

CITY OF KUNA
REGULAR CITY COUNCIL MEETING
MINUTES
TUESDAY, JANUARY 7, 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 Doug Hoiland
Council Member Joe Stear
Council Member-Elect Pat Jones

EXCUSED ABSENCE: Council Member Briana Buban-Vonder Haar

CITY STAFF PRESENT: Richard Roats, City Attorney
John Marsh, City Treasurer
Wendy Howell, Planning & Zoning Director
Troy Behunin, Sr. Planner
Travis Jeffers, Planning Technician
Brenda Bingham, City Clerk

Call to Order and Roll Call

Mayor Nelson welcomed everyone and recognized the Boy Scouts in attendance working on their Communications and Citizenship merit badges. The meeting was called to order at 7:00 p.m. Roll call reflected Council Members Cardoza, Hoiland and Stear present at the meeting. Council Member Buban-Vonder Haar was out of town on vacation.

Invocation: Marcus Omdahl, New Beginnings Christian Church

Pledge of Allegiance: Mayor Nelson

Amend Agenda (Timestamp 00:04:00)

(The council must move to amend the agenda per IC 67-2343 Effective July 1, 2009.)

Consideration to amend the agenda originally posted on January 3, 2014 to include the following:

- New Business: 5N – Adopt Resolution No. R06-2014 to Approve Form of Letter of Credit for Crimson Point 5 Phase C
- Correction of Ordinance No. 2014-01 changing it from an annexation to a rezone ordinance and moving it from the Consent Agenda to 1.2 New Business.

Staff was notified of the request on Tuesday, January 7, 2014.

Council Member Stear moved to add under New Business: 5N – Adopt Resolution No. R06-2014 and remove Ordinance No. 2014-01 from the Consent Agenda as discussion as 1.2 under New Business. Seconded by Council Member Hoiland, all voting aye. Motion carried 3-0.

1.1 Consent Agenda: (Timestamp 00:05:05)

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 December 17, 2013 Special Meeting
2. Minutes of December 17, 2013 Regular Meeting
3. Minutes of December 19, 2013 Special Meeting

B. Accounts Payable Dated January 7, 2014 in the Amount of \$181,153.12

C. Ordinances:

Council Member Stear moved to approve the Consent Agenda as presented. Seconded by Council Member Hoiland, all voting aye. Motion carried 3-0.

1.2 New Business: (Timestamp 00:05:29)

First Reading of Ordinance No. 2014-01 Rezone - Boise Project Board of Control
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 REZONING CERTAIN REAL PROPERTY IDENTIFIED BY PARCEL NUMBER R5070002110 SITUATED IN THE CORPORATE LIMITS OF THE CITY OF KUNA; CHANGING THE ZONING FROM R-6 MEDIUM-LOW DENSITY RESIDENTIAL TO C-1 NEIGHBORHOOD BUSINESS DISTRICT; 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. 2014-01. Seconded by Council Member Hoiland, all voting aye. Motion carried 3-0.

**Council Member Stear moved to approve Ordinance No. 2014-01. Seconded by Council Member Hoiland with the following roll call vote:
Voting Aye: Council Members Cardoza, Hoiland 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. 2014-01. Seconded by Council Member Hoiland, all voting aye. Motion carried 3-0.

1.3 Swear In Newly Elected Officials *(Timestamp 00:09:00)*

Mayor Nelson presented a plaque to Council Member Hoiland and thanked him for his service from January 5, 2010 – January 7, 2014. The Mayor pointed out these were not easy years due to the recession and Mr. Hoiland helped the City through this difficult time.

Mayor Nelson administered the Oath of Office to Richard Cardoza and Pat Jones as newly elected Council Members. The new officials were welcomed and congratulated on their new positions.

Council Member Stear moved to adjourn this portion of the meeting at 7:10 p.m.

***Recess for change of Council** *(Timestamp 00:12:26)*

Newly appointed Council Members Richard Cardoza and Pat Jones joined Council Member Joe Stear on the dais. (Council Member Buban-Vonder Haar was absent.)

Mayor Nelson called the Council Meeting back to order. Roll call reflected Council Members Cardoza, Jones and Stear present at the meeting.

1.4 Elect Council President *(Timestamp 00:13:03)*

Council Member Stear moved for Richard Cardoza to be the Council President again. Seconded by Council Member Jones, all voting aye. Motion carried 3-0.

1. Consent Agenda: *(Timestamp 00:14:22)*

- A. City Council Meeting Minutes: None
- B. Approve Accounts Payable: None
- C. Alcohol Licenses: None
- D. Resolutions:

- 1. Resolution No. R02-2014 Pool & Recreation Center Feasibility Study Consultant

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH LCA ARCHITECTS TO PERFORM THE FEASIBILITY STUDY THAT WILL DETERMINE IF IT IS FISCALLY POSSIBLE TO CONSTRUCT AND OPERATE OR PARTNER WITH THE YMCA TO OPERATE A CITY OWNED COMMUNITY SWIMMING POOL AND RECREATION CENTER.

