

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

TUESDAY, APRIL 15, 2014

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 Briana Buban-Vonder Haar
Council Member Pat Jones
Council Member Joe Stear

CITY STAFF PRESENT: Richard T. Roats, City Attorney
John Marsh, City Treasurer
Wendy Howell, Planning & Zoning Director
Mike Borzick, GIS Mapping Specialist
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, Buban-Vonder Haar and Stear present at the meeting.

Invocation: Karen Hernandez, United Methodist Church

Pledge of Allegiance: Mayor Nelson

1. Consent Agenda:

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: (Timestamp 00:01:59)
 - 1. Minutes of April 1, 2014
- B. Accounts Payable Dated April 15, 2014 in the Amount of \$288,094.44
- C. Alcohol Licenses:

1. Renewal of Fiesta Guadalajara, 780 E. Avalon Street, Liquor-by-the-Drink and On-Premise Beer
2. Renewal of S&D Kuna Inc., dba Idaho Pizza Co., 331 Avenue E, On-Premise Beer and On-Premise Wine
3. Renewal of Walgreens #13614, 869 E. Avalon Street, Off-Premise Beer and Off-Premise Wine
4. Renewal of Pizza Hut #2163, 251 Avenue D, On-Premise Beer
5. Renewal of 4Es Bar LLC, 379 Main Street, Liquor-by-the-Drink and On-Premise Beer
6. Renewal of Longhorn Lounge, 458 W. Main Street, Liquor-by-the-Drink and On-Premise Beer
7. Renewal of El Tesoro, 751 W 4th Street, Liquor-by-the-Drink and On-Premise Beer
8. Renewal of The Arlene , 459 W. Main Street, Liquor-by-the-Drink and On-Premise Beer

D. Resolutions:

E. Findings of Facts and Conclusions of Law:

1. 07-03-DA; Development Agreement Modification Request from Ridley's Family Markets and Curt Faus Corp.

Council Member Stear requested a correction be made to 1E1, page 3 of 7 on Ridley's Development Agreement changing K&M Sanitation to J&M Sanitation.

Council Member Stear moved to approve the Consent Agenda with the noted correction. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0

2. Citizen's Reports or Requests:

A. Annual Kuna Clean-up Project – Chad Gordon, J&M Sanitation (*Timestamp 00:03:05*)

Tim Gordon announced the 28th Annual Clean-up is scheduled for Saturday, April 19 in the lot behind the city park. There will be free curbside trash removal. Hazardous and non-hazardous, recyclables etc. may also be dropped off at the park location. There will be a \$10 fee for items such as washers, dryers and refrigerators. Bicycles will be donated to a group for refurbishing.

Appreciation was expressed to Mr. Gordon for providing this service to the community.

3. Old Business:

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

- A. Continuation of Development Agreement Modification Request: Waters Edge / (Laketown): 03-19-DA – Richard Roats, City Attorney (*Timestamp 00:07:40*)

Attorney Roats explained the item is a continuation of the Public Hearing that started on April 1, 2014.

Mayor Nelson opened the public hearing at 7:10 p.m. reporting no one signed up to address the issue. An invitation was extended to the audience to make public comment.

There being no testimony offered, Mayor Nelson closed the Public Hearing at 7:11 p.m.

Action on this item will take place under 5D of this agenda (Resolution No. R24-2014).

5. New Business:

- A. Ada County Highway District (ACHD) Informational Presentation on Commuteride (*Timestamp 00:10:58*)

Maureen Gresham, Manager of the Commuteride program explained they are the division of ACHD that promotes the use of alternative transportation options. She reported on the various benefits created by the program to both their department and the public. Their 4 main services are vanpooling, carpooling, education outreach program for walking and biking, and employer based transportation planning. Vanpooling is very successful with over 100 vans, 9 vans coming in and out of Kuna.

Ms. Gresham looks forward to working with Valley Regional Transit in planning services to open up routes in Kuna.

- B. Report on Ada County Prosecution Services Contract – Brian Naugle, Deputy Prosecutor (*Timestamp 00:16:02*)

Mr. Naugle gave a brief overview of services provided over the past six months. About 40 DUI cases were handled in the last fiscal year. None of these cases were reduced or dismissed. People were charged appropriately in a fairly stern way in an attempt to create a safer community. There were approximately a dozen of people placed in the domestic violence court with monitoring of them to help break the cycle and to help them on with their lives.

Their office has handled about 4,260 misdemeanor and infraction cases noting it was down slightly from the previous year. There were 334 Kuna cases making up about 7% of their total case load noting this is a slight increase over previous year which may result in a slight increase in next year's budget. Fine revenue for Kuna this fiscal year was reported at \$25,000.

- C. 2013 Annual Review and Current Crime Update for Kuna – Justin Dusseau, Kuna City Police Chief (*Timestamp 00:24:20*)

Justin Dusseau reported he has been working with the Kuna High School students in the graphic design class to create the 2013 annual report and passed out a copy for all to see.

