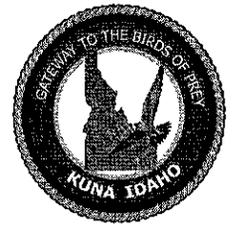


OFFICIALS

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, 763 W. Avalon Street, Kuna, Idaho

City Council Meeting MINUTES Tuesday, March 1, 2016

7:00 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
Bobby Withrow, Parks Director
Gordon Law, City Engineer
John Marsh, City Treasurer
Bob Bachman, Fleet/Facilities Director

2. Invocation: None

3. Pledge of Allegiance: Mayor Stear

4. Consent Agenda:

(Timestamp 00:00:52)

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.

A. City Council Meeting Minutes: Regular City Council Minutes, February 16, 2016

B. Accounts Payable Dated February 25, 2016 in the Amount of \$295,014.86

- C. Accept Notice of City Engineer Signed Agreements Pursuant to City Resolutions R07-2016 and R08-2016
- D. Consideration to Approve Resolution No. R17-2016 Fair Housing Resolution
- E. Consideration to Approve Resolution No. R18-2016 Authorizing Skid Steer Purchase

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

5. Community Reports or Requests:

(Timestamp 00:01:30)

- A. Purple Heart City Presentation and Proclamation – Ned M. Barker, Idaho Commander

Senior Vice Commander Donald Torano; of the Idaho Department and also Chief Joseph Chapter 509 of the Military Order of the Purple Heart of the United States of America. He explained the meaning and background of the Purple Heart.

The city received a sign designating Kuna as a Purple Heart City.

Mayor Stear read the proclamation.

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

(Timestamp 00:10:51)

- A. Consideration to Approve Case No. 15-03-AN and 15-03-LS – Calhoun/ Liberty Investments Annexation and Lot Split – Trevor Kesner, Planner II

Applicant is requesting approval for Annexation of an approximately 4.65 +/- acre parcel located at 1425 N. School Avenue, into the City of Kuna with an R-6 zoning designation; and subsequently requests to split the parcel for potential future development.

Planner II Trevor Kesner explained the details of the application. All requirements have been met. The Planning and Zoning Commission recommends approval. Mr. Kesner requested the annexation motion first and the lot split to follow. He stood for questions.

Applicant Logan Patten 2605 Deerflat Rd, Nampa Idaho 83686. There isn't a specific plan in place but would like to annex and split.

Council President Jones moved to approve Case 15-03-AN. Seconded by Council Member Buban-Vonder Haar.

City Attorney Richard Roats pointed out that the public hearing had not been opened.

Mayor Stear asked for a motion to open the public hearing.

Council President Jones moved to open the public hearing, Seconded by Council Member McPherson. Motion Carried 4-0.

Support: None

Against: None

Neutral: None

Mayor Stear closed the public hearing.

Council President Jones moved to approve Case 15-03-AN. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:

Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and McPherson

Voting No: None

Absent: None

Council President Jones asked about the removal of the tree.

The applicant said the tree wouldn't be on his property and there were no plans to remove the tree.

Council Member Buban-Vonder Haar moved to approve Case 15-03-LS based on the facts outlined in the Staff report and with the conditions of approval as listed in the packet. Seconded by Council President Jones with the following roll call vote:

Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and McPherson

Voting No: None

Absent: None

7. Business Items:

- A. Consideration to Adopt Resolution No. R20-2016 Adopting the Amendment to the Planning Area Map – Wendy Howell, P & Z Director
(Timestamp 00:19:02)

A RESOLUTION OF THE KUNA CITY COUNCIL KUNA, IDAHO
ADOPTING THE AMENDMENT TO THE PLANNING AREA MAP FOR THE
CITY OF KUNA, IDAHO; AFFIRMING THAT THE PRESCRIBED NOTICE
AND HEARING REQUIREMENTS WERE MET IN ACCORDANCE WITH

TITLE 67, CHAPTER 65, IDAHO CODE; AND PROVIDING AN EFFECTIVE DATE.

P & Z Director Howell explained the resolution is a formality of the map that was previously approved August 18, 2015.

Council President Jones moved to approve R20-2016. Seconded by Council Member Buban-Vonder Haar by the following roll call vote:

Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and McPherson

Voting No: None

Absent: None

Motion carried 4-0.

- B.** Consideration to Approve Resolution No. R19-2016 RFP for Real Estate Consultant Services to assist the City's Economic Development projects and inquiries – Richard Roats, City Attorney
(Timestamp 00:20:49)

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE REQUEST FOR PROPOSAL (RFP) FOR THE CITY OF KUNA, IDAHO TO OBTAIN PROPOSALS FOR REAL ESTATE STRATEGY CONSULTING SERVICES

Mr. Roats said that there could be a change in course and deferred to Mayor Stear.

Mayor Stear explained there are inquiries about national companies making requests about property and the time frame is usually limited to a few days. The original intent was to have a realtor for those types of inquiries. Executive Director Jana Jones with BVEP has agreed to have a phone call with the city to review some options for an economic development professional. He suggested the item be table in order to research this subject further.

