
(Timestamp 00:08:23)

City Engineer Gordon Law explained this project is a continuation of a number of irrigation trunk line projects. Over the years when the City did not construct any pump stations it was primarily because the City was connecting them to storage facilities and other pump stations that helped to take advantage of the full capacity of these pump stations. This particular project does four (4) things; it extends a line to Tomorrow Pump Station, extends a line to Chapparosa Pump Station, extends a line to Crimson Pump Station, and augments the supplies to all of those pump stations and hopefully takes advantage of their capacities. In addition, a water line extension came to his attention after this project was budgeted for and he brought it before Council for approval to be included in this project. The fire chief called Mr. Law approximately a month before this meeting and shared a low pressure spot for fire protection in the commercial area fronting on highway 69. There is a piece of water line Mr. Law is proposing to extend that was not included as a line item in the budget but is a reasonable thing to do to support the development of the commercial area in the vicinity of Ridley's. He recommended approving the resolution and stood for questions.

Council Member Cardoza asked if Ridley's and the Tractor Supply should pay for the additional pressure to be contributed to that area.

Mr. Law said if it is caught at the right time that is not a bad approach to take but now each of those projects has continued passed the point in which it would work to do that.

Council President Jones clarified that Mr. Law was proposing not to use contingency but to use a portion of the funds from well tank 5 and booster stations and that Mr. Law has no budget concerns with this.

Mr. Law reminded Council that when he brought the project before Council originally he had said that he would need to come back and evaluate a number of things including other demands on the system such as going east of Falcon Crest. It is within the same spirit he proposes this. Something unknown during budget but known now needs to be addressed using a portion of those funds.

RESOLUTION AWARDING CONTRACT FOR THE 2017 PRESSURE IRRIGATION PIPELINE PROJECT TO KELLER ASSOCIATES, INC. IN THE AMOUNT OF \$52,150.00 FOR DESIGN OF THE PROJECT; DIRECTING EXPENDITURE OF FUNDS FROM THE IRRIGATION AND WATER FUNDS FOR SAID PROJECT; AND AUTHORIZING THE MAYOR, CITY CLERK AND CITY ENGINEER TO EXECUTE CONTRACT DOCUMENTS WITH SAID PROPOSER.

Council Member Buban-Vonder Harr moved to approve Resolution No. R87-2016. 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 Cardoza asked Mr. Law about the City not being able to determine the best qualified engineering firm based on cost.

Mr. Law said that statement has been on a number of items he has submitted to Council. Without saying he appreciates the position or not, apparently the professional engineers' organization proposed many years ago a process for evaluating engineering contracts so that it did not become a bidding war for services where price would be the only issue. They convinced the legislature that making the selection based on cost is not the criteria under which these services should be provided. It should be based on the qualifications to do the work. That decision was incorporated into the code. It is a little counterintuitive so he puts it in with his items to remind himself and everyone else that he has to base his decisions on qualifications not cost. He does still watch cost though and if there is ever a case when the qualifications are roughly equivalent he looks at their work history.

Council Member Cardoza said the contractors under the engineers have to place bids and the engineers traditionally take the low bidders yet they do not have to be accountable for their fees. He asked Mr. Law if they are all competitive as far as percentages.

Mr. Law said he lists the last projects and unitizes per foot what it cost for those portions of expenditures for a project. It gets harder when dealing with something like a JUB contract for a pump station because it is hard to unitize that by foot to compare. Each one has its own unique condition but, for pipeline projects, you can kind of get the drift of how expenditures are going.

Council Member Cardoza thanked Mr. Law and Mayor Stear.

- D.** Consideration to table to the first meeting in December Resolution No. R88-2016 Awarding a Bid to Thueson Construction, Inc. in the amount of \$615,267.00 for the Lake Hazel Sewer Main Project – Gordon Law, City Engineer

Resolution No. R88-2016 moved to Mayor/Council Discussion Items.

(Timestamp 01:19:00)

Mayor Stear stated that the City is running into some situations with bidding because the economy has changed and engineering companies are busier. City Engineer Gordon Law has asked to discuss the new bidding climate with Council.

Mr. Law asked Council to table the approval or award of the bid that is mentioned for the Lake Hazel Sewer Project.

He explained the reason for requesting a delay until the first meeting in December is to give him time to negotiate a reduced project with the winning bidder. The original bid is beyond the amount explicitly budgeted for this project and needs to be closer to the budgeted amount. After negotiations he will come back with a recommendation for Council in regards to the project. He shared that the City has been involved in the process of trying to figure out how to serve the corporate properties on the north side of town. Part of those properties is the 107 acres the City used to own but was subsequently sold to a developer. There are quite a few other acres up in that vicinity that, in order to be served, need this Lake Hazel Project to be constructed so they can be brought in. The project involves upsizing what was to be a private lift station for the Memory Ranch Development into a regional lift station and then extending trunk lines north on Ten Mile to Lake Hazel and from there branching out; one (1) continuing north on Ten Mile and the other going east on Lake Hazel with both of those branches crossing Mason Creek to get to the properties beyond that need to be served. There are some difficulties with this project as well as a changed bidding climate because of the busy activity that is going on right now. Simply put, the price came in high. When those things happen there are four (4) things that can be done; the project can be cancelled and things delayed, a reduced project can be negotiated, contingency funds can be used to cover the differential, or the budget can be amended. His recommendation is to try the easier one (1) first so he is asking for the three (3) weeks' time to the first meeting in December to consider this bid. He stood for questions.

