

**CITY OF KUNA  
REGULAR CITY COUNCIL MEETING  
MINUTES**

**TUESDAY, JANUARY 21, 2014**

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

**6:00 P.M. WORK SESSION**

**COUNCIL MEMBERS PRESENT:** Mayor W. Greg Nelson  
Council President Richard Cardoza  
Council Member Pat Jones  
Council Member Joe Stear

**EXCUSED ABSENCE:** Council Member Briana Buban-Vonder Haar

**CITY STAFF PRESENT:** Richard T. Roats, City Attorney  
Gordon Law, City Engineer  
Wendy Howell, Planning & Zoning Director  
Brenda Bingham, City Clerk

**1. Call to Order and Roll Call**

Mayor Nelson called the Work Session to order at 6:00 p.m. Roll call reflected Council Members Cardoza, Jones and Stear present at the meeting. Council Member Buban-Vonder Haar was out of town on vacation.

Mayor Nelson welcomed Zions Bank explaining they will be doing a video of the meeting and have been chosen as the Fiscal Agent for the sports complex. They have already provided considerable information and Mayor Nelson welcomed them as partners in our attempt to get a swimming pool and other things for the kids in this city.

**2. Initial presentation and question/answers regarding the Feasibility Study for Community Swimming Pool and Recreation Center – Richard T. Roats, City Attorney**  
*(Timestamp 00:01:27)*

Attorney Roats reported the committee selected LCA Architects for the community pool. Phase 1 of the project is determining the financial feasibility of the project. If it is determined that the financial ability exists then Phase 2 of the project will begin which is the architectural portion of it.

Nate Turner, LCA Architects representative for Steven Simmons, 1221 Shoreline Lane, Boise, Idaho, explained they are a local architectural firm. They will team up with their consultants, Ballard King and Associates out of Denver, Colorado and Opsis Architecture from Portland, Oregon to perform most of the feasibility study. They will work with a company called Water Technology, Inc. located in Phoenix, Arizona for the aquatic portion of

the project.

Phase 1 of the project will determine what the community wants in a recreation and pool facility, how large it needs to be, the project costs to construct it and the operational/maintenance costs and projected revenue to offset the operational costs.

Phase 2 depends on what comes out of Phase 1.

It was noted the total costs for Phase 1 will be \$37,040. The survey portion is estimated at \$11,500 which will begin mid-February and will take approximately 90 days. A report on the feasibility of the project will be prepared with analysis and recommendations.

Council President Cardoza requested a copy of the survey for review before it is used.

Mr. Turner stated a kick-off meeting will be held with the council and committee at the beginning of the project.

Attorney Roats reminded the group of a resolution that was approved at the last meeting to sign the contracts for LCA Architects and Zions Bank.

Mr. Roats reported a map and boundaries will be decided upon for the recreation district in conjunction with the project.

Mayor Nelson is planning a meeting with the Melba's Mayor and Superintendent to discuss the Gateway West project and also to see if they might be interested to join in with the recreation district since they are inquiring about a swimming pool in their area.

Discussion on property for a sports complex took place. Kuna Police Athletic League (KPAL) has offered to put in fields at no cost to the city. It would offer plenty of parking and would be centrally located for all the schools.

*(Timestamp 00:31:25)*

Mayor Nelson provided an update on the Gateway West project explaining every route has to be restudied. Information will be coming out to update the public. Other items were briefly reported on by the Mayor.

### **3. Adjournment**

Council Member Stear moved for the meeting to adjourn at 6:50 p.m.

### **7:00 P.M. REGULAR CITY COUNCIL**

#### **COUNCIL MEMBERS PRESENT:**

Mayor W. Greg Nelson  
Council President Richard Cardoza  
Council Member Pat Jones  
Council Member Joe Stear

**EXCUSED ABSENCE:** Council Member Briana Buban-Vonder Haar

**CITY STAFF PRESENT:** Richard T. Roats, City Attorney  
Gordon Law, City Engineer  
Wendy Howell, Planning & Zoning Director  
Bobby Withrow, Parks & Recreation Supervisor  
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 Members Cardoza, Jones and Stear present at the meeting. Council Member Buban-Vonder Haar was out of town on vacation.

**Invocation:** Karen Hernandez, United Methodist Church

**Pledge of Allegiance:** Mayor Nelson

### **1. Consent Agenda: (Timestamp 00:50:21)**

*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 January 7, 2013 Regular Meeting

#### **B. Accounts Payable Dated January 21, 2014 in the Amount of \$387,638.30**

#### **C. Alcohol Licenses:**

#### **D. Resolutions:**

#### **E. Findings of Facts and Conclusions of Law:**

1. 13-02-AN (Annexation) and 13-01-DA (Development Agreement) – Sharron L. Fisher

Annexation

2. 13-01-PUD (Planned Unit Development), 13-03-ZC (Rezone), 13-03-DA (Development Agreement), 13-05-S (Preliminary Plat) - Sorrel Residential Subdivision; Randy VanderWerff represented by ULC Management (Bob Unger)

**Council Member Stear moved to approve the Consent Agenda as printed. Seconded by Council President Cardoza, all voting aye. Motion carried 3-0.**

**2. Citizen's Reports or Requests:**

**3. Old Business:**

- A. Avalon/Shortline/Bridge Project Update – Peter Blake, Project Manager , Ada County Highway District  
(Timestamp 00:50:54)

Peter Blake provided an update on the status of the Kuna Gateway Project that was first proposed in the spring of 2013 as an economic development project in conjunction with the Ada County Highway District (ACHD) and the City of Kuna. The purpose is to provide safe pedestrian access from School Street to Main Street along with access to the downtown center. Landscaping and aesthetic improvements to the bridge are also part of the project. The intersection at Avalon, Shortline and Bridge will also be improved.

