

## 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, December 20, 2016

#### 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  
Bobby Withrow, Parks Director

2. **Invocation:** Stan Johnson, Kuna Life Church

3. **Pledge of Allegiance:** Mayor Stear

4. **Consent Agenda:**  
(Timestamp 00:01:17)

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A. City Council Meeting Minutes:

1. Regular City Council Minutes, December 6, 2016

B. Accounts Payable Dated December 16, 2016 in the Amount of \$396,251.41

C. Final Plat

D. Resolutions

1. Consideration to approve Resolution No. R99-2016 – Accepting Temporary Sewer Easement from the Journey’s End Subdivision Project

RESOLUTION APPROVING ACCEPTANCE OF A SEWER EASEMENT ON GRANTOR’S PROPERTY FOR THE PURPOSE OF CONSTRUCTING, OPERATING AND MAINTAINING A SEWER MAIN FOR THE ORCHARD REGIONAL LIFT STATION PROJECT.

2. Consideration to approve Resolution No. R101-2016 – Accepting Real Property Located Between Indian Creek and the Indian Creek Elementary School for the Kuna Greenbelt Extension

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO ACCEPTING THE REAL PROPERTY LOCATED BETWEEN INDIAN CREEK AND THE INDIAN CREEK ELEMENTARY SCHOOL AS CONVEYED BY QUITCLAIM DEED FROM THE KUNA JOINT SCHOOL DISTRICT NO. 3 TO THE CITY OF KUNA, IDAHO FOR ITS GREENBELT EXTENSION, AS DEPICTED AND DESCRIBED IN EXHIBIT A.

E. Findings of Fact and Conclusions of Law

1. Consideration to approve the Findings of Fact and Conclusions of Law for Case No. 16-03-ZC (Rezone) - Michael Larson: Approval to rezone approximately 0.283 acres in City limits from the current R-6 residential zone to a CBD (Central Business District) commercial zoning designation. The site is located at 368 N. Linder Avenue, Kuna, Idaho (APN#: R061500530).

Council Member Cardoza asked about the Ada County shop the City keeps making payments on. There had been discussion on buying or trading for the shop.

Mayor Stear said he had a couple discussions with them and they are considering options. There is nothing affirmative yet.

**Council Member Buban-Vonder Haar moved to approve the consent agenda. Seconded by Council President Jones. 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 00:02:27)*

**A. *Continued from the December 6, 2016 Kuna City Council Meeting***

Discussion on adding domestic partners to the City's health, dental, and vision plan.  
– John Marsh, City Treasurer

City Treasurer John Marsh introduced the matter and he provided the bench marking that was requested by the Council at the last meeting. Meridian, Eagle, Middleton, Twin Falls, Lewiston, and Moscow do not allow domestic partners. He did not hear back from Boise.

City Attorney Richard Roats explained to Council that the Directors discussed the matter in the Directors meeting and recommended that the policy be kept as it is.

No discussion by Council.

Mayor Stear stated the policy will be followed that is currently in place.

**B. *Continued from the December 6, 2016 Kuna City Council Meeting***

Discussion on utility incentives for customers who opt into electronic utility bills. – John Marsh, City Treasurer  
(Timestamp 00:05:21)

City Treasurer John Marsh provided variable costs such as the things the City can control. The City currently pays about 68 cents for each paper copy bill generated. Electronic billing through Xpress Bill Pay is 1.5 cents so it saves 66.5 cents per billing statement. Mr. Marsh suggested implementing the marketing of the new option before giving incentives to see they are really needed. Staff completed training that day and is ready begin rolling out the electronic options. It is fairly detailed so they would like to take it slow and will probably start marketing after January 1, 2017.

Council Member Buban-Vonder Haar asked Mr. Marsh to describe the difference in the new electronic system and the marketing of it that would cause more people to sign up for it.

Mr. Marsh said the features are tremendously better. There is additional functionality of the new system as well as it being more up to date and reliable on time turn around.

Council Member Buban-Vonder Haar asked what the marketing campaign will consist of.

Mr. Marsh responded it has never been marketed before. Time and money savings will be highlighted. The new provider is very experienced and will give guidance on the marketing as well. A standardized post card will be sent out separately to the households.

Council Member Buban-Vonder Haar asked if the post card was the most cost effective way to do it.

Mr. Marsh said he was concerned about the current provider advertising for the provider the City is switching to. It is a conflict of interest and he did not want to create any consternation. The separate mailer is a little bit more expensive but it is still cost effective and it was budgeted for.