Mayor Stear said bids are coming in high now and this is no exception. He supports tabling the item and possibly downsizing the project in length in order to bring it

closer to the budgeted amount. There are several items in the City's plans that bids have been estimated for and he wanted Council to be aware that there may be more cases like this.

Council Member Cardoza asked if money had already been allocated to upsize to a regional lift in conjunction with Memory Ranch.

Mr. Law said it is in the process of being upsized but it has not been paid for. This project has a budget of \$700,000.00 and there is a contingency account of \$200,000.00. \$200,000.00 is for upsizing the lift station. The remainder was for this project and the bid came in at \$615,267.00. The difference is upside down. The project needs to be brought back in budget or closer to it so Council can decide on it.

Council Member Cardoza asked, considering the project has already been approved, what other options were available if the project can't be downsized.

Mr. Law said there are three (3) other options. He does not recommend any of them at this point. The options are to cancel the project and delay those who have already invested, dump contingency funds into the project but he does not want to do that because he has another project that may be affected similarly, or the budget can be amended and the project can be done as bid.

Mayor Stear explained that the City is looking to keep the upsize of the lift station but to shorten the project in length so that things do not have to be done over again. This would take care of what needs to be done right now and take care of the people involved with it. The amount of distance from that point to the next person that needs service is what the project will be short on. That will probably require some investment from the next person down the road or something to that effect. This is the best solution to save the City some money and stay on budget.

Council Member Cardoza asked about the cost difference between a conventional lift station and a regional lift station.

Mr. Law said for this particular lift station it is a \$200,000.00 difference. The developer for Memory Ranch was going to put in a local lift station that would have cost a little in excess of \$300,000.00. The City negotiated with him to pay the increased amount to make it a regional lift station and he was willing to cooperate with the City to do that.

Council Member Cardoza asked if it would be beneficial to go with the conventional lift station and put in another lift station down Lake Hazel to the east.

Mr. Law said financially that is probably not the thing to do. The conventional lift station starts at a little over \$300,000.00 and this regional lift is several times more than double the capacity for \$200,000.00 additional. He did not want to spend over

\$300,000.00 for a second lift station when he can get the whole thing for \$200,000.00.

Council Member Cardoza clarified that two (2) lift stations do not give better capacity than one (1) regional lift station.

Council President Jones asked how a bid at \$615,267.00 is too high when \$700,000.00 is what was budgeted for the project. He asked if the City wants to do more with the project or if the bid does not reflect what the City wants to do.

Mr. Law said the plan was to do a certain length of sewer lines with a certain number of crossings. Less will have to be done to keep the project in budget.

Council Member Buban-Vonder Haar explained that Mr. Law was saying \$700,000.00 was budgeted for the project. \$200,000.00 of that was for one (1) specific thing and \$500,000.00 was for this part of the project. This bid came in at \$615,267.00 so it needs to be brought closer to \$500,000.00 in order to be on budget.

Council President Jones clarified that the bid is about \$115,000.00 over budget.

Council Member Buban-Vonder Haar said yes, and Mr. Law is trying to get it closer to the \$500,000.00 budgeted.

Council President Jones said not putting in a regional lift station would not be the best option if the regional lift station can be done.

Mayor Stear said putting in a regional lift station will save the City money; it is just a matter of how to get it with the money that has been budgeted for it.

RESOLUTION AWARDED BID FOR THE LAKE HAZEL SEWER MAIN PROJECT TO THUESON CONSTRUCTION, INC. IN THE AMOUNT OF \$615,267.00; DIRECTING EXPENDITURE OF FUNDS FROM THE SEWER FUND FOR SAID PROJECT; AND AUTHORIZING THE MAYOR, CITY CLERK AND CITY ENGINEER TO EXECUTE CONTRACT DOCUMENTS WITH SAID BIDDER.

Council Member Buban-Vonder Harr moved to table Resolution No. R88-2016 until the December 6, 2016 meeting. Seconded by Council Member McPherson. Motion carried 4-0.

- E. Consideration to approve Resolution No. R89-2016 Creating an Art Commission and Appointing Members – Chris Engels, City Clerk
(Timestamp 00:15:49)

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO HEREBY CREATING AND NAMING AN ARTS COMMISSION, SETTING FORTH ITS

DUTIES, APPOINTING ITS MEMBERS, ESTABLISHING MEETING TIMES AND CREATING THE TERM OF SERVICE.

City Clerk Chris Engels reviewed the resolution and the letters of interest from interested parties she provided in the Council Packet. She said there are nine (9) interested parties and they are enthusiastic. They have been contacting Ms. Engels to find out when this might get started. She stood for any questions.

Council Member Buban-Vonder Haar asked if there were term limits. Ms. Engels had mentioned there were quite a few people interested and Council Member Buban-Vonder Haar was wondering if there would be an opportunity to rotate.

Ms. Engels said the term limits set out in the resolution are two (2) year term limits. It is under "Be it further resolved" in the resolution.

Council Member Cardoza asked if there would be a conflict of interest to have a City employee on the committee.

Ms. Engels said she discussed that with the Mayor and City Attorney Richard Roats. Since the meetings would be on the employee's time and the employee would not be compensated for it; it is not a conflict of interest.

Council Member Cardoza said he has no problem with the employee being on the committee he just didn't want any problems down the road.

