

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
Trevor Kesner, City Planner
Troy Behunin, City Senior Planner

2. Invocation: Karen Hernandez, United Methodist Church

3. Pledge of Allegiance: Mayor Nelson

4. Consent Agenda:
(Timestamp 00:02:05)

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. City Council Workshop Minutes July 7, 2015
 - 2. Regular City Council Minutes July 7, 2015
 - 3. City Council Budget Workshop Minutes July 13, 2015
- B. Accounts Payable Dated July 16, 2015 in the Amount of \$440,988.26
- 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 Jones 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.**

5. Citizen's Reports or Requests:
(Timestamp 00:00:00)

6. Public Hearings: (7:00 p.m. or as soon thereafter as matters may be heard.)
(Timestamp 00:02:42)

- A. Public Hearing and Consideration of Resolution R26-2015 to Amend Park Fee Schedule for Parks and Public Property – Richard Roats, City Attorney

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 stood for questions.

Support: None

Neutral: None

Against: None

**Council Member Stear moved to approve Resolution R26-2015. 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. Consideration for Public Hearing on J & M Sanitation's request for Solid Waste Inflation Rate Adjustment – Tim Gordon, J & M Sanitation
(Timestamp 00:12:28)

Tim Gordon, J & M Sanitation – Mr. Gordon indicated he is requesting a rate increase based on the inflation rate. He distributed a list of expenses that the company has incurred. Labor has increased 9%, dump fees have reduced 5% but there is fuel to transfer, health insurance increases of 29% with an overall increase of 8%.

Council President Cardoza asked if the growth of homes has offset some of the costs.

Mr. Gordon said it does but he didn't calculate that in. He asked City Treasurer John Marsh to explain the inflationary rate.

Mr. Marsh stated the inflation rate for the western region is 1.67%.

Council President Cardoza asked if this was the same rate used for city employees.

Mr. Marsh responded yes, this is the same rate used for our employees.

Council Member Jones asked Mr. Gordon what the rate increase was in November.

Mr. Gordon said it was 8% but there hadn't been a rate increase for six years.

Council Member Jones explained that he is struggling since the last increase is was so recent.

Mr. Gordon responded the 8% would not have been necessary if there had been annual rate adjustments.

Council Member Buban-Vonder Haar asked City Attorney Richard Roats if it is required for J & M Sanitation's contract to be in city code.

Mr. Roats responded the billing portion of J & M Sanitation is set up with the city as well as the contract. He does not believe that should be changed.

Mayor Nelson added citizens of Kuna are required to use J & M Sanitation's services.

Mr. Gordon stated he appreciated the opportunity to appear before Council annually and supports the requirement for Council to understand the reasoning for rate adjustments.

Council Member Buban-Vonder Haar asked City Attorney Richard Roats if the contract could be amended to state rates would be adjusted annually to reflect the rate of inflation.

Mr. Roats responded that option had been considered and it was decided a better option was to have Mr. Gordon come before Council for review.

Mr. Gordon stated he did not think it was a requirement to have a public hearing unless the rate increase was 5% or greater. He also stated that he would have no problem explaining the increase if a public hearing was scheduled.

Mayor Nelson stated that if the Council so directs, the matter would be put on City Council Meeting agendas for 3 readings, one of which would be a public hearing.

Council President Cardoza asked Mr. Gordon about the rate of increase for competitors in the Boise area.

Mr. Gordon responded they are in budget hearings right now so he does not know the current rate increase that will be approved.

Council President Cardoza asked Mr. Gordon if J & M Sanitation was still competitive in the valley.

Mr. Gordon responded, yes.

Council Member Jones asked Mr. Gordon if he was hesitant to have the current contract amended to state rates would be automatically adjusted annually.

Mr. Gordon responded, no, it would relieve him.

Council Member Jones stated he would have no problem putting an annual automatic adjustment in the contract and adding a cap.

Council Member Buban-Vonder Haar asked Council Member Jones if there should be a specific % cap or if a statement should be made that the adjustment would match the inflationary rate for the year.

Council Member Stear asked if there would be a statement of term before a review. i.e.: 3 year term then a review?

Council Member Jones stated he thought there should be a review every year.

Council Member Stear stated that a yearly review would be wise.

