

**CITY OF KUNA**  
**REGULAR CITY COUNCIL MEETING**  
**MINUTES**  
**TUESDAY, MARCH 3, 2015**  
Kuna City Hall Council Chamber, 763 W. Avalon Street, Kuna, Idaho

**7:00 P.M. REGULAR CITY COUNCIL**

**1. Call to Order and Roll Call:**

**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:** Gordon Law, City Engineer  
John Marsh, City Treasurer  
Wendy Howell, Planning & Zoning Director  
Richard Roats, City Attorney  
Chris Engels, Interim City Clerk  
Bobby Withrow, Parks Supervisor  
Bob Bachman, Bldg. Maint & Insp. /Fleet Mgt.

**2. Invocation:** None

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

**4. Consent Agenda:**  
(Timestamp 00:01:06)

*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 February 3, 2015**
- B. Accounts Payable Dated February 26, 2015 in the Amount of \$156,867.66**
- 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 Buban-Vonder Haar, all voting aye. Motion carried 4-0.**

**5. Citizen's Reports or Requests:**

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

**7. Business Items:**

- A. Consideration to Approve Resolution R10-2015 Authorizing Execution of Reimbursement Agreement with Falcon Ridge Charter School – Gordon Law, City Engineer  
(Timestamp 00:02:56)

City Engineer Gordon Law indicated this item is similar to the last one with Arbor Ridge Park reviewed by Council. This is an oversized pressurized irrigation line. The reimbursement is in the range of \$7,400 spread over ten years in the reimbursement.

RESOLUTION AUTHORIZING EXECUTION OF A REIMBURSEMENT AGREEMENT IN THE AMOUNT OF \$7,381.53 WITH FALCON RIDGE PUBLIC CHARTER SCHOOL.

**Council Member Stear moved to approve Ordinance Resolution R10-2015. Seconded by Council Member Buban-Vonder Haar 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. Review proposed RFP for retail concessions at the vacated Kuna Historical Museum building situated next to the skateboard park. Consideration to approve publication of RFP – Richard Roats, City Attorney  
(Timestamp 00:04:13)

City Attorney Richard Roats explained what is presented is a draft for consideration of a concession stand in the building recently vacated by the Kuna Historical Museum. Upon receipt of responses, they will be brought to council for consideration for a lease based on the conditions. It could be a rental amount or a percentage of the sales.

Council President Cardoza indicated on page of 3 of 8 on 7B, under project description, last sentence, should there be a sentence that there will not be any reimbursement from the city for improvements made.

Mr. Roats responded it can be changed in the RFP but usually it is done in the lease agreement.

Council President Cardoza questioned a word on page 4, under qualifications, half way done, should office be added.

Council Member Jones asked if it is the best use of the building such as storage or parks.

Parks Supervisor Bobby Withrow said they have enough storage.

Council Member Jones doesn't like profit sharing. He prefers a straight lease. He has additional concerns about outside grill about esthetics. Perhaps some fencing around it.

Mr. Roats said that a larger grill is expected and it can be covered in the lease but will address those issues. The interior does not have a hood.

Council Member Jones asked if there would be any issues of fairness of other vendors wanting to set up and sell items. Will they also be able to be open during special events?

Mr. Roats said it is something that would need to be evaluated. Mobile vendors can't set up in parking lots with the ordinance change. He hopes it is a successful venture.

Council Member Jones thinks it could be a good attraction for park users and just wants to make sure it is fair.

**Council Member Stear moved to approve publication of RFP for the vacated Kuna Historical Museum building, Seconded by Council Member Buban-Vonder Haar 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.**

- C. Consideration to Approve Resolution R11-2015 Authorizing Acceptance of Sewer Easements from Water's Edge Farm, LLC – Gordon Law, City Engineer  
(Timestamp 00:12:00)

Mr. Law explained that the city is out for bid on a sewer line. The easements are related to the sewer line. It is between the Deerhorn lift station and Arbor Ridge subdivision.

