

CITY OFFICIALS

W. Greg Nelson, Mayor
Richard Cardoza, Council President
Briana Buban-Vonder Haar, Council Member
Pat Jones, Council Member
Joe Stear, Council Member

CITY OF KUNA

Kuna City Hall Council Chamber, 763 W. Avalon Street, Kuna, Idaho

Regular City Council Meeting

MINUTES

Tuesday, October 20, 2015

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:

John Marsh, City Treasurer
Richard Roats, City Attorney
Chris Engels, City Clerk
Wendy Howell, P & Z Director
Bob Bachman, Facilities Director
Bobby Withrow, Parks Director
Gordon Law, City Engineer

2. Invocation: Karen Hernandez, United Methodist Church

3. Pledge of Allegiance: Mayor Nelson

4. Consent Agenda:

(Timestamp 00:02:30)

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. Regular City Council Minutes, October 6, 2015**
- 2. Special Meeting City Council Minutes, October 13, 2015**

B. Accounts Payable Dated October 15, 2015 in the Amount of \$314,155.91

NOTICE: Copies of all agenda materials are available for public review in the Office of the City Clerk. Persons who have questions concerning any agenda item may call the City Clerk's Office at 922-5546. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at 922-5546 at least forty-eight (48) hours prior to the meeting to allow the City to make reasonable arrangements to ensure accessibility to this meeting.

C. Resolution:

1. Consideration to Approve R65-2015 Prosecuting Attorney Contract FY2016
2. Consideration to Approve R76-2015 Reallocation of FYE 2016 General Fund Budget items, General and Capital Projects Funds Only, Bucket Truck Acquisition as directed by Council on October 6, 2015.
3. Consideration to Approve R78-2015 Purchase Price of 2015 Ford F-150 for \$26,719.79 as allocated in the FY2016 budget.

D. Findings of Facts and Conclusions of Law:

Council President Cardoza asked if there should be a correction to the R76-2015 summary memo. The last paragraph should read "The remaining \$10,000 of the original \$25,000".

City Treasurer John Marsh agreed there was an error, it will be corrected.

Council Member Stear moved to approve the consent agenda with the correction to item. 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.

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

(Timestamp 00:05:09)

- A. Consideration to waive fees for Bernie Fisher Park and Electricity for Kuna Fall Festival – Jaclyn Kippes

Jaclyn Kippes asked Council to waive the fees for the first year event. This is a continuation of the city's last year 150th birthday celebration. There are activities that are family focused with emphasis on kids. The fee waiver would help with funding the vendors that are providing those activities.

Mayor Nelson asked if this would be an annual event.

Ms. Kippes responded they hoped it would be.

Council Member Stear thanked Ms. Kippes for organizing the event.

Council President Cardoza asked what the funds would be used for.

Ms. Kippes explained the funds would be used for the jump houses, balloon makers, face painters, prizes for the chili cook off and duck calling contest as well as pumpkin carving contest.

Council President asked if it was open to the public.

Ms. Kippes confirmed it is.

Council Member Buban-Vonder Haar moved to approve Fee Waiver. 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.

- B.** Consideration to reduce or waive fees for Kuna Disc Golf Course – Gregory Harris, Kuna Disc Golf League

Gregory Harris from Kuna Disc Golf League said that he wanted to play glow disc golf every other Tuesday. He appreciates having the Disc Golf Course.

Council Member Jones asked about the Park being closed after dark.

Mr. Harris will be asking for afterhours permit. He said he has played glow disc events at other locations and it worked well.

Council Member Jones asked City Clerk, Chris Engels if a special event permit would be needed every week.

Ms. Engels responded an afterhours permit would be in order. A special event permit would not be necessary.

Council Member Jones' concern is; safety at night and possibly non-players causing trouble. How would we control that?

Ms. Engels responded the city does have an Ordinance that allows for afterhours permitting which does have costs associated with that permit.

Council Member Jones asked if the afterhours permit is being asked to be waived as well and what those costs would be.

Ms. Engels asked Mr. Harris how many people would be attending the event. Mr. Harris indicated 15 – 20 people the first week but as the weather gets colder the numbers dwindle. Ms. Engels stated 10 people would be \$10.00 for each event and over 10 would be \$25.00 for each event.

Mayor Nelson asked if Mr. Harris had spoken with the Police Chief about this.

Mr. Harris responded he had not, that would be his next step.