Council President Cardoza commented that if there were to be an automatic inflationary rate adjustment allowed for a franchisee and employees did not automatically receive the same adjustment, there are going to be some hard feelings. There would need to be consistency. Whatever a franchisee is allowed, employees would have the same allowance.

Council Member Jones stated he felt the two were different. Mr. Gordon's business involves equipment, fuel, etc. and employees are just employees.

Council President Cardoza pointed out the cost of living index is based on everything combined for an employee as it would be for Mr. Gordon to a certain degree. He further stated he felt it would be beneficial to have Mr. Gordon come before the Council each year in fairness to our employees.

Mayor Nelson stated that when a Council votes to make everyone within city limits use a service, then the decision to raise the cost needs to come from the Council.

Council President Cardoza thanked Mr. Gordon for the job he and his people do.

Council agreed to have a Resolution prepared and presented at the next Council Meeting.

Council Member Stear moved to prepare a Resolution for J & M Sanitation's request for Solid Waste Inflation Rate Adjustment and set a Public Hearing. 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.** Consideration to Approve Final Plat 15-05-FP, Greyhawk No. 4 – Trevor Kesner, City Planner
(Timestamp 00:05:57)

Applicant is requesting Final Plat approval for Greyhawk Subdivision No. 4. The Final Plat proposes 22 residential lots and three (3) common lots.

City Planner Trevor Kesner reviewed the application and all requirements have been met. He stood for questions.

Council Member Stear asked for clarification, the plat was zoned R6 and what is it now?

Mr. Kesner responded it is currently zoned R6 and there is no change.

Council Member Jones asked if the other phases of Greyhawk Subdivision were also zoned R6.

Mr. Kesner responded yes, they are all zoned R6.

Council Member Jones asked for clarification of Lot #1's designation.

Mr. Kesner responded Lot #1 is the common area that is landscaped.

Council Member Stear moved to approve Final Plat 15-05-FP, Greyhawk No. 4. 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 R31-2015 approving an agreement with ACHD for the Linder/Main Roundabout – Richard Roats, City Attorney
(Timestamp 00:47:28)

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 that he provided a memo with the agenda packet answering the questions from the previous discussion with Council. He stood for questions.

Council President Cardoza stated that Council has requested a walkabout and ACHD has not agreed.

Council Member Buban-Vonder Haar commented that if the entire Council met for a walkabout, it would need to be a publicized meeting.

Mr. Roats explained off premise meetings are not encouraged. ACHD did meet with himself and City Engineer Gordon Law for a walking tour and answered questions.

Mayor Nelson said he thought that the ACHD engineer would take Council President Cardoza on a walk through or Bob Bachman could take Council President Cardoza on a walk through.

Council President Cardoza is concerned about part of the property being eminent domain.

Mr. Roats responded ACHD has purchased one property and is negotiating the purchase on a second property. Those are the only two properties he is aware of being affected.

Mayor Nelson asked for clarification regarding the park area being removed. Is that area of the park in ACHD's existing right of way?

Mr. Roats responded, yes.

Council Member Jones thought he recalled being told at the last Council meeting there would be an ACHD engineer at this Council Meeting to answer questions.

Rodney Ashby, Ada County Highway District – He did communicate Council's questions to the project manager. The project manager has been out of town. He will communicate with the project manager again. The project manager would be the person that can answer Council's questions.

Mayor Nelson stated to Mr. Roats that he recommended tabling the consideration of the Resolution until Council's questions are answered and Council President Cardoza can walk through the project site.

Mr. Roats responded he would set a date for a discussion with the engineer at the next Council meeting. Mr. Roats also asked Council President Cardoza if he could meet before the workshop session that same day for a walk through.

Council Member Jones asked Mr. Roats if there was a problem contacting all the property owners the project will affect and asking them to attend the next Council Meeting.

Mr. Roats responded he can obtain the addresses and send the property owners letters.

Council Member Stear commented that the normal process is that ACHD has meetings with the property owners and there is the possibility of problems with redundancy.

City Engineer Gordon Law suggested that is not a good idea to get involved in negotiations for property acquisitions. He also has concerns about what the Planning and Zoning Director and he may have missed in the meetings with ACHD during the two years of the roundabout design process. Could Council offer guidance as to what Council would like the process to be to avoid future surprises.