Council Member Buban-Vonder Haar asked if all the members start at the same time does that mean the entire commission rotates off at once. She wondered if there would be value in staggering that a bit so there is always someone with some commission knowledge staying on for when new people come on.

Ms. Engels said that is a good idea. This is a very large group for a commission to start. The trend with other commissions and committees is that some of the members tend to fall off. If Council is more comfortable, they can certainly be staggered. It can be determined who would be interested in two (2) year terms and who would be interested in one (1) year terms and assign those appropriately.

Council Member Buban-Vonder Harr said she would be fine with one (1) or two (2) or even two (2) or three (3) to start. Her vision would be that no more than half the committee finishes a term at a time. That way as new folks come on there is institutional knowledge and less time needed to figure things out before getting started.

Ms. Engels agreed and said it could be done in the bylaws.

Council President Jones commented on the letters of interest. He felt some great ideas were already being pitched and he had no problems with it at all. It is a good, diversified group of people.

Council Member Jones moved to approve Resolution No. R89-2016. Seconded by Council Member Buban-Vonder Harr. Motion carried 4-0.

- F. Consideration to approve approximately \$5,000.00 from the contingency fund to secure archival supplies for certain permanent city documents. – Chris Engels, City Clerk
(Timestamp 00:19:20)

City Clerk Chris Engels referenced the memo she included in the Council Packet. The City has documents going back to 1915; including minutes and agendas. They are in such fragile state that the City needs to really pay attention to how current documents are being preserved so that in 100 years the City is not experiencing the same kind of deterioration. One (1) of the deterioration factors is the pages being flipped through frequently. Another factor is the type of paper. Archival paper has not been the standard for the City. The City had applied for a grant with the Idaho Historical Society and they provided education on the necessary use of archival paper not only for permanent document retention but for the reference copies as well. Even though the reference copies are used they are still retained and need to be viable. She asked Council for \$5,000.00 out of contingency to obtain turned edge binders for the City's agendas, minutes, ordinances, resolutions, and irrigation documents because those are all permanent historical documents for the City. They are 120 point binder board so they are a little bit more secure. Other archival supplies would be obtained such as archival bond paper and archival boxes with expanding archival folders. The permanent documents on the archival paper will go in those for retention and the reference documents will go in the binders that are designed for those pages to move a little more freely. Reference documents will go on archival paper as well. It is a little bit of an investment but the City is trying to catch up from 1915. Going forward this will be the standard for permanent documents on this selection. The price will be far less each year. It will be closer to what is spent annually versus all at once.

Mayor Stear added that he and Ms. Engels had talked about this. Some of the documents are in such fragile state that this should probably be done sooner rather than later. Also, the room to store all the documents will be built soon and it would be more efficient to know what those documents will look like and how they need to be stored instead of waiting until next year's budget and modifying the storage room to fit those new items.

Ms. Engels shared that by converting to archival paper at this point for reference copies she would be able to come back at a later time to discuss with Council their thoughts on actually transferring the City's true permanent records of the City to the Idaho Historical Society. They have temperature controlled rooms and are experts in

that field. They welcome those records and will work with the City on certain aspects of preserving documents including the reference copies.

Council Member Buban-Vonder Haar asked if there was a current requirement that the City has to maintain paper copies of everything.

Ms. Engels said yes, the City has converted most of these documents over to digital copies for retention purposes but the City is still required to have paper copies as well.

Council President Jones clarified that this needs to be done for the older documents as well, not just the current documents.

Ms. Engels said yes.

Council President Jones asked where the City was as far as digitizing documents.

Ms. Engels said, as far as the Clerk's Office, most of the documents have been digitized and in most cases documents are added as they come in. Other permanent documents of the City need to be digitized for other departments now.

Council President Jones was concerned about having enough staff to get this done. When digitizing the files first came up it was thought to be a part time job but it turned into a full time job. He was also concerned about being able to get all of this done in a year. He thought it might be good to split it up. He asked if the request was for funds from the general fund contingency or contingency from all the funds.

Ms. Engels explained that when she talked to City Treasurer John Marsh he explained that because it is the City's documents it comes from all the funds.

Council President Jones asked how long it would take to put all of this stuff on paper.

Ms. Engels said the better part of 2017. The Clerk's Office is a busy office and works hard to keep up but it is the responsibility of the Clerk's Office to preserve these documents. That is what this is for.

Council President Jones said he is fine with that but he is concerned about having the staff time to do it since the supplies are being bought all at once. The digital copies are not even complete yet.

Ms. Engels said she can see what he is saying. The documents she is referring to in her memo, which are minutes, agendas, resolutions, ordinances, and irrigation, have all been digitalized. The documents that have not been digitized are from other departments and she needs to work with those directors to go over those documents and their digitalization.

Council President Jones clarified that everything just needs to be printed off.

Ms. Engels said yes, and then the existing permanent documents transferred into the archival boxes and folders because it is a different type of material that does not destroy the pages. If Council would like it done in stages she can evaluate that and determine the best way to do that.

Council President Jones said if it needs to be done in stages because Ms. Engels does not have the staff to finish it all then he would prefer it that way but if Ms. Engels thinks it can all be done it one (1) year he has no problem doing it that way.

Ms. Engels asked if Council President Jones would like to consider approval for 25% of the amount requested. She could work with the 25% and when the Clerk's Office is done with that she can come back to ask for more.

Council President Jones said he will go with Ms. Engels judgement.