Council Member Buban-Vonder Haar asked if Mr. Harris would like time to re-evaluate all the fees involved since the consideration before Council is to waive only the disc golf course fees and to also be able to speak with the Police Chief.

Mayor Nelson stated this sounds like this can be worked out. Mr. Harris needs to meet with the Police Chief and gather all the information for the fee waiver. The matter could be tabled tonight and considered at the next Council meeting on November 4, 2015.

Council Member Jones asked if disc golf was played in the winter.

Mr. Harris explained they play year round. If Council would consider waiving either the course fees or the afterhours fees, it would help. The group would like to start playing next week.

Council Member Buban-Vonder Haar said it was her understanding the disc golf fees were set to be consistent with other parks. Is that not the case?

Mr. Harris does not believe that the fees are consistent with other parks.

Ms. Engels clarified the fee information came from Travis Lindstrom who runs disc golf leagues in Boise and other areas.

Council Member Buban-Vonder Haar asked Mr. Harris about his offer to help with clean-up and maintenance of the course in exchange for the fee waiver.

Mr. Harris responded the players would absolutely help with anything that would be needed.

Mayor Nelson asked Facilities Director, Bob Bachman and Parks Director, Bobby Withrow to help Mr. Harris with a letter outlining the things needed.

Council Member Buban-Vonder Haar reviewed that she would like contact with the Police Department. She does have concerns about waiving the afterhours fees however she is interested in waiving the course fees because the group is willing to donate their labor in exchange. If Mr. Harris is not interested in waiving the afterhours fees and makes contact with the Police Chief, this matter would not have to wait until the next Council Meeting.

Council Member Jones stated he would be agreeable to that arrangement. He also appreciates Mr. Harris's honesty. The number one concern is safety; the fees can be worked out.

Mr. Harris stated he will talk to the Police Chief and is willing to pay the afterhours fees. He would like to start as soon as possible.

Council Member Stear asked Council if the fees could be waived until the next Council Meeting.

Council Member Buban-Vonder Haar stated the request before Council is to waive the disc golf course fees which she is agreeable to for a specified time. The waiver can be extended if things are working well. If Mr. Harris's group is willing to pay the afterhours fees, he would not have to come back before Council.

Council President Cardoza asked Facilities Director, Bob Bachman or City Treasurer, John Marsh how much the disc golf course cost to build.

City Clerk, Chris Engels responded this was a grant funded project. The cost was between \$10,000 and \$10,100.

Council President Cardoza said he is not sure the fees to play are out of line.

Council Direction: The non-exclusive disc golf course fee will be waived for 4 months. At the end of that time, check in for a continuance of the waiver. Also note, Mr. Harris' group will volunteer labor to assist with projects.

Council Member Buban-Vonder Haar moved to approve Fee Waiver. Seconded by Council Member Stear with the following roll call vote:

Voting Aye: Council Members, Jones, Buban-Vonder Haar and Stear

Voting No: Cardoza

Absent: None

Motion carried 3-1.

C. Annual Presentation from COMPASS

The representatives explained that the presentation would consist of an overview of transportation agencies.

Toni Tisdale from COMPASS explained their organization and their transportation partner agencies. She also explained the benefits and resources COMPASS can provide to assist communities. COMPASS met with staff earlier in the year and discussed the needs of the community. COMPASS is researching ways to help Kuna fund those projects.

The Valley Regional Transit representative explained their organization and benefits to transportation. VRT is the regional public transportation authority for Ada and Canyon Counties.

Idaho Transportation Department was explained; their organization and benefits to transportation. ITD manages and oversees all modes of statewide transportation modes.

LHTAC was explained; their organization and benefits to transportation. LHTAC mostly works with the rural communities to connect local highway jurisdictions with resources for maintenance and construction projects.

Ms. Tisdale explained the funding options from COMPASS for projects.

Various programs for transportation options were explained. The assistance and training from the agencies were also explained.

Council Member Stear said that transportation has been important and thinks it is something that should be discussed to establish possible funding going forward.

Mayor Nelson said he finds it troubling that planning takes place for 5 years in the future and when a large business such as Simplot moves into the city, causing a big increase in traffic which was not anticipated, plans are immediately behind.

Ms. Tisdale responded the long range plan is updated every four years for exactly that reason. They are currently updating plans.

Mayor Nelson explained the situation with the two at grade railroad crossings dividing the town. To upgrade those crossings is a cost of \$300,000 to \$500,000 each. The city could use advice from experts.

Ms. Tisdale said the programs they have wouldn't cover the costs but could help with the planning for the funding.