Council Member Jones responded he feels this project was not as public as it could have been and that all the decisions were made behind doors.

Council Member Stear commented there was a person claiming to represent the property owners in the project area at a Council meeting. That person has not

returned. If there were great concern by the property owners, they or the representative would be at the Council meetings.

Mayor Nelson added there were public meetings held by ACHD as well.

City Engineer Gordon Law explained there were 3 public meetings held for a Downtown Revitalization Study with the roundabout being the number 1 project. There were 2 more public meetings in association with the project itself.

Council Member Jones would like specific answers as to why the roundabout cannot be moved or if it is too late in the process to even discuss.

Planning and Zoning Director Wendy Howell asked Council Member Jones if he had reviewed the page ACHD dedicated to this project detailing the open houses that have been conducted on this particular project.

Council Member Jones responded, no.

Ms. Howell offered to send a link to the page.

Council Member Stear moved to table Resolution R31-2015 until August 4, 2015.

Seconded by Council President Cardoza

Voting Aye: All

Voting No: None

Absent: None

Motion carried 4-0.

- D.** Consideration to Approve Resolution R35-2015 approving an agreement for Planning Services with JUB Engineers for Downtown Revitalization Project– Chris Engels, City Clerk
(Timestamp 01:18:32)

This Project is funded with a grant award from Matrix-Jeff Tunison Community Fund, a grant award from COMPASS CIM, a city match of \$1,250 approved December 2, 2014 and a match of \$750 from city High Five grant, downtown revitalization portion.

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE AGREEMENT WITH JUB ENGINEERS, INC. TO DEVELOP A DOWNTOWN REVITALIZATION PLAN FOR THE CITY OF KUNA, IDAHO KUNA, IDAHO; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

City Clerk Chris Engels explained this resolution is to continue the downtown revitalization planning process. Ms. Engels stood for questions.

Council President Cardoza asked about a survey done several years ago by Idaho State University engineers of the downtown area and what happened to that survey.

Ms. Engels responded the retention for surveys is limited. A survey is only good for approximately 12 to 18 months due to population and demographic changes. In regard to funding opportunities, one of the main reasons to have a current downtown plan is to coordinate the other plans and surveys already completed to make the City eligible for the larger CBDG grants available for amounts up to \$500,000.

Council President Cardoza asked for clarification. His understanding is this will take about 18 months at a cost of \$25,000, 18 months after that the survey will be obsolete?

Ms. Engels responded this is not a survey. This is development of a plan to implement strategic downtown funding.

Council President Cardoza asked if it would be beneficial to the city to contact University of Idaho or Boise State's Engineering Program and ask them to do the same thing as a project.

Ms. Engels responded the survey is not worth \$25,000. The survey is a portion of the strategic plan. In her experience working with college programs, they are able to assist with more narrow windowed projects but not with such a broad window as is needed with this project. Additionally, the students are not funding specialists which are part of this plan, to help the city develop a strategic funding plan in place to be able to apply for the larger CBDG grants. Ms. Engels also pointed out this project is funded with grant money the city has been awarded.

Council President Cardoza commented, usually there is a need for an LID or BID downtown to warrant the expenditure. Have businesses downtown been contacted to assess the willingness to spend money for renovations?

Ms. Engels responded we are not looking toward an LID or BID; we are looking toward CBDG funding.

Mayor Nelson stated the Community Development Block Grant that will drive the project is \$500,000. The city is applying for that grant. Downtown business owners are well represented on the committee and are supportive of moving the project forward.

Ms. Engels clarified there is no intent to burden downtown businesses in any form. Businesses will not be forced to do anything they don't want or can't do. Partnerships with the city are encouraged such as bench and bike post sponsors.

Council President Cardoza commented this may be the right direction for the city to go with the hope that the city and JUB follows through with the project.

Ms. Engels responded this is the first step to secure grant funding. Ms. Engels has met with JUB, IDPR, the city Parks and Recreation Superintendent and the city Facilities and Fleet Manager to discuss partnerships that include the things the downtown businesses and community members would like to see.

Council President Cardoza believes including ACHD in planning is also very important.

Ms. Engels responded she met with ACHD to walk the downtown area and share the project plans step by step.

