

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

TUESDAY, SEPTEMBER 2, 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 Pat Jones
Council Member Joe Stear

EXCUSED ABSENCE: Council Member Briana Buban-Vonder Haar

CITY STAFF PRESENT: Gordon Law, City Engineer
John Marsh, City Treasurer
Wendy Howell, Planning & Zoning Director
Troy Behunin, Sr. Planner
Bobby Withrow, Parks Supervisor
Brenda Bingham, City Clerk

Call to Order and Roll Call

Mayor Nelson welcomed everyone and called the meeting to order at 7:02 p.m. Roll call reflected Council Members Cardoza, Jones, and Stear present at the meeting. Council Member Buban-Vonder Haar was unable to attend.

Invocation: Chris Bent, Calvary Chapel

Pledge of Allegiance: Mayor Nelson

1. Consent Agenda: (Timestamp 00:02:00)

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 August 19, 2014 Regular Meeting

B. Accounts Payable Dated August 26, 2014 in the Amount of \$311,999.22

- C. Alcohol Licenses:
- D. Resolutions:
- E. Findings of Facts and Conclusions of Law:

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

2. Citizen's Reports or Requests: *(Timestamp 00:02:03)*

- A. 2013 Economic Study Presentation – David Yorgason, Government Affairs Consultant, Building Contractors Association of Southwestern Idaho

David Yorgason gave a PowerPoint presentation on the Ada County – Metro Area Economic Impact of Home Building and Housing Report. He reported on the local economic impact explaining the construction phase, ripple or feed-back from construction and occupancy phase as earnings spent in local economy.

It was noted St. Luke's Health Systems was the biggest local employers with 7,600 full time jobs.

A local housing report was also given showing the history of Ada County yearly sales and pending new construction sales for 2014.

Mayor Nelson thanked Mr. Yorgason for the information and explained the city will be getting more involved with the Building Contractors Association by attending their meetings.

3. Old Business

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

- A. Kirkpatrick Annexation – Troy Behunin, Senior Planner *(Timestamp 00:34:46)*

14-02-AN (Annexation), 14-03-DA (Development Agreement) and 14-01-LS (Lot Split) Applicant requests to annex approx. 6.8 acres into the City limits and to split the existing parcel into two parcels. Applicant requests Agriculture zone (Ag) for parcel one (approx. 1.3 acres) and seeks an R-6 zone for parcel two (approx. 5.5 acres) to attract a developer in the future. Applicant wishes to continue their existing agricultural uses. Applicant is aware a development agreement will be recorded to guide all future development.

Troy Behunin explained the request above noting staff found the application items to be in order and all notification requirements fulfilled. It is an original parcel so a lot split would be allowed. The Planning and Zoning Commission has reviewed it and made recommendation for approval.

Mayor Nelson opened the public hearing at 7:40 p.m. reporting no one signed the list to speak. An invitation was extended to the audience to make public comment. There being no testimony offered, Mayor Nelson closed the Public Hearing.

The applicant was present but did not have any additional comments to make.

Council Member Stear moved to approve 14-02-AN Annexation, 14-03 DA Development Agreement and 14-01-LS Lot Split for the Kirkpatrick Annexation with all staff recommendations that were listed. Seconded by Council Member Jones, all voting aye. Motion carried 3-0.

B. Ben Bernier Annexation – Troy Behunin, Senior Planner (*Timestamp 00:40:20*)

14-04-AN (Annexation)

Applicant requests annexation of an approximately 1.6 acre parcel into the City of Kuna with an R-4 (Medium Density Residential District) zoning designation from its current Ada County zoning of R1 (Estate Residential).

Troy Behunin explained the above application requesting annexation into the city limits. The property is located at 452 S. Swan Falls Road. Staff found the application items to be in order and all notification requirements fulfilled. The Planning and Zoning Commission has reviewed it and made recommendation for approval. No concerns were noted.

Applicant was present but did not have any additional comments to make.

Mayor Nelson opened the public hearing at 7:44 p.m. reporting no one signed the list to speak. An invitation was extended to the audience to make public comment. There being no testimony offered, Mayor Nelson closed the Public Hearing.

Council Member Stear moved to approve 14-04-AN Annexation for the Ben Bernier Annexation along with city staff recommendations. Seconded by Council Member Jones, all voting aye. Motion carried 3-0.