If the right-of-way agreement is approved from Union Pacific then plans to begin the project could begin as early as March with completion prior to Kuna Days.

- B. Approve Resolution No. R08-2014 Adopting Amended Policy for Cost Recovery Agreements for Water System Construction – Gordon Law, City Engineer  
(Timestamp 01:01:02)

**Council Member Stear moved to approve Resolution No. R08-2014. Seconded by Council Member Jones, all voting aye. Motion carried 3-0.**

- C. Approve Resolution No. R09-2014 Adopting Amended Policy for Cost Recovery Agreements for Sewer System Construction – Gordon Law, City Engineer  
(Timestamp 01:08:19)

**Council Member Stear moved to approve Resolution No. R09-2014. Seconded by Council Member Jones, all voting aye. Motion carried 3-0.**

- D. Approve Resolution No. R10-2014 Adopting Amended Policy for Cost Recovery Agreements for Pressure Irrigation System Construction – Gordon Law, City Engineer  
(Timestamp 01:09:19)

**Council Member Stear moved to approve Resolution No. R10-2014. Seconded by Council Member Jones, all voting aye. Motion carried 3-0.**

**4. Public Hearings: (7:00 p.m. or as soon thereafter as matters may be heard.)**  
(Timestamp 01:09:44)

- A. A Public Hearing for all Interested Parties and Citizens to Have an Opportunity to be Heard Regarding the Review and Consideration of the Kuna Crossing Feasibility and

Implementation Plan – Jeff Lowe, Senior Transportation Planner, Ada County Highway District

Mitch Jaurena, ACHD Commissioner, Meridian, addressed the group to explain they will be presenting a recommendation from their staff but no action has been taken by the ACHD Commission. This Friday, a Joint ACHD and Kuna Council Meeting will be held to discuss the matter. He suggested placing the Kuna Crossing matter on the February 4, 2014 council meeting agenda for a decision to be considered at that time. It was stated that ACHD will most likely follow the Council's decision.

The Ten Mile Road location ranked out well on safety, mobility, feasibility and economically developed but has impacts to the neighborhood. It would also create a new link between Kuna and I-84.

The Swan Falls location is slightly more but does not make a new travel route. It enhances safety and improves access for emergency service. There are also neighborhood impacts.

ACHD will hold a public meeting on February 5, 2014 in the evening regarding the Kuna Crossing.

Jeff Lowe, ACHD, presented information on the project explaining items for consideration such as priorities, interested parties, advantages and disadvantages. The purpose of the project is to identify the need, location and feasibility of crossing the Union Pacific railroad tracks and Indian Creek, including funding and implementation.

Cost ranges from \$11.5 million - \$110 million. Not likely to be funded by ACHD due to low regional prioritization.

Public meetings were held with involvement and input received from the citizens of Kuna.

ACHD Project Management Team recommends Option 3, Ten Mile Road Extension.

Public preferred:

- Option 7B - Swan Falls Road to Linder Road (Shortline Street Underpass Realignment to Stagecoach Way)
- Option 8 - SH 69 Meridian Road Extension.

Mayor Nelson opened the public hearing at 7:56 p.m. An invitation was extended to the audience to make public comment. (*Timestamp 01:44:30*)

## SUPPORT

**Emily Richards**, 6055 Murphy Road, Kuna, has resided in Kuna seven years and has five children. She drives back and forth to Kuna approximately 5 times each day. She is in favor of the Ten Mile Road crossing because she finds it difficult to get to town from her home and in transporting her children to Falcon Crest Charter School.

## NEUTRAL

None

## OPPOSE

**Tom Stieneke**, 1647 West 4<sup>th</sup> Street, explained the Ten Mile Road extension directly affects him and others who could not attend. He understands the lady who spoke but it only takes a few extra minutes to go one direction or the other. People moved to this community knowing there are railroad tracks and should expect to wait for a train. He disagrees with the Ten Mile option being the best option. He would like to go with the “no option”.

**Layne Saxton**, 1185 South Ash Avenue, Kuna, lives south of the tracks and heard tonight that ACHD is not paying to help get us across the tracks. The Ten Mile crossing will increase the traffic from Ten Mile, down 4<sup>th</sup> Street and Deer Flat. He feels there needs to be more input. A lot of people showed up for the meetings and the safety of crossing the tracks is very important. It is important if Union Pacific helps with 5% of the funding to get costs down. Increased traffic on 4<sup>th</sup> Street and Deer Flat is a concern since one student has already been hit. The Ten Mile crossing would be a disaster. We need to continue to look at getting across the railroad tracks at any cost.