City Engineer Gordon Law asked when it was budgeted for.

Mr. Marsh said it was budgeted for last year and it is paid for; it just hasn't been sent out yet.

Council Member Buban-Vonder Haar asked if Mr. Marsh will come back with a recommendation for an incentive at a later date.

Mr. Marsh said he would gather information and make a recommendation after the marketing campaign has been done. He would like to have approximately 25% enrolled in electronic billing within a year which is a pretty high level.

- C. Consideration to approve Resolution No. R100-2016 – Establishing a Procedure for the Implementation of City of Kuna, Idaho Utility Payment Assistance Program – John Marsh, City Treasurer  
(Timestamp 00:12:10)

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO ESTABLISHING A PROCEDURE FOR THE IMPLEMENTATION OF CITY OF KUNA, IDAHO UTILITY PAYMENT ASSISTANCE PROGRAM.

City Treasurer John Marsh presented to the Council that he and City Attorney Richard Roats reviewed the information from the Ada County Indigency program and applied it to the city.

Mayor Stear reviewed that Council Member Cardoza had suggested the Mayor be on the review committee and what was the determination on that.

City Attorney Richard Roats explained Ada County has a non-medical indigency review board made up of staff. Staff will be able to review applications as soon as they are submitted; no appointments needed. The thought is that this is an administrative process instead of the Mayor making the decision, if Council is agreeable. Staff will make the decision following the procedures and applications. It will be assigned a confidential number and brought to Council so they can see what is being done. Most will be under a repayment program.

Council President Jones asked where the application should be turned in to.

Mr. Roats explained the process of filling out the application. It will come into staff, be assigned a number, be forwarded to Mr. Roats or Mr. Marsh, and then housed securely in a file for review. If they are available they will meet with the customer so it can be processed right away. The assumption is these will come a day or two (2) before shut off dates so decisions will need to be made fairly quickly.

Council President Jones was concerned about the confidentiality and how many hands the application would pass through before getting to Mr. Roats or Mr. Marsh. He said it seems very limited.

Mr. Roats said one (1) person will intake it and probably put it into a manila folder, put a number on it, and seal it. Then it can be reviewed and stored securely.

Council Member Cardoza asked if eight (8) pages was overkill such as where a person has lived in the last three (3) years. He asked if traditionally it was \$100.00 at the most per month.

Mr. Marsh said it is generally \$100.00.

Council Member Cardoza thought the application should be simpler based on the restitution amount. It is a lot of personal information. He asked if it could be toned down.

Mr. Roats said some of it could be toned down but some of it is important. He gave some examples of concern of those spending frivolously versus those who truly need it.

Council Member Cardoza was afraid it would be a deterrent to those who really need it. He understood the county using this form because it may incur medical bills that run into tens of thousands of dollars.

Mr. Roats clarified this in their non-medical application and it was limited to basically what the City is providing. The information they ask for is pretty comprehensive and falls under state code.

Council Member Cardoza was concerned about how long it would take an individual to go through the application.

Mr. Roats suggested trying it this way and if applications are not being turned in staff can report back that it may be an issue.

Council Member Buban-Vonder Haar said she is fine with the form. She understood Council Member Cardoza's concern but she thinks of it in the opposite way. If it is time intensive enough it may deter people who don't truly need it.

Council Member Cardoza was concerned about senior citizens. They are proud to begin with and when they are asked to go through an application like this they will turn around and walk out.

City Engineer Gordon Law asked if the intent was to bridge a gap of pay; not just forgive late payments.

Mr. Roats confirmed that is the intent. There may be some people who can't pay but the thought is to put as many as possible on a repayment plan.

Mr. Law recalled when this was done previously it was \$84,000.00 a year when it got loose. He didn't think that was the route they were going and he hadn't budgeted for \$84,000.00 to give away.

Mayor Stear said he thought the same as Council Member Cardoza when he first read the application but understands the need for it.

Council Member Buban-Vonder added that some people who may need to fill this out for the City may have done so previously for the county so it may not be that difficult for them.

Council President Jones asked if it was being required that this program be a customer's last resort.

Mr. Roats said that provision is in there but, if they have gone through the county and received their assistance and are then coming to the City for the utility portion of their bills, they have probably already exhausted all their options.

Council President Jones agreed with Mr. Law and suggested setting a certain budget with a cap on it to prevent the program getting out of hand. There would be an issue with eventually having to turn someone away who really needs it and that bridge would have to be crossed at that time. He thought the application seemed cumbersome but it is a win-win. It will deter those who don't need it and some that do need it will probably spend the time to do it. He also agreed with Council Member Cardoza's statement about senior citizens.

