

CITY OF KUNA
REGULAR CITY COUNCIL MEETING
MINUTES
TUESDAY, AUGUST 19, 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
Gordon Law, City Engineer
John Marsh, City Treasurer
Wendy Howell, Planning & Zoning Director
Brenda Bingham, City Clerk

Call to Order and Roll Call

Mayor Nelson welcomed everyone and called the meeting to order at 7:00 p.m. Roll call reflected Council Members Cardoza, Jones, Buban-Vonder Haar and Stear present at the meeting.

Invocation: Stan Johnson, Kuna Life Church

Pledge of Allegiance: Mayor Nelson

Special Presentation by Director Brent Reinke, Idaho Department of Correction
(Timestamp 00:01:26)

Director Brent Reinke and Warden Keith Yordy presented an appreciation plaque to the City of Kuna noting the Idaho Department of Correction is celebrating 150 years as an agency along with the City of Kuna's sesquicentennial. They expressed appreciation to the City for the outstanding partnership and support shown to the agency over the past 8 years and beyond. Challenge coins were also distributed to the Mayor and Council as a token of their appreciation.

Mayor Nelson thanked them for all they do and presented them with Kuna's Sesquicentennial pin.

1. Consent Agenda: (Timestamp 00:10:39)

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 July 15, 2014 Joint School Board Meeting
2. Minutes of August 5, 2014 Regular Meeting

B. Accounts Payable Dated August 19, 2014 in the Amount of \$245,833.75.

C. Alcohol Licenses:

D. Resolutions:

E. Findings of Facts and Conclusions of Law:

1. 14-03-AN (Annexation) Canberra Estates Subdivision
Todd and Laura Zimmerman requests approval for annexation of approximately 28.5 acres into the City of Kuna as R-4 (Medium Density Residential) zone, creating Canberra Estates Subdivision (two-lots).
2. 14-01-PUD, 14-02-S, and 14-02-DR: Timbermist Subdivision by Coleman Homes
Applicant seeks PUD and preliminary plat re-approval for a residential subdivision in Kuna consisting of 211 buildable lots and 11 common lots over approximately 65.14 acres.

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

2. Citizen's Reports or Requests:

3. Old Business

- A. Consideration to Approve Resolution No. R44-2014 Step and Grade Policy for City Clerk's Office, Utility Billing, Planning & Zoning – Richard Roats, City Attorney
(Timestamp 00:11:07)

A RESOLUTION OF THE CITY OF KUNA, IDAHO ADOPTING THE STEP AND GRADE POLICY FOR THE CITY CLERK'S OFFICE, UTILITY BILLING AND PLANNING AND ZONING FOR THE CITY OF KUNA, IDAHO AS ATTACHED HERETO; REPEALING THOSE SECTIONS OF RESOLUTION R9-2007 THAT ARE INCONSISTENT WITH THE ADOPTION OF R44-2014; AND DECLARING THE EFFECTIVE DATE.

**Council Member Stear moved to approve Resolution No. R44-2014 the Step and Grade Policy noting a correction in section 7.1.5 changing the Grade 7 to Grade 8. Seconded by Council President Cardoza 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.**

- B. Tentative Budget Fiscal Year Ending 2015 Revision – John Marsh, City Treasurer
(Timestamp 00:22:32)

John Marsh explained an error was made at the August 5, 2014 meeting when the Tentative Budget was adopted due to the Contingency Fund line item being left out of the General Fund budget balance. The correction was made to set the revised Fiscal Year Ending 2015 Tentative Budget.

Council Member Buban-Vonder Haar moved to approve the Fiscal Year 2015 Tentative Budget to include the General Fund in the amount of \$4,100,744.00; the Late Comer’s Fund in the amount of \$458,851.00; the Grant Fund in the amount of \$234,711.00; the Well Mitigation Fund in the amount of \$250,000.00; the Water Fund in the amount of \$1,935,155.00; the Sewer Fund in the amount of 2,316,218.00; the Irrigation Fund in the amount of \$860,806.00; the Solid Waste Fund in the amount of \$1,390,998.00; for a City Grand Total of \$11,547,483.00. Seconded by Council Member Stear, all voting aye. Motion carried 4-0.

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

5. **New Business:**

- A. Consideration to Set Public Hearing for Proposed Increase in the Solid Waste Collection Service Fees by J&M Sanitation – Richard Roats, City Attorney (Timestamp 00:25:11)

Richard Roats explained the proposed resolution to set a public hearing for September 16 for the proposed increase in the solid waste collection service fees charged by J&M Sanitation.

Council Member Stear moved to set a Public Hearing for the proposed increase in solid waste collection for September 16. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.