Council Member Jones asked if it was near the park.

Mr. Law answered it is south of the recently finished phase of Arbor Ridge 2 and then down to Deerhorn Subdivision.

Council Member Jones wondered if it was beneficial to tie in to have a future restroom.

Mr. Law thought it was too far away but would give it some thought for future projects. He agreed with Council Member Jones that the long term should be considered.

RESOLUTION APPROVING ACCEPTANCE OF THREE EASEMENTS ON WATER'S EDGE FARM, LLC PROPERTY FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A SEWER MAIN FOR THE DEERHORN PROJECT.

**Council Member Buban-Vonder Haar moved to approve Ordinance Resolution R11-2015, 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.**

**D.** Review of Park Additions through High Five Grant – Bobby Withrow, Parks Supervisor  
(Timestamp 00:15:00)

Parks Supervisor Bobby Withrow presented a PowerPoint presentation of the various projects he proposes to use the High Five Grant funds toward as recommended by the Park Survey that was completed by Chris Danley.

- Arbor Ridge would add a bike rack and 2 covered areas.
- Bernie Fisher would add a new backboard.
- Butler Park would add a covered area.
- Chaparossa Park would add tether ball courts, a covered area and a bike rack.
- Farm Estates Park would add basketball court lining, trees, bike rack, covered area and line the parking lot.
- Greenbelt would add benches along the pathway.
- Nicholson Park would add 2 covered areas by the pond and a bike rack. Mr. Withrow responded to Mayor Nelson that it will be a narrower covered area so those fishing could have some shade closer to the water.
- Sadie Creek Park would add trees and a volleyball court.
- Winchester Park would add a bike rack, 2 covered areas and a tetherball court.

Of the \$20,000 available in the High Five Grant, the expenses are \$19,150. The amounts are budgetary numbers and it is expected to be less.

In response to Council President Cardoza, the benches will along the pathway instead of the water.

Mayor Nelson asked who is putting in the rose garden at Winchester Park and who takes care of it.

Mr. Withrow indicated it is already installed and the city maintains it.

Council Member Stear asked about Nicholson Park having some additional sand being brought in since the beaches were becoming bare. Mr. Withrow was agreeable.

Council Member Jones appreciates Mr. Withrow and asked if the picnic and fishing covers were different.

Mr. Withrow said the fishing covers were about half the size and it would be like the one currently existing. The funds allocated in the budget are being used for a larger cover. He also answered Council Member Jones that he is working toward adding shade trees.

## **8. Ordinances:**

*(Timestamp 00:23:20)*

### **A. First Reading of Ordinance No. 2015-06**

*Consideration to approve ordinance.*

*Consideration to approve a summary publication of the ordinance*

AN ORDINANCE AMENDING TITLE 7, CHAPTER 3, SECTION 10 REGARDING THE POSSESSION OF FIREARMS IN THE SKATE PARK WHERE THE LANGUAGE IS REMOVED FROM THE SIGNAGE REQUIRED TO BE POSTED AT THE SKATE PARK; MAKING SEVERAL FORMATTING CHANGES, AND PROVIDING AN EFFECTIVE DATE.

Mr. Roats explained the Idaho Legislature passed a law pertaining to firearms. This ordinance provides the city is in compliance with the law.

Council member Jones asked if the sign had been corrected.

Mr. Roats indicated the signs will be up this spring.

Council President Cardoza asked about the consumption of alcohol beverages and would it be breaking city ordinance for an individual to drink alcohol.

Mr. Roats confirmed that was correct.

Council President Cardoza asked if it was too restrictive.

Mr. Roats responded that alcohol can be in the parks with a catering permit and the focus of the parks is toward families.

**Council Member Stear moved to dispense with the full reading and three consecutive readings of Ordinance No. 2015-06. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.**

**Council Member Stear moved to approve Ordinance No. 2015-06 Seconded by Council Member Buban-Vonder Haar 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 Stear moved to approve a summary publication of Ordinance No. 2015-06. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.**

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

*(Timestamp 00:28:45)*

Mayor Nelson asked if the Council had any discussion items.