Mayor Stear said the problem he thought staff might run into is the older documents taking more time than the newer documents based on how they have to be handled. An actual estimate on time would be a little tough to give. He thinks it would be wise to get it done all at once though so the storage room can be planned appropriately. He does not think it will take much more than a year but it is hard to tell with the old documents. Staff will have to take their time and be careful, he did not know how many of the old documents there are. Beyond that, most of it will go fairly rapidly. He said he also thought it could be possible to do some of the older documents and then work backwards if need be to get it done quicker.

Ms. Engels added that, moving forward, archival paper would be standard for permanent documents and reference copies.

Council President Jones wanted to be sure that when the storage room is built it is built to handle everything that will be put in it.

Ms. Engels said she would be working closely with Facilities Director Bob Bachman on that. The Clerk's Office has also started going through records and she will be coming to Council in upcoming meetings to request permission to destroy documents that no longer need to be retained. That has to go through the Historical Society first and then City Attorney Richard Roats reviews it. After that it goes to Council for destruction. The Clerk's Office is trying to get some of those documents moved out and Mr. Bachman has been great as far as working through whatever is needed. There are factors, like a city in Northern Idaho that lost all their permanent documents when the sewer backed up and destroy everything they were storing in their County Office basement. That is just another example of why the City's documents need to be tended to carefully.

Council President Jones agreed. He wanted to make sure the storage room is built large enough in case other items need to be stored there. He said it is better to build bigger now than to add on to it later. He said he would leave it up to staff to figure out.

Mayor Stear said that is why the request is to do it all at once.

Council President Jones moved to approve \$5,000.00 from all the contingency funds to secure archival supplies for certain permanent City documents. Seconded by Council Member Buban-Vonder Haar. 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.

- G.** Consideration to approve the Findings of Fact and Conclusions of Law for Case No.s 16-01-ZC (rezone) and 16-01-S (Preliminary Plat); a request from Steve Arnold with A-Team Consultants, representing Oasis Properties, LLC; to rezone approximately 6.3 acres from R-6 (Medium Density) to R-8 (Medium Density) residential zone and to subdivide the property creating a 20 lot subdivision (12 buildable lots and 8 common lots) in Kuna, Idaho (APN #: S1326428020).

(Timestamp 00:32:30)

Mayor Stear stated this is the item that only Council Member Buban-Vonder Haar can vote on.

Council President Jones recused himself from the voting of 16-01-ZC (Rezone) and 16-01-S (Preliminary Plat) for subdivision 16-01 based on previous discussion.

Council Member McPherson also recused himself from 16-01-ZC (Rezone) and 16-01-S (Preliminary Plat).

Council Member Cardoza also recused himself from 16-01-ZC (Rezone) and 16-01-S (Preliminary Plat).

Council Member Buban-Vonder Haar approved the Findings of Fact and Conclusions of Law for 16-01-ZC (rezone) and 16-01-S (Preliminary Plat).

- H.** Consideration to approve 16-14-FP (Final Plat) – B & A Engineers representing CBH Homes, Inc d.b.a. Challenger Development, LLC: Applicant requests Final Plat approval for Arbor Ridge Subdivision No. 3. The Final Plat for Arbor Ridge Subdivision No. 3 proposes 49 residential lots and two (2) common lots.

(Timestamp 00:35:37)

Council President Jones said based on recent events he has been making sure he has all his t's crossed and his i's dotted. He went back and reviewed the final plat

ordinance of Kuna City Code 6-2-4 and there are several requirements listed that need to be approved, inspected, and completed before a subdivider can submit for final plat approval. He wanted to be sure he was reading it properly. At the very end of 6-2-4 it says, "The following items shall be completed by the subdivider, and inspected and approved by the city engineer and/or their designee and other approving agencies, prior to the subdivider submitting for final plat approval; said items are not eligible for financial guarantees as provided for in KCC 6-4-3. The city engineer's approval shall be in the form of a memorandum confirming completion of the following:..." He noticed item #4 is requiring the construction of an all-around weather road system subject to the Kuna Fire Chief and Ada County Highway District (ACHD) inspections and approvals. He did not see where they had approved the road system. Item #5 is the installation of street signs followed by city engineer, Kuna Fire District, and ACHD inspections and approvals. Those street signs are currently not installed. Also, item #9 is the provision of permanent approved perimeter fencing along the subdivisions outer perimeter, which shall require a building permit. Unless, he has missed it somewhere and that is not required, that has not been completed either. His suggestion is that this item be tabled until those items are completed and signed off as required by 6-2-4.

Planning and Zoning Director Wendy Howell respectfully disagreed. Typically Final Plat is brought to Council for approval. What Council is approving is the technical requirements of the plat itself. The construction is done after the approval of City Council which is signed off by City Engineer Gordon Law who does the inspections. Until those items have been done he will not sign off. He cannot sign it until City Council has approved it. This is just one of the many steps before getting to the absolute final plat. The construction of roads and everything else is happening simultaneously as the plat is processing.

Council President Jones asked City Attorney Richard Roats to take a look at the code because that is not the way he is reading it. He is reading it as all of these items need to be done before submitting for final plat approval.

Council Member Buban-Vonder Haar clarified that Council President Jones was looking at Kuna City Code and not something in the Council Packet.

Council President Jones said yes, it is Kuna City Code 6-2-4 under Final Plat and it is at the very end.