C. Sailor Shores Meadows Subdivision – Troy Behunin, Senior Planner
(*Timestamp 00:44:44*)

14-01-S (Subdivision)

Applicant is seeking preliminary plat re-approval for a residential subdivision in Kuna consisting of 26 buildable lots and 2 common lots on approximately 4.77 acres. This request reflects a different lot arrangement than what was previously approved.

Troy Behunin presented the information above. Planning Commission has reviewed the request and made recommendation for approval. Notification process as required by state law has been fulfilled. Discussions have taken place with the Kuna School District to accommodate school bus routes. Neighborhood meetings have been held. Sewer and water services will need to be obtained. The property is zoned R6.

Alex Macdonald, New Horizon Construction Comp, presented the request. They are not asking for any conditional uses or alterations to the city's current planning goals. Lots are between 5,000 and 8,000 square feet. It is a small development under 5 acres near city services. They will address the four recommendations from the Planning and Zoning Commission:

- Follow all staff recommended conditions of approval
- They contacted the Kuna School District regarding busing that was a concern among the community members about the safety of school children. The cul-de-sac built into the subdivision can accommodate a school bus to pick up children but at this time the school district does not have any plans to enter the subdivision to pick up children. They can do this at a future date when they decide to go that route.
- Provide temporary barriers to prevent pass through traffic at stub-outs at subdivision boundary
- Follow the city forester's recommendations to change out some of the species of the trees on the common lots.

It was noted the school bus stop will be located at Avalon and Sailer Street. This is the traditional bus stop where it has always been.

Barriers will be put up to block the Nicholson sheep camp.

Mayor opened the Public Hearing at 8:53 p.m.

Support

None

Neutral

Bobbie Sailer, 1185 East Kuna Road, expressed concern with the busing of children. Her driveway is right next to Sailer Place which blocks her access when the bus stops to pick up the three or four children now. If there will be 24 new houses down the lane, it could increase to approximately 48 students. Highway 69 was proposed as a high speed limited thoroughfare. There will be multiple buses picking up students which defeat the purpose of it being a high speed limited access highway. She is concerned about the buses blocking the area and preventing residents from leaving for work at 7:30 in the morning. She suggested that arrangements be made with the school district. Their lane is only 26' wide and there is no place for the children to walk on sidewalks to avoid the traffic.

Mr. Behunin clarified that the school district was part of the agency packet that was sent out which is routinely sent to them but no comment was received back from them. At the Planning and Zoning Commission meeting, it was a condition of approval and the school district said at this time there is not a need but in the future it will be available to them.

Mike Sailer, 1185 East Kuna Road, asked what the minor changes were from the original plan.

Mr. Behunin reiterated the changes mentioned by Mr. Macdonald:

- Follow staff recommendations
- Contact the school
- Work with city forester
- Provide barriers to prevent pass through traffic

They also need to secure a path for sewer and water.

Oppose

None

Mr. Behunin explained there will not be an egress west out of the Nicholson property at this time. Nothing beyond the stub street is being proposed.

Council Member Cardoza and Mr. Sailer remember discussions in 2006 regarding an easement coming out from the west end of the apartments for the children and pedestrians which would help eliminate safety concerns on Sailor.

Mayor suggested a meeting be held with the developers to discuss if the 15' easement could be made into a path.

Mr. Macdonald stated in 2006 there was an application submitted that included a pathway for students to access the bus. At that time the logistics of that was reviewed but it fell through. This last year they met with various organizations and submitted the original application that included the pathway through the easement. There was concern from the police department that it would create opportunities for bullying and violence so they were advised not to go that route and work on getting buses into the subdivision or another alternate process. He stated there is availability for the bus to come into the subdivision. The school district has responded that at this time they do not plan to do it because it depends on how many students there are but can do it in the future when it is needed.

They are looking at the best way to bring in water and sewer according to the engineer's recommendation.

There is a turn-around easement for the fire truck which will be asphalted.

It was noted there were documents from the engineer that should have been included with the council packets.

Mayor suggested he would like to have the school district, sheriff's department and city in the discussion with the developer to figure out the safety concerns for the children.

Mr. Macdonald will work on solutions for the safety issues.

Mayor Nelson closed the public hearing at 8:30 p.m.

Mr. Behunin reported a traffic analysis was not performed since it is not required for developments under 100 lots.

Council Member Stear moved to table the Sailor Shores Meadows Subdivision 14-01-S until the September 16th City Council Meeting. Seconded by Council President Cardoza, all voting aye. Motion carried 3-0.