Council Member Jones asked about the status of filling the City Clerk position.

Mayor Nelson said there is a hold to pay off the general fund of leave time that was accrued by the former City Clerk and the additional person put on to help cover with the absence of the Park Supervisor. When the gap is closer, the replacements will be hired.

Mayor Nelson updated that he and staff were present at the Ada County Commissioners meeting and Commissioner Case thought the amount listed on the petition were misleading. He was educated that he needed to consider the homeowners exemption. It will be reviewed next Tuesday. P & Z Director Wendy Howell received a harsh letter about the line between Meridian and Kuna. Mayor Nelson said the city will respond with the facts and that previous documents were not agreed to by Kuna. He thinks if the letters need to be published to let the community know that the city is representing the citizens, they will be.

Council Member Buban-Vonder Haar agreed so it is known that the city is not forcibly annexing as has been alluded to by Meridian.

Council President Cardoza is surprised by Commissioner Case appears to not support Kuna but still likes him as an individual and isn't sure what Meridian may have said to him. It's a basic premise that individual property owners can make their choices.

Mayor Nelson wasn't sure why Commissioner Case said he didn't know about the Kuna Recreation District because they had a previous conversation about it at a community event, mailings have been sent out and information is on the website and social media.

Council Member Stear added that the House Bill up in front of the legislature doesn't preserve property owners rights as should be and doesn't like that direction.

Council President Cardoza complimented Bob Bachman, Bldg. Maint & Insp. /Fleet Mgt. about the good work on the Historical Museum.

Council Member Stear agreed that it looks very good.

Council Member Buban-Vonder Haar indicated that it is a good time to review the leave time of employees and accrual. The leave transfer program could be reviewed and caps with vacation leave balances. Sick leave balances could be carried over.

Mr. Roats explained that he is close to having the revised personnel manual done and expects to have council workshops in the next few weeks to make those decisions.

Mayor Nelson said the policies will be included in the new manual.

Council member Jones asked City Treasurer John Marsh if everyone quit at some point, is there a fund balance to cover the leave time for cash out.

Mr. Marsh said there is not. The funds would have to come out of reserves. The assets can cover the liabilities of vacation hours.

Council Member Buban-Vonder Haar asked if something could be considered for sick leave similar to the Federal Government and there is a credit at retirement.

Mr. Roats agreed to include it for consideration.

Mr. Law added that he has been meeting with his departments to manage the comp time and isn't sure what tools he has to deal with to get it back in order. Staff is being asked why time isn't offset during the week to reduce accruals of comp time on weekend on call.

Mayor Nelson said that there will be a directors meeting to go over the changes and that is one of the items.

Mr. Law updated council that there are 3 bids that will be opening on March 11<sup>th</sup> and presented in the next council meeting for a pressure irrigation mains, one sewer main and one for parking at the North Treatment plant and the sewer line along Hubbard road had some rock blasting and is progressing well. He is trying to get a drain line installation donated at Arbor Ridge Park but has been gone slowly.

Mayor Nelson updated that it is being looked at and are trying to find some options. Grants will be looked at as well. He is open to ideas.

In response to Council Member Jones, a 36-inch line needs to go in with manholes and boxes to connect into.

Council President Cardoza said the Chief of the city of Star asked to borrow the road blocks for the 4<sup>th</sup> of July. Council was agreeable.

## **10. Announcements:**

**11. Executive Session:**

**12. Adjournment: 7:55**

**Council Member Stear moved to adjourn the meeting at 7:55 p.m. Seconded by Council President Cardoza, all voting aye. Motion carried 4-0.**

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W. Greg Nelson, Mayor

ATTEST:

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Chris Engels, Interim City Clerk

*Minutes prepared by Chris Engels  
Date Approved: CCM 03.17.2015*