City Engineer Gordon Law said he was not prepared to answer the question specifically but, as Ms. Howell said, at the very end, before the plat is signed and becomes effective, the items Council President Jones read are the items they specifically go through. His statutory charge is to do that before he affixes his signature on the plat. He is the last one to affix a signature to ensure those things are done. He would also be interested in the City Attorney's evaluation of whether or not approving the plat is the same as Council voting to approve the form of the plat because he does not know the answer.

Council President Jones said his question is only procedural. The code says Council is to take into consideration the other agencies comments. He wanted to know, if the agencies have not looked at it or commented on it, how Council can do that.

Mr. Law said that is an appropriate question. He believes those are submitted as part of this process.

Ms. Howell said she had all of the documents, including Mr. Law's dated October 31, 2016, and ACHD will not sign off on the plat until they are satisfied and it goes through each of the agencies. Staff knows agencies are satisfied when their signature shows up on the final plat.

Council President Jones asked why Council would approve this.

Ms. Howell said her best answer is red tape.

Council Member Buban-Vonder Haar asked City Attorney Richard Roats if it would be best to table this item to the end of the meeting so he could have a chance to look at it.

Mr. Roats said he was reading it and trying to reconcile the first part of 6-2-4 where it discusses the city engineer's signature on the final plat bylaw with what was apparently added at another time where it says additionally and adds those conditions Council President Jones was referring to. He suggested taking a couple minutes to go over it with Mr. Law; if his signature is the last to go on does that contradict the submission before City Council. It may just be a conflict within the code that has never been resolved.

Council President Jones asked, if the city engineer has set forth any requirements, would that change the final plat.

Council Member Buban-Vonder Haar clarified that Council President Jones was asking if the Council were to approve the final plat but the city engineer still needed to go through it and then city engineer says the developer needs to change something, what happens.

Ms. Howell said it is too far down the road at this point for that. The city engineer's requirements for any changes in the plans are generally taken care of early on in the process before it is brought to Council. Planning and Zoning staff communicates with the city engineer to verify any requirements are satisfied before coming to Council. She added that in 6-2-4, above the additional section referring to before the city engineer can sign, it says, "...and the city council has approved the final plat."

Council Member Buban-Vonder Haar said she definitely understands Council President Jones' confusion because the additional portion talks about things that have not happened yet.

Mr. Roats said a literal reading would require those items be done before submitting to Council for approval with a memorandum from the city engineer explaining it.

Ms. Howell disagreed.

Mayor Stear asked if the item needed to be tabled until this could be addressed.

Ms. Howell and Mr. Roats said yes.

Ms. Howell added this would potentially put the developer two (2) weeks behind which is a lot of money.

Council Member Buban-Vonder Haar moved to table Case No. 16-14-FP (Final Plat) Arbor Ridge Subdivision No. 3 until the first meeting in December 2016. Seconded by Council President Jones. Motion carried 4-0.

Council President Jones added that he has no objections but wanted to be sure that if any changes needed to be made they would be brought before Council.

I. The Kendell Ford of Meridian Bill for the Building Inspector Pick-Up presented in Accounts Payable dated November 9, 2016 on page 33 of 75 under 4B.
(Timestamp 00:48:31)

Council President Jones wanted to make sure that the purchase was made following the correct procedures. City Treasurer John Marsh was not there to clarify but Council President Jones said when he talked to him at the previous Council Meeting, he told him the GL column is the month and year the line item is being expensed out of. The purchase in question is the building inspection pick-up truck. He has no concerns with the purchase of the truck, just that it is listed as coming out of September 2016 and it was not budgeted for that fiscal year. He was under the impression that when this happens a budget amendment is needed which could possibly require a public hearing. Council President Jones was not sure what procedure was needed in this case.

Mayor Stear said City Treasurer John Marsh can correct the date on that. He did not know why the date was entered as part of the last fiscal year.

Council Member Cardoza asked if it was budgeted for the current fiscal year.

Council President Jones and Mayor Stear said it was.

Council President Jones asked that Mayor Stear ask Mr. Marsh about the line item.

Council President Jones moved to approve paying the Kendall Ford bill for the building inspector pick-up truck. Seconded by Council Member Buban-Vonder Haar. Motion carried 4-0.

- J. The Jordel Company Bill and ConPaz Bill for the Art Show presented in Accounts Payable dated November 9, 2016 on pages 14 and 51 of 75 under 4B.
(Timestamp 00:52:19)**

Council President Jones said he was concerned because the City has spent over \$5,000.00 to put on an event. He was not necessarily against the event. He was concerned about the value of the money spent to do it. When flyers were sent out for the mud run the City only spent \$1,600.00. This was double for that expense. He felt the value for the expense was concerning.

Council Member Buban-Vonder Haar asked about the cost of adding something to mail out with the utility bill. Instead of doing a mailer an insert could be added to the utility bill.

City Clerk Chris Engels said she did not know the cost of inserting it into the utility bill but she could discuss the difference in the cost between the mailers for the mud run and the art show. She worked with Mark from the UPS Store in depth on the EDDM process. Basically that is a less expensive way to do a mail out because it includes the card and all the printing and the postage and then the purchaser can select certain routes to mail to. The price for the art show is for all mail routes in the city of Kuna. The Down N' Dirty mailer was only sent to certain mail routes based on subdivisions. The Down N' Dirty was targeted for families, where as with the art show; everyone in Kuna was targeted because input on downtown revitalization was being taken.