2. Resolution No. R03-2014 Pool & Recreation Center – Zions Bank

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH ZIONS BANK TO ASSIST THE CITY IN EXPLORING METHODS OF FINANCING THE CONSTRUCTION AND OPERATION OF A CITY OWNED COMMUNITY SWIMMING POOL AND RECREATION CENTER.

E. Findings of Facts and Conclusions of Law: None

Council Member Stear moved to approve the Consent Agenda. Seconded by Council Member Jones, all voting aye. Motion carried 3-0.

2. **Citizen's Reports or Requests:** None

3. **Old Business:** None

4. **Public Hearings:** (7:00 p.m. or as soon thereafter as matters may be heard.)
(Timestamp 00:17:42)

- A. 13-01-PUD (Planned Unit Development), 13-03-ZC (Rezone), 13-03-DA (Development Agreement), 13-05-S (Preliminary Plat); Sorrel Residential Subdivision, 13-04-DR (Design Review); Randy VanderWerff represented by ULC Management (Bob Unger); Applicant is requesting the following:
- PUD approval for a Lot totaling 2.07 total acres
 - Approval to change the current zoning from M-1 to R-8
 - Approval of a Development Agreement to guide development
 - Preliminary plat approval for 16 connected-townhome lots

Presented by Troy Behunin, Senior Planner, P&Z, noting the applicants request as stated above.

Mayor Nelson opened the public hearing at 7:25 p.m. An invitation was extended to the audience to make public comment.

SUPPORT

Bob Unger, ULC Management, 6104 N. Gary Lane, Boise, Idaho represented the applicant, Randy VanderWerff. He reported the Planning and Zoning Commission has reviewed and approved the application. Per the PUD, they will be providing .2 acres of

usable open space including a path to the park. The design of the Towne Houses is a new unique style. The park will be owned and maintained by the Home Owner's Association.

NEUTRAL

None

OPPOSE

None

The Public Hearing closed at 7:28 p.m.

Council Member Stear moved to approve 13-01-PUD (Planned Unit Development), 13-03-ZC (Rezone), 13-03-DA (Development Agreement), 13-05-S (Preliminary Plat), a PUD, a rezone, development agreement and preliminary plat request from Randy VanderWerff, with the listed conditions of approval by staff. Seconded by Council President Cardoza, all voting aye. Motion carried 3-0.

- B. 13-02-AN (Annexation) and 13-01-DA (Development Agreement) Sharron L. Fisher Annexation; represented by SLN Planning (Shawn Nickel). The applicant is requesting that their 1.14 acre lot be annexed into the City of Kuna with a C-1 (Neighbor Business District) designation from its current Ada County zoning of RUT (Rural Urban Transitional). Also requested is a Development Agreement to guide future development.

Presented by Travis Jeffers, Planning Technician, P&Z, as noted above.
(Timestamp 00:34:15)

Mayor Nelson opened the public hearing at 7:36 p.m.

SUPPORT

Shaun L. Nickel, SLN Planning, 1589 N. Estancia Place, Eagle, Idaho, represented Sharon Fisher in a request to annex a 1.14 acre parcel into the city limits. The Development Agreement will establish the standards required for future development. The property will be fixed up and used as a rental for now.

NEUTRAL

None

OPPOSE

None

The Public Hearing closed at 7:37 p.m.

Clarification was made by Wendy Howell, P&Z Director, that the land will not be land locked.

Council Member Stear moved to approve 13-02-AN (Annexation) and 13-01-DA (Development Agreement) along with staffs recommended conditions of approval. Seconded by Council Member Jones, all voting aye. Motion carried 3-0.

5. New Business:

A. Transportation Priorities – David Szplett (*Timestamp 00:40:59*)

Clarification was made by Attorney Roats that the City did not engage in services with Mr. Szplett as a consultant. He is not making the presentation in the capacity of an employee of the Idaho Department of Transportation or any representative thereof or with the approval or objection of ACHD. Mr. Szplett is giving the presentation only as a private citizen.

Dave Szplett, 970 Ashwood Court, Kuna, Idaho, stated he has 14 employees and none of them have anything to do with his presentation.

Mr. Szplett explained his concerns regarding the transportation improvement priorities in Kuna noting the City wants to improve pedestrian access across the railroad by asking for a State grant. He also expressed concern on the turnout at ACHD's Downtown Plan and Railroad Overpass final meetings.

Mr. Szplett conducted his own survey and reported responses to 200 surveys asking the following three questions:

- Did you attend the final meeting of ACHD's Kuna Downtown Plan?
- What are your transportation priorities?
- Should ACHD build their traffic circle or fund your other priorities first?

Mr. Szplett stated the responses reflected other priorities. He suggested giving support to a minor TEE intersection at Main and Linder; use left-over money for pedestrian crossings of the railroad; build a sidewalk system to Paul's Market and Ridley's; install sidewalks on the south side of Kuna; expand access to the greenbelt.

Mr. Szplett stated he is trying to help the Council know what the people want but has not taken money from anyone.