**Ron Schroeder**, 4<sup>th</sup> Street, third place from Ten Mile, stated the Ten Mile option would be a disaster. Nine of the properties will be affected and they will have to move. He has been in his house for 18 years. Bringing more traffic down Ten Mile past two schools is more dangerous for kids as well as on 4<sup>th</sup> Street. There is already a lot of traffic going by Indian Creek Elementary and this would only add more traffic. It is not a good idea to create more traffic going by these three schools plus for nine of us to lose our properties for a bridge across the railroad tracks. Swan Falls or Meridian Road would be the better option. He stated it is a bad, bad, bad idea to use the Ten Mile option.

The Public Hearing closed at 8:08 p.m. Mayor Nelson explained the Council would not be making any decision tonight on the issue. It will be placed on the agenda for the February 4, 2014 meeting.

**Council Member Stear moved to table the discussion on the overpass until the regular Council Meeting on February 4<sup>th</sup> at 7 pm. Seconded by Council President Cardoza, all voting aye. Motion carried 3-0.**

### **5. New Business:**

- A. Irrevocable Standby Letter of Credit for Ada County Highway District – John Marsh, City Treasurer (*Timestamp 01:56:38*)

**Council Member Stear moved to adopt Resolution R11-2014. Seconded by Council Member Jones, all voting aye. Motion carried 3-0.**

- B. Adopt Resolution No. R07-2014 Approving Consultant Services Agreement with Civil Survey Consultants Regarding School Street Pressurized Irrigation Project – Gordon Law, City Engineer (*Timestamp 01:58:14*)

**Council Member Stear moved to adopt Resolution No. R07-2014. Seconded by Council Member Jones, all voting aye. Motion carried 3-0.**

- C. Review Comprehensive Plan Amended Section 12.0 Housing – Wendy Howell, P&Z Director (*Timestamp 02:01:07*)

Ms. Howell explained this is just a continuation from the past meetings and asked for questions or corrections to be submitted to her.

**6. Ordinances:**

- A. *First Reading of Ordinance No. 2014-02 Fisher Annexation*** (*Timestamp 02:02:58*)

*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 ANNEXING CERTAIN REAL PROPERTY, NOW KNOWN AS PARCEL S1313347025 WITH A SITE ADDRESS OF 450 E. DEER FLAT ROAD, KUNA, IDAHO; SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO, AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, TO THE CITY OF KUNA, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED 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. 2014-02. Seconded by Council Member Cardoza, all voting aye. Motion carried 3-0.**

**Council Member Stear moved to approve Ordinance No. 2014-02. Seconded by Council President Cardoza with the following roll call vote:**

**Voting Aye: Council Members Cardoza, Jones 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. 2014-02. Seconded by Council Member Cardoza, all voting aye. Motion carried 3-0.**

- B. *First Reading of Ordinance No. 2014-03 Sorrel Subdivision Rezone***

*(Timestamp 02:05:51)*

*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, REZONING CERTAIN REAL PROPERTY, NOW KNOWN AS PARCEL R7686320030 WITH AN ADDRESS OF 700 S. LUKER ROAD, KUNA, IDAHO, FROM M-1 TO R-8; AMENDING THE ZONING MAP OF THE CITY OF KUNA TO REFLECT SUCH CHANGE; AND PROVIDING AN EFFECTIVE DATE.

**Council Member Stear moved to dispense with the full reading and three consecutive readings of Ordinance No. 2014-03. Seconded by Council President Cardoza, all voting aye. Motion carried 3-0.**

**Council Member Stear moved to adopt Ordinance No. 2014-03. Seconded by Council President Cardoza with the following roll call vote:**

**Voting Aye: Council Members Cardoza, Jones 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. 2014-03. Seconded by Council President Cardoza, all voting aye. Motion carried 3-0**

**7. Mayor/Council Discussion Items:**

**8. Announcements:**

**9. Executive Session: *(Timestamp 02:07:34)***

- A. Adjourn to Executive Session Pursuant to Idaho Code 67-2345(c) for the Purpose of Discussing Property Acquisition.**

**Council Member Stear moved to adjourn into an Executive Session pursuant to Idaho Code 67-2345(c) for the purpose of discussing pending litigation. Seconded by Council Member Jones with the following roll call vote:**

**Voting Aye: Council Members Cardoza, Jones and Stear**

**Voting No: None**

**Absent: Council Member Buban-Vonder Haar**

**Motion Carried: 3-0**

**Time: 8:24 p.m.**

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

**10. Adjournment:**

Council Member Stear moved for the meeting to adjourn at 8:46 p.m.

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W. Greg Nelson, Mayor

ATTEST:

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Brenda S. Bingham, City Clerk

*Minutes prepared by Brenda Bingham*

*Date Approved: CCM 2/4/14*

***An audio recording of this meeting is available at City Hall upon request or it can be accessed at the City of Kuna website [www.cityofkuna.com](http://www.cityofkuna.com).***