6. **Ordinances:**

- A. **First Reading of Ordinance No. 2014-10 Amending Mobile Vendor’s License**
(Timestamp 00:29:05)
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 AMENDING TITLE 3, CHAPTER 3, REQUIRING ALL VENDORS OPERATING WITHIN THE CITY LIMITS TO OBTAIN A MOBILE VENDOR'S LICENSE; CREATING A NEW SECTION FOR SPECIAL EVENT VENDORS AND REQUIRING ALL VENDORS OPERATING WITHIN SEVEN HUNDRED FIFTY FEET OF THE SPECIAL EVENT TO OBTAIN A PERMIT FROM THE SPECIAL EVENT ORGANIZER; AND PROVIDING AN EFFECTIVE DATE.

Richard Roats explained the ordinance adopted several years ago to allow the regulation of mobile vending units on the sidewalks within the city. There have been issues unresolved that needed to be addressed. The main change in the ordinance is to include regulations for a mobile vending unit situated on public or private property within the city limits and also requiring vendors operating within 750' of special events to obtain a permit from the event organizer.

Concern on regulating private property was expressed followed by a lengthy discussion. Council Members Jones and Buban-Vonder Haar will work with Attorney Roats in drafting language for the ordinance to address concerns.

Council Member Stear moved to table Ordinance No. 2014-10. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.

B. *First Reading of Ordinance No. 2014-09 Amending Ordinance No. 2006-32 Danskin*
(Timestamp 00:48:50)

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 KUNA CITY ORDINANCE NO. 2006-32 TO ADD PARCEL NO. S1311111350 INTO THE ANNEXATION AND REZONE ACTION WHERE SAID PARCEL NUMBER WAS INADVERTENTLY OMITTED FROM THE 2006 ANNEXATION AND REZONE ACTION; WHEREAS PARCEL NO. 1311111350 WAS CONSIDERED AND APPROVED FOR ANNEXATION AND REZONE BY THE CITY OF KUNA, IDAHO CITY COUNCIL, AFTER PUBLIC NOTICE AND HEARING; WHEREAS SAID PARCEL NUMBER REMAINS SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO, AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA; THEREFORE THIS ORDINANCE SHALL ANNEX PARCEL NO. 1311111350 INTO THE CITY OF KUNA, IDAHO AND ESTABLISH THE CORRECT ZONING CLASSIFICATION TO R-6 AS ANNEXED; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Council Member Buban-Vonder Haar moved to dispense with the full reading and three consecutive readings of Ordinance No. 2014-09. Seconded by Council Member Stear, all voting aye. Motion carried 4-0.

**Council Member Buban-Vonder Haar moved to approve Ordinance No. 2014-09. Seconded by Council Member Stear 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 Buban-Vonder Haar moved to approve a summary publication of Ordinance No. 2014-09. Seconded by Council Member Stear, all voting aye. Motion carried 4-0.

C. *First Reading of Ordinance No. 2014-11 Amending Catering Permits*

(Timestamp 00:54:22)

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 AMENDING KUNA CITY CODE, SECTION 2, TITLE 3, NOW ALLOWING A VALID STATE OF IDAHO ALCOHOL LICENSE HOLDER TO OBTAIN A CITY ISSUED ALCOHOL BEVERAGE CATERING PERMIT TO SELL ALCOHOLIC BEVERAGES BASED UPON THE TYPE OF LICENSE THAT THE APPLICANT POSSESSES, AT A PARTY, CONVENTION OR EVENT, NOT TO EXCEED THREE (3) CONSECUTIVE DAYS, AT A LOCATION OR UPON THE PREMISES OF PROPERTY LOCATED WITHIN THE CITY OF KUNA; DELEGATING THE DUTIES PROVIDED HEREIN TO THE CITY CLERK; AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member Buban-Vonder Haar moved to dispense with the full reading and three consecutive readings of Ordinance No. 2014-11. Seconded by Council Member Stear, all voting aye. Motion carried 4-0

Council Member Buban-Vonder Haar moved to approve Ordinance No. 2014-11.

Seconded by Council Member Stear 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 Buban-Vonder Haar moved to approve a summary publication of Ordinance No. 2014-11. Seconded by Council Member Stear, all voting aye. Motion carried 4-0.

7. Mayor/Council Discussion Items:

(Timestamp 01:03:50)

Mayor reported help may be needed on a temporary basis in the Parks Department.

The manager of a plastics plant will be coming to meet with the city on September 8 or 9. Council Members were invited to attend the meeting.

A meeting with Cushman & Wakefield was reported on noting future meetings will be scheduled to help with the economic needs of the community.

8. Announcements:

9. Executive Session:

10. Adjournment:

Council Member Stear moved to adjourn the meeting at 8:11 p.m.

W. Greg Nelson, Mayor

ATTEST:

Brenda S. Bingham, City Clerk

Minutes prepared by Brenda Bingham

Date Approved: CCM 9/2/14

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