Council Member Cardoza expressed some concerns on how reimbursement would occur and any conflict of interest.

Mr. Roats explained he wanted to further review the matter with the Real Estate Commission. The city would review what came back to see if it's feasible.

Council Member Buban-Vonder Haar moved to table R19-2016 to the March 15 meeting. Seconded by Council President Jones. Motion carried 4-0.

- C.** Ex Parte Communication Presentation – Richard Roats, City Attorney
(Timestamp 00:31:30)

Mr. Roats explained he was asked to present information on several topics. Mr. Roats reviewed Quasi-Judicial vs. Legislative and Ex Parte Communication. He stood for questions.

Council Member Buban-Vonder Haar clarified that there isn't a form but a recommendation of information that should be provided to the City Clerk.

Council Member Cardoza asked if ex-parte communications occurred, then the Council person could not vote on the matter.

In response to Council Members Buban-Vonder Haar and Cardoza, Mr. Roats said the best course is to not have ex-parte communications but if it did occur, it should be disclosed and the matter could be voted on. Reporting of ex-parte should be reported as soon as possible to him or the City Clerk with information contained in the information sheets.

Mayor Stear wanted any in-depth communication disclosed (including emails) so that all parties receive the same information so that everything is done fairly. We need to be prepared on how to handle this when it happens to keep everything open.

Council President Jones clarified that ex-parte doesn't occur between council members or staff. He asked if he drove by a property and saw a public hearing notice, can he stop.

Mr. Roats confirmed ex-parte doesn't occur between council members or staff and if he observes something when he is out that may influence his vote, it should be disclosed to be in the public record.

Mayor Stear explained his view on the best way to handle staff conversation and ex-parte. For example if a council member asks a planner staff a simple question about a map, there isn't a need to disclose.

8. Ordinances:

- A. *Second Reading of Ordinance No. 2016-06 – Change in Council Meeting time (Timestamp 00:51:51)*

AN ORDINANCE OF THE KUNA CITY COUNCIL, KUNA, IDAHO AMENDING KUNA CITY CODE (KCC) 1-6-3A COUNCIL MEETINGS BY CHANGING THE MEETING TIME FROM COMMENCING AT SEVEN O'CLOCK (7:00) P.M. TO SIX O'CLOCK (6:00) P.M.; STRIKING THE PRECOUNCIL MEETING LANGUAGE; AND PROVIDING AN EFFECTIVE DATE.

Council Member Buban Vonder-Haar reminded Mr. Roats about adding information for the change for Election Day and asked for some clean up on capitalization.

Mr. Roats said he would make the changes.

- B.** *First Reading of Ordinance 2016-07 Calhoun/Liberty Investments Annexation (Timestamp 00:53:41)*

Consideration to waive three readings

Consideration to approve ordinance

Consideration to approve a summary publication of the ordinance

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, TO WIT:
PARCEL NO.S1323212406 SITUATED IN THE UNINCORPORATED AREA
OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE
LIMITS OF THE CITY OF KUNA INTO 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 President Jones moved to waive three readings of Ordinance No. 2016-07. Seconded by Council Member Buban-Vonder Haar. Motion carried 4-0

**Council President Jones moved to approve Ordinance No. 2016-07. Seconded by Council Member Buban-Vonder Haar. Approve by the following roll call vote:
Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and McPherson
Voting No: None
Absent: None
Motion carried 4-0.**

Council President Jones moved to approve a summary publication of Member Buban-Vonder Haar Ordinance No. 2016-07. Seconded by Council. Motion carried 4-0

9. Mayor/Council Discussion Items:

- A.** Council Members for Insurance Coverage and Fiscal Policies Committee – Mayor Stear
(Timestamp 00:55:57)

Council President Jones moved to have Council President Jones and Council Member Cardoza on the committee. Seconded by Buban-Vonder Haar. Motion carried 4-0.

10. Announcements:

- A. Mayor Stear let Council know that the roundabout is about a week ahead of schedule and yesterday was the Treasure Valley Partnership meeting. There was one Ada County Highway commissioner and one Canyon County commissioner at the meeting, everything went real well.

11. Executive Session:

- A. Potential Litigation 74-206(f) and Potential Property Acquisition 74-206(c)
(Timestamp 00:58:24)

Council Member Buban-Vonder Haar moved to adjourn to executive session. Seconded by Council President Jones at 8:00 p.m. Passed by the following roll call vote:

Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and McPherson

Voting No: None

Absent: None

Motion carried 4-0.

Once out of executive session. Information was received but no action taken.

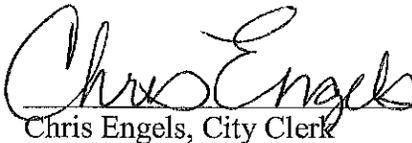
12. Adjournment:

Mayor Stear adjourned the meeting at 9:38 p.m.



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



Minutes prepared by Monica Ford, Customer Service Specialist
Date Approved: CCM 03.15.2016