He briefly reviewed highlights from last year noting they have very committed police officers in Kuna. It was noted the overall crime rate was down, especially the property crimes and society crimes, drug related, were down a little

- Citizen calls for service 3,188
- Proactive policing contacts 9,149
- Arrests 338
- Traffic crashes 89

The Mayor and Council expressed appreciation for their services and especially for the extra patrolling of the Skate Park.

- D. Resolution No. R24-2014 Water's Edge Subdivision – Richard Roats, City Attorney
(Timestamp 00:36:49)

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT TO DEVELOPMENT AGREEMENT-AMENDING THE DEVELOPMENT AGREEMENT FOR THE PROPERTY KNOWN AS WATER'S EDGE SUBDIVISION AND NOW OWNED BY DBTV WATER'S EDGE FARM, LLC.

Council Member Buban-Vonder Haar moved to approve Resolution No. R24-2014. Seconded by Council Member Stear, all voting aye. Motion carried 4-0.

- E. Resolution No. R25-2014 – Farm 107 Development Agreement Release – Richard Roats, City Attorney (Timestamp 00:37:35)

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE CITY CLERK TO EXECUTE THE RELEASE OF DEVELOPMENT AGREEMENT RELEASING THE DEVELOPMENT AGREEMENT FROM THE PROPERTY ONCE OWNED BY THE CITY OF KUNA, IDAHO CONSISTING OF APPROXIMATELY 107 ACRES AND NOW OWNED BY DBTV WATERS EDGE FARM, LLC.

Attorney Roats requested this be pulled from the agenda.

Council Member Buban-Vonder Haar moved to table Resolution No. R25-2014. Seconded by Council Member Stear, all voting aye. Motion carried 4-0.

- F. Resolution No. R26-2014 – Applewood Development Agreement Release – Richard Roats, City Attorney (Timestamp 00:38:20)

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE CITY CLERK TO EXECUTE THE RELEASE OF DEVELOPMENT AGREEMENT

RELEASING THE DEVELOPMENT AGREEMENT FROM THE PROPERTY ONCE KNOWN AS GREATER DANSKIN DEVELOPMENT AND ALSO APPLEWOOD SUBDIVISION AND NOW OWNED BY DBTV APPLEWOOD FARM, LLC, DB DEVELOPMENT LLC AND THE KUNA SCHOOL DISTRICT.

Council Member Stear moved to approve Resolution No. R26-2014. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.

- G. Resolution No. R27-2014 Accepting Form of Financial Guarantee for Merrell Family Center Subdivision – Gordon Law, City Engineer (*Timestamp 00:39:40*)

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE KUNA CITY ENGINEER TO ACCEPT AN IRREVOCABLE LETTER OF CREDIT IN LIEU OF CONSTRUCTION FOR THE MERRELL FAMILY CENTER SUBDIVISION UNDER CERTAIN TERMS AND CONDITIONS SO THE FINAL PLAT MAY BE RECORDED PRIOR TO COMPLETION OF CONSTRUCTION.

Attorney Roats requested this item be tabled until the May 6, 2014 meeting.

Council Member Stear moved to approve Resolution No. R27-2014 until the next regular meeting on May 6, 2014. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.

- H. Resolution No. R28-2014 Interagency Agreement for Bridge Project – Wendy Howell, P&Z Director (*Timestamp 00:42:36*)

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE INTERAGENCY AGREEMENT FOR: ROADWAY CONSTRUCTION/DRAINAGE BASIN CONSTRUCTION AVALON SHORTLINE STREET/BRIDGE ACHD PROJECT NO. 814011.001.

Council Member Stear moved to approve Resolution No. R28-2014. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.

- I. Resolution No. R29-2014 Temporary License Agreement for Bridge Project – Wendy Howell, P&Z Director (*Timestamp 00:43:47*)

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE TEMPORARY LICENSE AGREEMENT WITH ACHD, GRANTING THE CITY A LICENSE TO INSTALL, MAINTAIN, REPAIR AND REPLACE THE LANDSCAPING AND IRRIGATION AS IDENTIFIED IN THE AGREEMENT, AND TO INSTALL, MAINTAIN, REPAIR AND REPLACE THE DECORATIVE PANELS ON THE INTERIOR WALLS OF THE INDIAN CREEK BRIDGE.

Council Member Buban-Vonder Haar moved to approve Resolution No. R29-2014. Seconded by Council Member Stear, all voting aye. Motion carried 4-0.

- J. Resolution No. R30-2014 Perpetual Easement for Stormwater Facility – Wendy Howell, P&Z Director (*Timestamp 00:44:44*)

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE PERPETUAL EASEMENT WITH THE ADA COUNTY HIGHWAY DISTRICT (ACHD) GRANTING ACHD AN EASEMENT TO CONSTRUCT A STORM WATER DRAINAGE RETENTION FACILITY AND TO PROVIDE ACCESS TO THE PROPERTY FOR THE REPAIR AND MAINTENANCE OF THE STORM WATER DRAINAGE RETENTION FACILITY.