**Council Member Stear moved to approve Resolution R35-2015. 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.**

- E.** Consideration to Approve Resolution R36-2015 authorizing the assignment of sewer connections from Osprey Ridge Partners – Richard Roats, City Attorney
(Timestamp 01:34:03)

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE ASSIGNMENT OF A CERTAIN NUMBER OF OSPREY RIDGE DEVELOPMENT SEWER CONNECTIONS NOW OWNED BY DBTV AGRICULTURAL HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY (“ASSIGNOR”) TO COREY BARTON HOMES, INC. AN IDAHO CORPORATION DBA CBH HOMES (“ASSIGNEE”).

City Attorney Richard Roats updated Council that Osprey Ridge has EDU’s that are being transferred for future development.

He stood for questions.

Council President Cardoza pointed out a clerical error. Transferring 1 EDU should read transferring 33 EDU’s.

**Council Member Stear moved to approve Resolution R36-2015 with a correction; transferring 1 EDU to read transferring 33 EDU’s. 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.**

- F. Consideration to Approve Resolution R37-2015 Approving Award of Bid to C. H. Spencer & Company for Lagoon 7 Blower – Gordon Law, City Engineer
(Timestamp 01:37:36)

RESOLUTION AWARDING BID FOR THE LAGOON NO. 7 BLOWER REPLACEMENT PROJECT TO C. H SPENCER & COMPANY IN THE AMOUNT OF \$157,760.00 FOR THE PURCHASE OF A HIGH EFFICIENCY BLOWER; DIRECTING EXPENDITURE OF FUNDS OF \$157,760.00 FROM THE SEWER FUND FOR SAID PROJECT; AND AUTHORIZING THE MAYOR, CITY CLERK AND CITY ENGINEER TO EXECUTE CONTRACT DOCUMENTS WITH SAID BIDDER.

City Engineer Gordon Law explained that he is recommending accepting the higher bid versus the lower bid. Idaho Power did a study and recommended consideration be given to replacing an energy inefficient and high maintenance blower. In return for accepting the recommendation, Idaho Power would rebate a portion of the cost of a new blower. The bid was put out for the blower and 2 bids were received. One bid was for a larger blower than specified however Idaho Power's rebate was also higher. The two bids also had two different bearing styles. Calls were placed to research performance and maintenance issues for each style. One style had significant repair and maintenance issues far outweighing the difference in purchase cost.

Council Member Stear asked if the larger blower would serve the city for a longer period of time.

Mr. Law responded that would be one thing in favor of the larger blower but the cost of maintenance and repair still outweighed the effectiveness.

Council President Cardoza asked City Attorney Richard Roats if the city could legally accept the higher bid.

Mr. Roats explained the city could accept the higher bid based on the unit not meeting expectations and the cost of maintenance and repair.

Mayor Nelson requested a record of the calls be included in the file.

Council Member Jones asked the warranty on the recommended blower.

Mr. Law said it is usually 1 year.

**Council Member Stear moved to approve Resolution R37-2015. 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.**

- G. Consideration to Approve Resolution R38-2015 Approving an agreement with Kuna Police Activities League (KPAL) for field use – Richard Roats, City Attorney
(Timestamp 01:49:05)

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE PARK USE AGREEMENT BY AND BETWEEN THE CITY OF KUNA, IDAHO AND THE KUNA POLICE ACTIVITIES LEAGUE (KPAL) AT ARBOR RIDGE PARK PURSUANT TO THE TERMS OF THE AGREEMENT; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

City Attorney Richard Roats reviewed the contract for Council. He stood for questions.

Council President Cardoza asked about who was originally supposed to purchase the pipes.

Mr. Roats responded the pipes would be purchased by the city and KPAL would obtain labor. The labor was not obtained. City Engineer Gordon Law confirmed the city paid for a contractor to install the pipes.

Council President Cardoza questioned agreeing to a contract for use of a city park.

Mr. Roats responded the beneficiaries of KPAL programs are the citizens of Kuna.

Mr. Law clarified for Council that KPAL is going to donate \$7,000 toward the cost of installing the pipes.