Council President Jones asked how much money was made off of the art show.

Ms. Engels said the 20% off the vendor's share was a little over \$1,500.00 plus there was another \$165.00 in table fees. The intent was to introduce this event for downtown with a good advertising run. Staff is well aware that costs were inverted and it was expected. The City won't be able to do this again next year so the intent was to introduce this downtown option to the community in a bold way by using the marketing funds and downtown funds that were available through High Five. Ms. Engels had reviewed these expenses with High Five prior to making purchases. This kind of advertising won't occur again because there won't be funding to do it again.

Council President Jones was concerned because if someone were to ask Council for \$5,000.00 to do an event to promote and raise funds for downtown he would not approve it.

Ms. Engels explained that the event was facilitated by the City not a private party.

Council President Jones said he understands that but he does not understand why a private party would be treated differently than a city event.

Ms. Engels said the purpose of this event was to bring about a new fundraising mechanism for downtown and downtown will be ongoing for a number of years. This event was held to enhance downtown economic vitality by bringing people downtown and getting them out of their vehicles, using the pedestrian walkway which is what the funding was for. This is what the money was targeted for the entire grant process; for the City to introduce and seed the project really well to start with and then in future years as it continues the City will have to work within the seeded budget that is available. It is very similar to some of the other programs the City has done; the initial investment is more costly than the subsequent years.

Council President Jones said he understands that but he is not sure people actually spent money downtown because of this event.

Council Member Buban-Vonder Haar said she would play devil's advocate. She went to the event and then went to the restaurant Lima Limon afterwards. They spent about \$55.00 on lunch and then they walked to the gas station and got a red box. It worked in their case. It got them walking around downtown and they spent money in a couple different places.

Council President Jones said that is great but he asked if Lima Limon got to put their name on the event. He was concerned that not everyone was being treated consistently and fairly. It is a learning experience. He said he was not after the event; just making sure proper procedures were being followed and perceptions were not skewed.

Council Member Buban-Vonder Haar said she was totally on board with making sure the City opens up opportunities to lots of businesses in town when there is the opportunity for partnerships. She did not think there was an opportunity to be a food vendor in this case though.

Council President Jones asked if the money collected went back into the contingency fund to cover the money already taken out for downtown.

Council Member Buban-Vonder Haar responded that it came from a grant.

Council President Jones said if it is for downtown fundraising he would assume it would go towards the costs the City has already given because the City has spent over \$140,000.00. He asked again if the money goes back into contingency.

Mayor Stear said there is a separate account for downtown revitalization. The City knew the event was going to cost more than what was made initially otherwise the flyer never would have been sent out. Flyers are very expensive but this was to raise awareness and seed for a new event. This was not about making a bunch of money;

it was about raising awareness of the downtown revitalization project. There were a lot of people who had never seen the project before that got to take a look at it.

Council President Jones said he was not worried about making a profit but he was not aware of the City ever spending that type of money on any other meetings regarding downtown that have accomplished the same thing. If someone else came in and offered to do that he did not think the City would give it to them.

Mayor Stear said they would have to have a good sales pitch to get that kind of money for something they know is going to lose money.

Council President Jones said if the City is giving them the money why would it matter to them. If someone offered to hold an event and give the City 20% of the proceeds and allow a downtown revitalization presentation, he did not think the City would give them \$5,000.00.

Mayor Stear said the money was from a grant fund so someone gave the City the money to do this.

Council President Jones asked City Attorney Richard Roats what his legal responsibilities as a Council Member are in regards to approving an expenditure that he has no control over.

Mr. Roats asked if he meant personal liability.

Council President Jones said if he has no say in it why does he need to vote on it.

Mr. Roats said it is because it is an expenditure of City funds. He added that Council President Jones had made his point and how he feels is known. If he would like to, he can abstain from voting; he is entitled to do that.

Mayor Stear said he thinks the confusion is about how grant funds come into the City and are expended through the City. He clarified that Council President Jones was saying it is City money. An explanation of grant funds was needed. When grant funds come in there are requirements that go with those grant funds. All of those things are approved with the grantors. Basically, what is happening now is the grant funds come into the City and the City expends the funds in cooperation with the grantors.

Ms. Engels said in some cases they upfront the money to the City. They say, "We are granting you \$100.00 and here it is." In other cases, it is a reimbursement so the City has to expend the money first. Then the receipt or invoice has to be turned over to the grantor. When the reimbursement requests are turned in the City has to have met the criteria agreed to as part of the grant which was defined in the scope of work submitted in the grant proposal as well as a detailed budget. When these expenses

come before Council it is for confirmation that the City is following through with the commitment the City made as part of the grant.

Council President Jones said she is asking him to confirm something he knows nothing about but he did not want to spend the entire night on this so he left it by saying he thought the City could have gotten more value out of that \$5,000.00. He said he will agree to disagree.

Council Member Cardoza asked why the flyer was not mailed out with utility billing. He thought that would be easier and more economical.

Ms. Engels said in this case it would not have been due to the printing costs of a double sided, full color flyer.

Council Member Cardoza said the postage would have been covered with the bills the City mails to every house in Kuna city limits. He asked if the flyer could have been an insert.