Council Member Buban-Vonder Haar moved to approve Resolution No. R30-2014. Seconded by Council Member Stear, all voting aye. Motion carried 4-0.

- K. Discussion on City of Kuna Step and Grade Implementation – Richard Roats, City Attorney (*Timestamp 00:45:51*)

Attorney Roats explained the proposal from Gordon Law is to establish the procedures for consistent handling of employee advancements. Consideration will be given to experience, longevity, tests, licensing, promotions and assignments of responsible charge.

Discussion took place on the proposal noting information from the federal system will be provided to Attorney Roats for review.

It was noted a step and grade plan for parks and administration personnel will need to wait until the new budget year.

No decision was made at this time.

- L. Discussion on Tablets - Approval to Purchase Tablets from Apple Store in Boise and Air Watch for Tablet Management – Richard Roats, City Attorney (*Timestamp 00:57:10*)

Attorney Roats made recommendation to approve the purchase of 15 tablets at \$399 each along with Air Watch for control of the devices at \$5,072.00 for the first year with approximately \$1,000 annually after that.

A device use policy will be implemented in conjunction with the Air Watch program.

Council Member Buban-Vonder Haar moved to approve the purchase of tablets and associated equipment in an amount up to \$14,000 from the Contingency Fund. Seconded by Council Member Stear, all voting aye. Motion carried 4-0.

- M. Consideration for Approval Resolution No. R31-2014, 2014-2015 Transportation Priority Requests – Wendy Howell, P&Z Director (*Timestamp 01:14:55*)

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR AND CITY CLERK TO FORWARD THAT CERTAIN PROJECT PRIORITY LIST ENTITLED “2014-2015 TRANSPORTATION PRIORITIZATION REQUESTS FOR THE CITY OF KUNA” AS THE OFFICIAL TRANSPORTATION PROJECT

PRIORITY LIST FOR THE CITY OF KUNA TO ADA COUNTY HIGHWAY DISTRICT; WHICH SAID PROJECT PRIORITY LIST IS ATTACHED HERETO AND MADE A PART HEREOF; AND HEREBY REPEALING ALL PREVIOUS TRANSPORTATION PROJECT PRIORITY LISTS.

Council Member Buban-Vonder Haar moved to approve Resolution No. R31-2014. Seconded by Council Member Stear, all voting aye. Motion carried 4-0.

- N. Review Comprehensive Plan Amendment Section 9.0 Transportation – Wendy Howell, P&Z Director (*Timestamp 01:18:05*)

Ms. Howell explained this is the last section for review of the Council before the entire plan will be presented. No action was taken at this time.

- O. Fiscal Year End 2015 Annual Appropriation Public Hearing Date – John Marsh, City Treasurer (*Timestamp 01:20:12*)

John Marsh explained the requirements to set the public hearing date for FYE 2015 budget cycle. A proposed budget workshop calendar will be provided in early May for review.

Council Member Stear moved to approve Tuesday, September 2, 2014 for the budget public hearing. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.

6. Ordinances: (*Timestamp 01:23:02*)

- A. First Reading of Ordinance No. 2014-05 Amending Alcohol Ordinance**
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 AMENDING SECTION 3-1-3(E) OF CHAPTER 1, TITLE 3, KUNA CITY CODE, STRIKING THE WORD “BEER” FROM THE SECTION “LIQUOR BY THE DRINK”; INCORPORATING ORDINANCE NO. 2006-25A INTO THE CHAPTER WHERE THE PHRASE “ONE HALF OR” WAS STRUCK FROM SECTION 3-1-18 OF THE CHAPTER; AND PROVIDING AN EFFECTIVE DATE.

Council Member Stear moved to dispense with the full reading and three consecutive readings of Ordinance No. 2014-05. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.

Council Member Stear moved to approve Ordinance No. 2014-05. Seconded by Council Member Briana with the following roll call vote:
Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and Stear
Voting No: None
Absent: None
Motion carried 4-0.

Council Member Stear moved to approve a summary publication of Ordinance No. 2014-05. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.

7. Mayor/Council Discussion Items:

- A. Discussion on Recycling Electronic Equipment – Richard Roats, City Attorney
(Timestamp 01:26:20)

Mr. Roats explained a business interested in providing wire bins in various areas for collecting old computers and electronic equipment for recycling purposes. Removing the hard drives and destroying them is also a service they provide.

J&M Sanitation does not have any objection to this service as long as the items are disposed of properly.

Recommendation was made to obtain references, copy of insurance and to prepare a 6 month contract to see how well it works.

8. Announcements:

Grange will be hosting a candidate night on May 1, 2014 at 6:30 p.m.

9. Executive Session:

10. Adjournment:

Council Member Stear moved to adjourn the meeting at 8:35 p.m.

W. Greg Nelson, Mayor

ATTEST:

Brenda S. Bingham, City Clerk

*Minutes prepared by Brenda Bingham
Date Approved: CCM 5/6/14*

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.kunacity.id.gov