B. Proclamation – 2014 Year of the Kids (*Timestamp 00:49:00*)

Mayor Nelson read the 2014 Year of the Kids Proclamation declaring 2014 as the Year of the Kuna Kids and invited all citizens of Kuna to honor the past by investing in our future.

C. Proclamation – 2014 Kuna City Sesquicentennial (*Timestamp 00:51:03*)

Mayor Nelson read the 2014 Kuna City Sesquicentennial Proclamation recognizing the citizens for their accomplishments spanning 150 years that have made Kuna a great place to live and proclaimed 2014 to be the Sesquicentennial anniversary celebration for the City.

Council Member Stear thanked the Mayor for recognizing problems in the community and applauded him for his continual efforts to address the needs of our community and with our youth.

- D. Resolution No. R01-2014 Approve Form of Letter of Credit for Greyhawk Subdivision No. 2 – Gordon Law, City Engineer (*Timestamp 00:54:40*)

Council Member Stear moved to approve Resolution No. R01-2014 Form of Letter of Credit for Greyhawk Subdivision No. 2. Seconded by Council Member Jones, all voting aye. Motion carried 3-0.

- E. Consideration to Approve Resolution No. R04-2014 City Employee Dental and Vision Policy – John Marsh, City Treasurer (*Timestamp 00:58:06*)

Council Member Stear moved to approve Resolution No. R04-2014 and for the savings to be put into a reserve account. Seconded by Council President Cardoza, all voting aye. Motion carried 3-0.

- F. Discuss Resolution Adopting Amended Policy for Cost Recovery Agreements for Water System Construction – Gordon Law, City Engineer (*Timestamp 01:05:39*)

Gordon Law requested agenda items 5F – 5H be tabled and placed on the next agenda for consideration.

Council Member Stear moved to table until the meeting on January 21st items F, G and H placing them under Old Business. Seconded by Council Member Jones, all voting aye. Motion carried 3-0.

- G. Discuss Resolution Adopting Amended Policy for Cost Recovery Agreements for Sewer System Construction – Gordon Law, City Engineer

This item was tabled in a motion under 5F.

- H. Discuss Resolution Adopting Amended Policy for Cost Recovery Agreements for Pressure Irrigation System Construction – Gordon Law, City Engineer

This item was tabled in a motion under 5F.

- I. December Construction Report (information only, no action required) – Gordon Law, City Engineer (*Timestamp 01:13:03*)

Information only, no action required.

- J. Discussion to Set Date for Feasibility Study for Community Swimming Pool and Recreation Center – Richard Roats, City Attorney (*Timestamp 01:14:28*)

The Council agreed to hold the meeting at 6:00 p.m. prior to the January 21, 2014 Council Meeting.

- K. Discussion to Set Date for an Executive Session Regarding Property Acquisition – Richard Roats, City Attorney (*Timestamp 01:16:52*)

The Council will hold an Executive Session to discuss property acquisition during the regular Council Meeting scheduled for January 21, 2014.

- L. Adopt Resolution Approving Consultant Services Agreement with JUB for Boise-Linder Pipeline Project – Gordon Law, City Attorney (*Timestamp 01:18:05*)

Council President Cardoza moved to approve Resolution No. R05-2014 for the JUB Agreement in the estimated cost of \$20,589. Seconded by Council Member Jones, all voting aye. Motion carried 3-0.

- M. Review Comprehensive Plan Amended Section 8.0 Public Services, Facilities and Utilities and Section 10.0 Recreation – Wendy Howell, P&Z Director (*Timestamp 01:30:10*)

Ms. Howell encouraged corrections from the Council regarding the Comprehensive Plan. She explained all the changes made by the Council will be incorporated into the Plan. After the modified plan is completed, it will be reviewed one more time by the Council before scheduling a public hearing. The public hearing will be a joint meeting between Kuna City Council and Ada County's Board of Commissioners where the Plan and amended maps will be considered for approval. Edits can be emailed to Ms. Howell.

- N. Adopt Resolution No. R06-2014 to Approve Form of Letter of Credit for Crimson Point 5 Phase C, Gordon Law, City Engineer (*Timestamp 01:34:21*)

Council Member Stear moved to adopt Resolution No. R06-2014. Seconded by Council Member Jones, all voting aye. Motion carried 3-0.

6. Ordinances: None

7. Mayor/Council Discussion Items: (*Timestamp 01:35:33*)

Mayor Nelson briefly reported the Gateway West Transmission Line project is being considered for location south of Melba.

John Marsh reported he will be meeting with the Apple Business Team at their store next Thursday to learn more about the possibility of obtaining Tablets for the Council. A demo will be presented at a future date.

8. Announcements:

9. Executive Session:

10. Adjournment:

Council Member Jones moved to adjourn the meeting at 8:43 p.m.

W. Greg Nelson, Mayor

ATTEST:

Brenda S. Bingham, City Clerk

*Minutes prepared by Brenda Bingham
Date Approved: CCM 1/21/14*

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.