Clarification was made to hold a meeting with the developer, school district, Fire Department, P&Z, Sheriff's Department, City Engineer and Mayor prior to the September 16 council meeting to address the safety concerns.

Rodney Ashby, ACHD representative, will check to make sure all of the standards have been met and the development process has been approved.

D. Public Hearing for Fiscal Year Ending September 30, 2015 Annual Appropriation Budget
– John Marsh, City Treasurer (*Timestamp 01:41:26*)

1. Annual Appropriation Ordinance No. 2014-12

*Consideration to dispense with full reading and three consecutive readings.
Consideration to approve ordinance.*

AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015, APPROPRIATING THE SUM OF \$11,547,483 TO DEFRAID EXPENSES AND LIABILITIES OF THE CITY OF KUNA FOR SAID FISCAL YEAR; AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY; SPECIFYING THE OBJECTS AND PROPOSED EXPENSES FOR WHICH SAID APPROPRIATION IS MADE; AND PROVIDING AN EFFECTIVE DATE.

Mayor Nelson opened the Public Hearing at 8:46 p.m. reporting no one signed the list to speak. An invitation was extended to the audience to make public comment but no one testified so the Public Hearing closed.

Council Member Stear moved to dispense with the full reading and three consecutive readings of Ordinance No. 2014-12. Seconded by Council Member Jones, all voting aye. Motion carried 3-0

Council Member Stear moved to approve Ordinance No. 2014-12. Seconded by Council Member Jones with the following roll call vote:

Voting Aye: Council Members Cardoza, Jones, and Stear

Voting No: None

Absent: Council Member Buban-Vonder Haar

Motion carried 3-0

5. New Business:

- A. Discuss Air Quality Vehicle Emission Inspection and Maintenance Program – Mayor Nelson (*Timestamp 01:47:16*)

Mayor Nelson reported the letter from the Air Quality Board was included in the packets. He explained they have tried to get Department of Environmental Quality (DEQ) to come out to provide emissions testing in Kuna but they only came out two times. He asked the council to review the invitation to join the Air Quality program with the hopes of getting testing in Kuna.

No decision was made at this time but the item will be placed back on the agenda for the September 16 meeting.

6. Ordinances:

7. Mayor/Council Discussion Items:

- A. Discuss Notice of Public Hearing Regarding Appeal of a Conditional Use and Master Site Plan for a Cemetery (Islamic Community of Bosniaks in Boise Inc.) to be Located at 15000 South Cloverdale Road (*Timestamp 01:52:54*)

Mayor Nelson informed the council of the Public Hearing notice regarding the proposed Islamic Cemetery explaining it has been appealed due to there not being any vaults for burial and a body only being buried 3 feet deep. Concern expressed on badgers in the area and the fencing needed to keep the wild animals out and making sure the cemetery is landscaped and well maintained.

The Board of Ada County Commissioners will hold the Public Hearing on September 10 at 6 p.m.

Skate Park (*Timestamp 02:00:15*)

Council Member Jones expressed concern on the lack of effort to keep the Skate Park clean and trash free from the youth groups using it. Prior discussions suggested putting up a fence and locking it up if not taken care of.

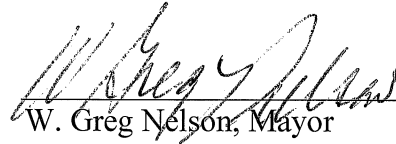
Mayor Nelson reported on his visit with some of the youth where he encouraged them to keep it clean and to eliminate the vandalism noting the tree identification signs have been ripped off. He suggested offering an award for kids reporting who was doing the damage. Also discussed giving a ticket to them with the requirement of reporting to the Parks Department for a work assignment. If they don't show up, then they have to go to court. Picking up trash in front of their peers may be a good solution to try out. Mayor also addressed the concern in his recent newsletter.

8. Announcements:

9. Executive Session:

10. Adjournment:

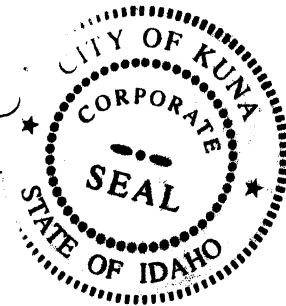
Council Member Stear moved to adjourn the meeting at 9:15 p.m.


W. Greg Nelson, Mayor

ATTEST:


Brenda S. Bingham, City Clerk

Minutes prepared by Brenda Bingham
Date Approved: CCM 9/16/14



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