

CITY OF KUNA
Regular City Council Meeting
Minutes
Tuesday, June 2, 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
Chris Engels, City Clerk
Wendy Howell, Planning & Zoning Director
Richard Roats, City Attorney
Bobby Withrow, Parks Supervisor
Troy Behunin, Senior Planner
Bob Bachman, Fleet/Facilities Manager

2. Invocation: None

3. Pledge of Allegiance: Mayor Nelson

4. Consent Agenda:
(Timestamp 00:00:54)

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.** City Council Workshop Minutes May 19, 2015
- 2.** Regular City Council Minutes May 19, 2015
- 3.** City Council Emergency Meeting Minutes May 28, 2015

B. Accounts Payable Dated May 28, 2015 in the Amount of \$204,962.52

C. Alcohol Licenses:

D. 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.)
(Timestamp 00:11:25)

A. 14-07-AN (Annexation) and 14-03-LS (Lot Split); Daniel and Gina Safford – Trevor Kesner, Planner I

Staff requests the public hearing be tabled for a date certain at Council's discretion.

Planning and Zoning Director Wendy Howell requested a date of August 4, 2015.

Council Member Stear moved to Table 14-07-AN (Annexation) and 14-03-LS (Lot Split) Daniel and Gina Safford to August 4, 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.

7. Business Items:

A. Presentation of FYE 2014 Audit – John Marsh, City Treasurer
(Timestamp 00:01:34)

City Treasurer John Marsh introduced Leroy Loomis from Bailey and Company, LLC.

Mr. Loomis handed out a hard copy to Mayor and Council. He thanked Council for their time. He reviewed a letter that gives the basics of the audit and practices or difficulties. There were no difficulties with management or practices. The audit needs to be submitted to the State Legislative Auditors Office at the completion of the audit. The second item is the bank reconciliation was being done by the same person who signs the checks however the process has changed and the issue is resolved.

Mr. Loomis addressed the independent auditors report. He described the details of the report and the opinions offered. There is a clean opinion provided. The opinion is the financial statements are presented fairly in accordance with generally accepted accounting principles. Mr. Loomis referred Council to page 42 for a report review of the internal controls. He concluded there weren't any items to cause any concerns.

Mr. Loomis stood for questions.

- B.** Consideration to Approve Final Plat 15-04-FP, Timbermist No. 2 – Troy Behunin, City Planner
(Timestamp 00:13:17)

Applicant (Coleman Homes) requests Final Plat approval for Timbermist No. 2, which proposes Fifty (50) residential lots and Ten (10) common lots.

Senior Planner Troy Behunin updated Council that all items have been provided to staff and is in substantial conformance.

Council Member Stear moved to approve Final Plat 15-04-FP, Timbermist No. 2 with Staff Recommendations. 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.** Update on Idaho Power Franchise Agreement – Richard Roats, City Attorney
(Timestamp 00:0018:00)

City Attorney Richard Roats updated Council the draft has been sent to Idaho Power's attorney and the attorney has sent the draft on to Council. He has not heard back from them at this time.

- D.** Update of Area of Impact – Richard Roats, City Attorney
(Timestamp 00:18:28)

City Attorney Richard Roats updated Council he has been working with Meridian City Attorney Bill Nary but a line has not been decided yet. Response time has been slow.

Mayor Nelson noted the Ada County Commissioners have not applied any pressure to Meridian therefore it is difficult to get them to the table for a decision.

- E.** Update of May Construction Report – Gordon Law, City Engineer
(Timestamp 00:20:05)

City Engineer Gordon Law stood for questions.

Council President Cardoza asked about engineering for a blower. Clarification that the blower is located on pond #7.

Mr. Law confirmed that was correct.

- F. Consideration to Approve Resolution R27-2015 to Amend the Fee Schedule for J & M Sanitation to Decrease Kuna School District Solid Waste Service Fee – John Marsh, City Treasurer
(Timestamp 00:22:04)

A RESOLUTION OF THE CITY OF KUNA, IDAHO AMENDING THE SOLID WASTE FEE SCHEDULE WITH J & M SANITATION DECREASE IN THE SOLID WASTE COLLECTION SERVICE FEES FOR THE KUNA SCHOOL DISTRICT SCHOOL DUMPSTERS; AND PROVIDING AN EFFECTIVE DATE OF JUNE 2, 2014.