Council Member Buban-Vonder Haar commented she would be shocked if they actually agreed to donate \$7,000. She knows that Cody was very concerned about Council blaming him for the park situation. There seems to have been massive miscommunication. The scope of the project was far bigger than he understood it to be.

Council President Cardoza asked Mr. Roats if the city has given a contract to any other organization similar to this one.

Mr. Roats responded this was the first one he has put together but there will probably be another one for Youth Baseball's use of the City Fields.

Council President Cardoza pointed out there is not a dollar amount requirement for comprehensive premises liability listed in the agreement..

Mr. Roats responded he would make that change to note a million dollar requirement.

Council Member Jones asked a question of Parks Superintendent Bobby Withrow. Has the funding been approved to bring the park up to standards or are we only 75% funded to create a soccer field?

Mr. Withrow responded that would be addressed in the upcoming budget workshop.

Council Member Jones asked if Mr. Withrow thought we were at 60 % or possibly 75% funded?

Mr. Withrow responded closer to 60%.

Council Member Jones asked if the budget was approved, is the field big enough to draw other groups if KPAL can't make things happen.

Mr. Withrow responded yes. He has already been contacted by other groups.

City Engineer Gordon Law asked for clarification. Is there not a representation for \$7,000 that is basis for this agreement?

Mr. Roats responded his understanding was KPAL wanted to donate \$7,000 and would try to do so but he could not to have it connected to the agreement.

Mr. Law responded; the discussion with Cody was if KPAL provides \$7,000, KPAL would be provided assurance the soccer field schedule would be kept. Now, there is nothing in the agreement mentioning the \$7,000.

Council Member Buban-Vonder Haar expressed her concerns regarding requiring one entity to pay for exclusive use of city fields. Little League would then need to be charged the same cost.

President Cardoza responded the city has paid \$17,000 to accommodate KPAL using the field.

Council Member Buban-Vonder Haar believes it was the city that came up with the plan for the field. There was a hope that KPAL could help with labor or something.

Mayor Nelson commented it had been represented to him KPAL already had the \$7,000 to donate. Mayor suggests tabling the agreement until clarification can be obtained.

Mr. Roats noted that the city does allow Youth Baseball the exclusive use of city fields and they are not charged a fee.

City Clerk Chris Engels commented KYSBA does provide the diamond dust for the fields each year so they are contributing monetarily.

Council Member Buban-Vonder Haar would like Council to be sure we are being fair to all programs.

Council Member Stear responded the difference is KPAL agreed to provide dollars in exchange for priority scheduling of the fields.

Mayor Nelson commented the wording could be probably be changed. But this agreement is also going to be analyzed by the school district to put together a uniform field use agreement. The school district will then have one person schedule the fields for both the school and the city.

City Engineer Gordon Law clarified KPAL approached the city with the offer, the city did not approach KPAL. However, Mr. Law does not understand why programs cannot just schedule the fields without an official agreement in place.

City Clerk Chris Engels responded there had been an issue arise with KYSBA. A youth kickball league asked to use the city ball fields and KYSBA responded the fields were theirs and kickball could not use them. After further communication KYSBA acknowledged the fields were not theirs but did not one another program to use them. An agreement has a tremendous benefit; program directors will need to report their schedules so other groups can be scheduled as well.

Mayor Nelson added the field at Arbor Ridge will become a competitive field for all ages which will make it very popular in the county. Mayor Nelson suggests tabling the Resolution for a future meeting.

Mr. Roats suggested the standard agreement be separated from the KPAL agreement.

Council President Cardoza asked a question during the motion. Does the mention of a financial contribution in the KPAL agreement need to be removed?

Mr. Roats noted Council President Cardoza's suggestion.

Council Member Stear moved to table Resolution R38-2015. 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.

H. Consideration to Approve Resolution R40-2015, Approving a performance bond by Coleman Homes Inc. for the Timbermist No. 1 Subdivision – Gordon Law, City Engineer

(Timestamp 02:11:57)

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING A PERFORMANCE BOND BY COLEMAN HOMES INC. FOR THE TIMBERMIST NO. 1 SUBDIVISION FOR UNCOMPLETED LANDSCAPING AS REQUIRED FOR PHASE NO. 1 PURSUANT TO THE TERMS OF THIS RESOLUTION.

City Engineer Gordon Law explained the request and allowance for bonding. He stood for questions.