Stan Johnson, Kuna Life Church, said in his many years of experience he found there are people who work the system and the people who legitimately need help will answer questions.

Mayor Stear said that a monthly report will be provided so funding can be watched. If it looks like a train that is going to start running away it can be addressed then or, if Council would like, there can be a cap.

Council Member Buban-Vonder Haar said her preference would be to get the monthly reports. Mr. Roats and Mr. Marsh both understand that the first priority is to

work out a payment plan; to evaluate the situation to hopefully come up with a plan to get payment when the customer is able. She would hope that means there will not be too many bills being forgiven. She also finds it unfair to only have a certain amount of money. Those who fall on hard times after the cap has been reached or waited in the hope of being able to fix their situation on their own would be unable to get assistance. She was ok with discussing a cap as long as the cap is flexible depending on need; otherwise, taking things on a monthly basis with the reports coming in is fine with her.

Council Member McPherson said he also liked the idea of the monthly feedback. He asked if there is a designated person to help those that need to complete the form.

Mayor Stear said Mr. Roats would assist.

**Council Member Buban-Vonder Haar moved to approve Resolution No. R100-2016. Seconded by Council Member McPherson. Motion carried 4-0.**

**8. Ordinances:**

*(Timestamp 00:31:30)*

**A. Consideration to approve Ordinance No. 2016-36 – Rezone**

AN ORDINANCE REZONING PARCEL R0615000530, WESTERLY PORTION OF LOTS 25-28, BLOCK 3 OF AVALON ADDITION, ADDRESSED AS 368 NORTH LINDER AVENUE, KUNA, IDAHO, FROM R-6 TO CBD; SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

*Consideration to waive three readings*

*Consideration to approve ordinance*

*Consideration to approve a summary publication of ordinance*

Mayor Stear added that this property was discussed at the last meeting on December 6, 2016 and the ordinance is just to confirm that approval.

**Council Member Buban-Vonder Haar moved to waive three readings of Ordinance No. 2016-36. Seconded by Council Member Cardoza. Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve Ordinance No. 2016-36. Seconded by Council Member Cardoza. 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. 2016-36. Seconded by Council Member Cardoza. Motion carried 4-0.**

- B.** Consideration to approve Ordinance No. 2016-37 – Amending Kuna City Code 1-6-3 and 1-6-4

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO AMENDING KUNA CITY CODE: PART A, SECTION 3, TITLE 1 TO CHANGE THE ADDRESS FOR KUNA CITY HALL AS LISTED IN THE KUNA CITY CODE TO THE NEW ADDRESS OF CITY HALL; SECTION 4, CHAPTER 6, TITLE 1 TO CHANGE THE TERM OF THE COUNCIL PRESIDENT TO AN ANNUAL APPOINTMENT EACH JANUARY FOR A TERM OF ONE YEAR; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Stear explained the first part is to correct the address of City Hall; putting in the new address. The second part is consistent with what most other entities do; an annual appointment of the lead position.

*Consideration to waive three readings*

*Consideration to approve ordinance*

*Consideration to approve a summary publication of ordinance*

**Council Member Buban-Vonder Haar moved to waive three readings of Ordinance No. 2016-37. Seconded by Council Member McPherson. Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve Ordinance No. 2016-37. 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. 2016-37. Seconded by Council Member McPherson. Motion carried 4-0.**

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

*(Timestamp 00:35:24)*

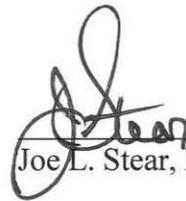
Mayor Stear explained the retention easement needed for downtown Main St drainage to Council. Surface water retention created a problem because of rock. As they drilled down in several parts through town the depth wasn't enough, so the City has been negotiating with the school district to receive right of way in the corner at Ave E and

Main St at the 4<sup>th</sup> Street Gym property. The school district was asked for the gift of a right of way so the facility can be put in. It was approved at the school board. It is something the City has been working on for a while. He said he appreciates the school district's willingness to work with the City on that and to help keep the project moving forward.

**10. Announcements:**

**11. Executive Session:**

**12. Adjournment:** 6:36 pm



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



*Minutes prepared by Ariana Welker, Customer Service Specialist  
Date Approved: CCM 01.03.2016*

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2. **Invocation:** Stan Johnson, Kuna Life Church
3. **Pledge of Allegiance:** Mayor Stear
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