City Treasurer John Marsh updated Council the only change is the reduction for the School District fees based on the fee schedule.

**Council Member Buban-Vonder Haar moved to approve Resolution R27-2015. 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.**

- G. Consideration to Approve Resolution R31-2015 approving an agreement with ACHD for the Linder/Main Roundabout – Richard Roats, City Attorney
(Timestamp 00:24:12)

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE ACQUISITION DOCUMENTS RELATED TO THE CONSTRUCTION OF THE ROUNDABOUT AT LINDER/MAIN/3RD STREETS, KUNA, IDAHO WITH THE ADA COUNTY HIGHWAY DISTRICT PROJECT NO. 313043

City Attorney Richard Roats explained Resolution R31-2015 is the paperwork for the Linder/Main roundabout. The paperwork is rather extensive.

Mr. Roats stood for questions.

Council Member Jones asked if the project could be walked by Council prior to making the agreement.

Mr. Roats said it would need to be a published meeting with a quorum.

Council Member Stear some of the confusing part is where the markers are.

Rod Ashby, ACHD, can have the Project Manager come out and answer questions.

Mayor Nelson thought ACHD refused.

Mr. Ashby said they would respond to Council questions.

Council Member Stear thought a walk through would be helpful before the agreement is passed and would like to hear from Mr. Stubbs.

Mr. Roats said that the ACHD Project Manager could come out to an evening meeting.

Council President Cardoza asked why the city wasn't being compensated for the property that ACHD was taking.

Mr. Roats responded that is how the agreement was drafted. We can ask for compensation but we do have the agreement that we worked up with ACHD.

Lloyd Stubbs and has a business at 240 Linder Ave and manages properties at 102 E 2nd St, 240 Linder and 256 Linder. The owners of those properties have asked him to share their concerns. At previous meetings he was assured that there would be additional meetings and a walk about by a previous ACHD commissioner. Calls to ACHD resulted in them telling Mr. Stubbs to go to the website and when he did talk to someone, they didn't have any information. He also doesn't understand property acquisition without compensation. The carwash was purchased by ACHD. Mr. Stubbs is unhappy there weren't more public hearings and a walk about is needed.

Mr. Stubbs stood for questions.

Mayor Nelson let Mr. Stubbs know that he will be invited to the walk about.

Council Member Stear moved to table Resolution R31-2015 for the June 16, 2015 meeting. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.

- H. Discussion continued from May 19, 2015 on proposed Resolution R26-2015 to Amend Park Fee Schedule for Parks and Public Property – Richard Roats, City Attorney
(Timestamp 00:36:37)

A RESOLUTION OF THE CITY OF KUNA, IDAHO AMENDING RESOLUTION NO. R80-2014 TO ADD FEES FOR THE USE OF THE DISC GOLF, VOLLEY BALL COURT, HORSESHOE PIT AND COVERED TABLES AT PARKS OTHER THAN BERNIE FISHER PARK, AND DELETING THE CLEANING AND DAMAGE DEPOSIT PROVISION FROM THE CITY PARK AND CITY PUBLIC PROPERTY PARK USE FEE SCHEDULE, AND PROVIDING AN EFFECTIVE DATE.

City Attorney Richard Roats updated Council that previously a clean-up fee was discussed. Mr. Roats recommended that the option would be a fee of \$75 per hour and would cover the cost of obtaining a cleaning company.

Council Member Buban-Vonder Haar asked if there would be further clarification on the disc golf course fees for non-exclusive and exclusive use of the course.

Mr. Roats suggested clarification be placed in the definitions.

Council Member Buban-Vonder Haar asked if the cleaning fee should be extended to the parks as well.

Park Supervisor Bobby Withrow said there have been a few times cleanup was needed.

Mr. Roats stated the cleaning fee can be applied to all amenities.

Council Member Jones asked how the fees for the league disc golf course will be enforced after hours.