**Council Member Stear moved to approve Resolution R40-2015. 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.**

- I.** Consideration to Approve Resolution R41-2015 Approving Reimbursement Agreement With Timbermist, LLC for Oversized Sewer Main – Gordon Law, City Engineer
(Timestamp 02:13:25)

City Engineer Gordon Law explained the purpose for the agreement and stood for questions.

RESOLUTION AUTHORIZING EXECUTION OF A REIMBURSEMENT AGREEMENT IN THE AMOUNT OF \$198,517.80 WITH TIMBERMIST, LLC.

**Council Member Stear moved to approve Resolution R41-2015. 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.**

- J.** Update on P & Z Projects (*no action required*) – Wendy Howell, P & Z Director
(Timestamp 02:15:08)

P & Z Director Wendy Howell didn't have any additions to what was provided.

Council Member Jones asked about the secret squirrel project.

Ms. Howell responded the project is doing well.

Council President Cardoza asked for clarification of the Gold Creek drain project.

Ms. Howell responded Senior Planner Troy Behunin was responsible for that project. She will email Mr. Behunin and ask for a report to Council with specifics.

8. Ordinances:

(Timestamp 02:18:01)

A. Third Reading of Ordinance No. 2015-10 Modify Mayor's Position to Full time with Compensation

Consideration to waive three readings

Consideration to approve ordinance

Consideration to approve a summary publication of the ordinance

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

Council Member Buban-Vonder Haar moved to approve Ordinance No. 2015-10.

Seconded by Council Member Jones with the following roll call vote:

Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar

Abstained: Council Member Stear

Voting No: None

Absent: None

Motion carried 3-0.

Council Member Buban-Vonder Haar moved to approve a summary publication of the Ordinance No. 2015-10. Seconded by Council Member Jones, all voting aye.

Motion carried 3-0. Council Member Stear Abstained.

B. First Reading of Ordinance No 2015-09 Cable One Franchise Agreement

Consideration to waive three readings

Consideration to approve ordinance

Consideration to approve a summary publication of the ordinance

AN ORDINANCE OF THE CITY OF KUNA, IDAHO AMENDING ORDINANCE NO. 2011-01, TO PROVIDE THAT THE FRANCHISE FEE AS CONTAINED IN PARAGRAPH 5.1 OF THE FRANCHISE AGREEMENT WITH CABLE ONE, INC. IS AMENDED FROM FOUR PERCENT (4%) TO FIVE PERCENT (5%); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member Stear moved to waive three readings of Ordinance No. 2015-09.

Seconded by Council President Cardoza 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 Ordinance No. 2015-09. Seconded by Council President Cardoza 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 the Ordinance No. 2015-10. Seconded by Council President Cardoza, all voting aye. Motion carried 4-0.

C. *First Reading of Ordinance No 2015-14 Timbermist Irrigation Annexation*

Consideration to waive three readings

Consideration to approve ordinance

Consideration to approve a summary publication of the ordinance

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING PARCELS S1312336005 & S1312346625 AND REFERRED TO AS TIMBERMIST SUBDIVISION, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE NEW YORK IRRIGATION DISTRICT; CHANGING THE BOUNDARIES THEREOF; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Council Member Stear moved to waive three readings of Ordinance No. 2015-14. 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 Ordinance No. 2015-14. 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 the Ordinance No. 2015-10. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.

9. Mayor/Council Discussion Items:

Senior Association Bus Discussion

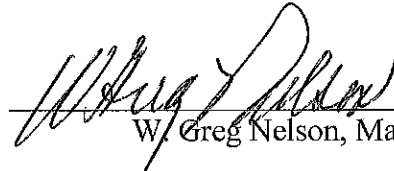
City Clerk Chris Engels summarized; The Senior Association had asked to be added to the city fleet account at Ford to receive a discount on a bus they have purchased with grant funding. Is there a liability to the city? City Attorney Richard Roats followed up with Ford and there is no liability to the city. Mayor Nelson approved the Senior Association to use the city fleet account.

10. Announcements:

11. Executive Session:

12. Adjournment:

Council Member Stear moved to adjourn the meeting at 9:30 p.m. Seconded by Council Member 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 08.04.2015*