Ms. Engels said when she talked to Mark at UPS, Mark is the City's local contact there, it was discussed and this was his recommendation based on the recommendation he gave for the Down N' Dirty. In the future she can look into the costs of such a nice glossy print. The other issue is a lot of people do not open their bills and the City is converting to a more electronic means of billing. The City also saturates out on social media. Yes, this was a big expense and she did not love the expense of it but, on the other hand, she did not want to exclude half of Kuna again this time.

Council Member Cardoza asked were the 20% went.

Ms. Engels said it went into the revitalization fund. It is the same fund the commitments of funds for downtown go into.

Council Member Cardoza asked if the City was obligated to put it back into the Blue Cross of Idaho High Five Grant fund.

Ms. Engels said no.

**Council Member Buban-Vonder Haar moved to approve invoice number 11012016 for \$1,650.00 and invoice number 0000000001-A for \$3,488.73 both for the Downtown Revitalization Art Show and Mailer. Seconded by Council Member McPherson. Approved by the following roll call vote:
Voting Aye: Council Members Cardoza, Buban-Vonder Haar, and McPherson.
Voting No: Council President Jones
Motion carried 3-1.**

8. Ordinances:

- A. Second Reading and Consideration to approve Ordinance No. 2016-31 Adding a Park Standards Chapter to Kuna Municipal Code
(Timestamp 01:09:30)

Consideration to waive third reading

Consideration to approve ordinance

Consideration to approve a summary publication of ordinance

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, AMENDING THE CITY OF KUNA'S MUNICIPAL CODE BY ADDING A NEW CHAPTER ENTITLED "KUNA PARK STANDARDS THAT PROVIDES FOR DEVELOPMENT STANDARDS FOR NEW CITY PARKS; PROVIDES FOR A SEVERABILITY CLAUSE; PROVIDES FOR A REPEALER CLAUSE; AND PROVIDES FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

Council Member Buban-Vonder Haar asked if three readings were necessary since this was the second reading.

City Attorney Richard Roats said he had received no public comment and no changes had been requested by Council so if they would like to read it and pass it with this second reading they can.

Council Member Buban-Vonder Haar moved to waive the third reading of Ordinance No. 2016-31. Seconded by Council Member McPherson. Motion carried 4-0.

Council Member Buban-Vonder Haar moved to approve Ordinance No. 2016-31. 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 the summary publication of Ordinance No. 2016-31. Seconded by Council Member McPherson. Motion carried 4-0.

- B. First Reading and Consideration to approve Ordinance No. 2016-33 Annexing the Garcia Property at 930 W Deer Flat Road into the Kuna Municipal Irrigation District
(Timestamp 01:11:53)

Consideration to waive three readings

Consideration to approve ordinance

Consideration to approve a summary publication of ordinance

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING PARCEL S1314346791 AND REFERRED TO AS THE GARCIA PROPERTY LOCATED AT 930 W DEER FLAT ROAD, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT; CHANGING THE RESPECTIVE BOUNDARIES OF SAID DISTRICTS; 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 Cardoza asked City Engineer Gordon Law why the property rights are not annexed at the same time as the irrigation annexations. It is two (2) separate motions.

Mr. Law said it is two (2) different annexations. One (1) is an annexation into the corporate limits of the city and the other is to annex the water rights for the purposes of delivery. It would not be impossible to do them together but sometimes the property owner has not changed the property's use and continues to farm after it has been annexed in. It is cheaper for the property owner to keep their own water rights rather than filter through the City and pay a little bit of a markup. Another reason not to do them together is that when water rights are annexed the City begins to pay the bill whether there is a place for those water rights to be used or not. He is reluctant to annex until the property is actually being converted to residential usage.

Council Member Cardoza asked when a property is annexed into the city limits and the City does not annex the water rights, can the property owner sell the water rights to someone else.

Mr. Law said there are two (2) different kinds of water rights. One (1) of the water rights are those a farmer might obtain by drilling a well to produce water for irrigation purposes. That water right can be sold by that farmer. A water right that is held in trust in the irrigation district on behalf of the property cannot be sold but, and maybe the City should consider this more, the property could be abandoned and then transferred to other property in that irrigation district. It used to happen more than it does now. A lot of the water rights Kuna Irrigation District has picked up are from people abandoning them.

Council Member Cardoza said the water right could be maintained and the water could be sold for that given year.

Mr. Law said yes it could.

Council Member Cardoza asked if it would be beneficial to the City to annex property and water rights at the same time. The farmer wants the best of both worlds.

He wants to be annexed into the city so he can subdivide but he does not want to pay a little extra for his water rights that should accompany the property annexation.

Mr. Law said he does not have a different answer than what he already gave.

Council Member Cardoza said it just seems like it would make sense to annex the property and water rights at the same time especially for this case with two (2) acres.

Mr. Law said perhaps in this case, where the whole purpose was for the owner to irrigate his property; it may not make sense to do two (2) separate actions. In other cases it does.

Council Member Cardoza said it creates more work for Mr. Law and Council to not do it all at once. It seems like it would be beneficial to the City and the property owner to do it as one (1) motion.

Mr. Law asked City Attorney Richard Roats if he saw any problem with that.

Mr. Roats said it could have been done at the same time. He did not know how tracking works but he said he does know that Planning and Zoning is usually working on the property annexations and Public Works is usually working on the irrigation annexations so it would be more of a coordination to bring those together. The City could try to do them at the same time when possible but the annexations are usually approved by Council with the condition of the water rights. It is essentially just a second step taking place.