Mr. Roats explained that we would work with the clubs and let them know the fees and expectations. An additional note stating that non-payment of use fees will result in loss of use could also be put in place.

Council Member Jones suggested mapping would be helpful indicating all areas that are being rented.

Mr. Roats agreed to work on a map. He will also make the proposed changes, publish the fees and bring the resolution back to the council after the publication for adoption.

- I. Discussion continued from May 19, 2015 on proposed Ordinance 2015-10 to modify Mayor Position to full time with compensation and Council Members compensation increase – Richard Roats, City Attorney
(Timestamp 00:44:59)

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, AMENDING SECTIONS 1-5-2 and 1-6-2 OF THE KUNA CITY CODE, ENTITLED SALARY (MAYOR AND COUNCIL); PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Richard Roats reminded Council that at the previous meeting there had been a discussion on the Mayor's salary. The results from the AIC survey were not available at that time. When the results of the AIC survey were available, they were not helpful. The Deputy Clerk contacted several cities and asked about their salaries. Eagle's Mayor \$50,000.00 (Full Time Position), Council President \$10,500.00, Council Members \$8,400.00, Garden City's Mayor \$24,000.00 (Half Time), Council Members \$9,000.00, Mountain Home's Mayor \$49,224.00 (Full Time Position), Council Members \$10,200.00. These are cities similar to our size in the area.

Council Member Jones provided a summary of wages he obtained in his research from Sterling Codifiers code for various cities. He would like to see the Mayor's salary at \$60,000 annually as a full time position with benefits but the Council stay at its current level of \$9,000.00. He preferred to take one item at a time.

Council Member Buban-Vonder Haar asked if benefits are allowable for an elected official.

Mr. Roats said that benefits are allowable for elected officials. The decision to provide benefits would be up to the Council.

Council Member Stear indicated he would be uncomfortable commenting on this subject and would abstain from voting because he would be running for the Mayor's seat.

Council President Cardoza asked Council Member Stear's feeling regarding Council.

In response to Council President Cardoza, Council Member Stear feels the responsibilities of Council Members have increased and has no problem with an increase for Council.

Council Member Buban-Vonder Haar could go either way with a salary increase for Council.

Council President Cardoza feels comfortable at the current rate of pay for Council. He suggested take the extra \$3,000 left over from Council not taking an increase and provide those funds to the Mayor's position and move it to \$62,000.

Council Member Jones asked City Treasurer John Marsh how the salaries are allocated.

Mr. Marsh said currently, salaries are funded 100% by the General Fund. Mr. Marsh also stated that, in the future, it will be up for consideration for salaries to be allocated from the various funds.

Council Member Buban-Vonder Haar supports an increase for the Mayor's position.

Mayor Nelson asked if Council was comfortable moving forward with a salary increase for the Mayor's position and Council salaries remaining the same.

Council agreed they were comfortable with that.

City Attorney Richard Roats will prepare an ordinance regarding the changes to the Mayor's position. The Mayor's Position would change from Part time to full time, include a benefits package and a salary increase to \$62,000.00. The changes would be effective January 2016.

8. Ordinances:

9. Mayor/Council Discussion Items:

Council President Cardoza complimented Bobby Withrow and Bob Bachman on the new greenbelt extension and how nice the greenbelt looks.

Mayor Nelson also commented that he has heard good things from the community as well regarding the greenbelt.

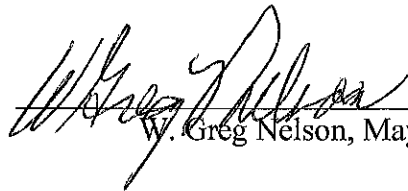
Council Member Stear commented on the Ada County City Emergency Management System. All the cities are working very well together, everyone is on the same page and things are going well.

10. Announcements:

11. Executive Session:

12. Adjournment:

Council Member Stear moved to adjourn the meeting at 8:15 p.m. Seconded by Council President Cardoza, all voting aye. Motion carried 4-0.



W. Greg Nelson, Mayor

ATTEST:



Chris Engels, City Clerk

*Minutes prepared by Dawn Stephens
Date Approved: CCM 06.16.2015*