Council Member Buban-Vonder Haar moved to waive three readings of Ordinance No. 2016-33. Seconded by Council Member McPherson. Motion carried 4-0.

Council Member Buban-Vonder Haar moved to approve Ordinance No. 2016-33. 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 the summary publication of Ordinance No. 2016-33. Seconded by Council Member McPherson. Motion carried 4-0.

9. Mayor/Council Discussion Items:

(Timestamp 01:19:00)

Mayor Stear returned to item 7.D. Resolution No. R88-2016 as part of Mayor/Council Discussion.

(Timestamp 01:32:51)

Council President Jones asked City Attorney Richard Roats what his role is in the COMP plan rewrite. He wanted to know if he should not talk about it until it is brought before Council. He was not sure if he should treat it like a land use issue and avoid ex parte communications.

Mr. Roats explained that Council Members should tread lightly in regards to anything that has to do with a particular piece of property because it would be quasi-judicial. The COMP plan rewrite is legislative and Council is free to talk to people about it.

Council President Jones asked about greenbelt lighting. He saw that items had been purchased for that and was wondering if there will be legislation coming forward since the greenbelt is closed after dark.

Mr. Roats responded that he and Parks Director Bobby Withrow will need to get together as the lights are installed in order to coordinate opening up sections of the pathway.

Mayor Stear added that staff is discussing the best way to add lighting to the greenbelt extensions and to add greenbelt lighting into park standards and street lighting guidelines.

Council President Jones asked about the leash ordinance regarding Nicholson Park. He had a few people approach him about it. When it was last discussed it was decided to temporarily require dogs be on leashes while the City looked into what other cities are doing, specifically Boise, in terms of allowing dogs off leash during certain times. He wanted to know if that was still happening or if that was no longer being investigated and Nicholson would permanently be an on leash park.

Mayor Stear said he did not think anything different had been done at Nicholson yet because the issue is with it being a fishing pond. Most of the other cities that have fishing ponds do not allow dogs off leash at those ponds. The City would like to get the dog park up and running to provide an off leash park for dogs but it is certainly open for discussion if anyone has any ideas or preferences on it.

Council President Jones said it did not matter to him. He just wanted to follow up on the topic. He will let people who ask him about it know that the goal is to do the off leash area through the dog park and Nicholson Park will probably not be off leash at all.

Mayor Stear added that he feels fishing ponds are not the best place to have dogs off leash. It was his preference to get a dog park up and running. The dog park may not be

the end all be all of dog parks due to its size but it will be a good start for the City of Kuna.

Council President Jones asked the Council if they wanted to keep Nicholson an on leash park permanently.

Council Member Buban-Vonder Haar said she did not have a preference either way. If there is a dog park it seems like that would cover the needs to have an off leash area.

Parks Director Bobby Withrow shared that his department is working at Nicholson Park to put a fence in to separate the pond area. That area would be no dogs allowed at all and on the other side, towards well 5, it is more of a natural area where dogs will be allowed off leash. As for other parks, Boise does have the same issue at a couple of their ponds. They handle it a couple different ways. Dogs are not allowed in areas with geese and ducks that have hatchlings every year and, if dogs are allowed, it is strict on leash with people walking around writing tickets. In some areas they encourage people to let their dogs off leash for part of the year to chase the geese away for a little while. It just depends on how bad the situation is. Ada County does the same thing. They are very strict with their leash rules as well and they do not like dogs around the ponds that have wildlife.

Council President Jones summarized that dogs off leash at Nicholson Park is not being ruled out and options are still being looked into.

Mr. Withrow said that is correct.

Council Member Cardoza asked Mr. Withrow where the splash pad would be located.

Mr. Withrow said he has talked with Mayor Stear and a lot of the other directors. The consensus is to put it where the dirt lot is behind City Hall where the old BMX track used to be. The thought is that putting it in the main park would make it too cluttered and, for what the City wants to do, it would not be big enough. The section behind City Hall allows the City to start from scratch and do exactly what is wanted.

Council Member Cardoza asked about ample parking.

Mr. Withrow said yes, there would be ample parking.

Council Member Cardoza asked about lowering the hills and putting grass and the splash pad in.

Mr. Withrow said yes, he is hoping to have a concept plan ready for Council to approve at the next Council Meeting so the project can get started.

Council Member Cardoza asked if the pond where the dog park is going would be available for dogs to swim in.

Mr. Withrow said yes, it would be accessible to dogs and people.

Council Member Cardoza asked if the dogs would be separated from the people since children would be swimming in the pond.

Mr. Withrow said there would be a little bit of separation. The beach area will be humans only and the southern and western banks will be dog friendly.

Council Member Cardoza said there is an ordinance that says dogs can't be within 100 feet of playgrounds but that doesn't seem to deter people from walking their dogs in the park downtown. He asked who enforces that ordinance.

Mr. Withrow said he thinks the police do.

Council Member Cardoza asked Police Chief Justin Dusseau if they get calls for that.

Chief Dusseau said very rarely.

Mr. Withrow added that in Boise they have a clerk's office that walks around and writes leash tickets. They came up with a way to give a staff member the ability to write tickets that can be enforced.

Council President Jones asked if there was any consideration of public input for the splash pad.

Mr. Withrow said absolutely and he will try to get more public input before moving forward.

10. Announcements:

11. Executive Session:

12. Adjournment: 7:45 pm



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



Minutes prepared by Ariana Welker, Customer Service Specialist
Date Approved: CCM 12.06.2016