6. Public Hearings: (7:00 p.m. or as soon thereafter as matters may be heard.)
(Timestamp 00:48:29)

A. Consideration to Approve 15-04-S (Subdivision), Ardell Estates Preliminary Plat – Troy Behunin, Senior Planner

Ardell Estates Preliminary Plat: The request includes creating a 261 lot subdivision in an R-6 (Medium Density Residential) zone in the City. Applicant proposes to develop 27 additional lots into common lots. Applicant is proposing a minimum of seven (7) phases of development to be driven by the market.

Senior Planner, Troy Behunin explained the application is for the Ardell Estates. This is a straight subdivision request by DBTV, Waters Edge Farms with 261 lots and 27 addition common lots. A neighborhood meeting was held and the applicants have met all the requirements of noticing. All materials have been provided that are requested. The Planning and Zoning Commission forwarded their approval that

included several conditions. One of which is to eliminate item 13 which required trees and shrubs in a common lot where a path is located. The pathway connects two subdivisions. The reason for removal is because of a utility easement that only allows pathway and grass.

Mr. Behunin said he spoke with City Engineer, Gordon Law and the project does provide for a regional pressurized irrigation pump station for the city. The applicant has worked closely with Mr. Law to be sure the pump station is correct. Mr. Behunin said this should be a condition of approval. This project has also decommissioned the Deerhorn Subdivision lift station and will decommission the Birds of Prey Subdivision lift station.

Council Member Stear commented on the map on the second page, the north boundary seems to take a jog north and looks as though it gets into a tree and shed on an existing property.

Mr. Behunin said the applicant has spoken with the neighbor. Some of the trees are very close to the property line and as the property is developed will probably not survive. The shed will have to be removed also as well as a fence.

Council President Cardoza asked if city code required ten percent open space.

Mr. Behunin said no, not on a straight subdivision.

Council President Cardoza responded there is a recommendation from P & Z saying the applicants have addressed the need for additional open space for residents. Is that going to be presented to Council?

Mr. Behunin said the applicant will provide the information.

Mayor Nelson opened the public hearing.

Support:

David Crawford, B & A Engineers, representing the applicant. Mr. Crawford updated Council that they have been working with the neighbors. There has been an agreement on fencing adjoining a five acre parcel and still be within city code. The property is zoned R-6. Previously this property was part of Waters Edge subdivision which was a denser development and was never constructed. Ardell Estates is closer to an R-4 and he believes it is more fitting with the surrounding properties. This could be considered an infill development. Land sizes are 7,000 to 10,000 square feet and are consistent with the market. The project will phase as the market allows.

Mr. Crawford said the project is in compliance with all city codes and is not asking for any higher density. Since the original submittal, the City Engineer asked to alternatively locate the pressurized irrigation storage facility. The location was

moved to accommodate the city preferences and is now more rectangular. He explained the layout and various points of note. The city will benefit from the installation of main sewer lines.

He addressed ten percent open space and is in compliance with all city codes. The applicants have been able to negotiate permission to install grass and pathway along the utility easement which originally only allowed gravel. This allowance will continue to connect pathways within half a mile of a Kuna city park. Mr. Crawford stood for questions and asked for approval of Ardell Estates subdivision.

Council President asked if Mr. Crawford knew why the density was so high on Waters Edge.

Mr. Crawford said it was a unique design with townhomes and smaller homes. There was a large pond in the center which caused the higher density.

Council President thought it was a mixed use project.

Against:

Richard Durrant; is concerned with traffic patterns and schools with the influx of children without support from the city with impact fees. He had a truck trying to get on Ten Mile at 7:00 a.m. but the traffic pattern made it difficult.

Council Member Stear explained that the statute doesn't allow for school districts to have impact fees as the code is strict on the matter. He thinks with the reduction of state funding, the school board may need to look further into it.

Mr. Durrant met with the school board and there are some things in mind such as a use fee. He appreciates the larger lot sizes in Kuna and feels it is imperative to cater to upper scale developments and keep the schools on track with the rest of the state.

Council Member Jones commented he thinks everyone is concerned with the influx of students to the school district and funding. The school district is notified of all subdivisions and they don't respond. He is stuck in the middle because on one side, the school doesn't share their concerns with Council and on the other side is an applicant that has met all the code guidelines. Refusing to approve that applicant's request wouldn't be fair.

He explained that it would be helpful to have the school district respond if they have an official concern.

Mr. Durrant thought the school district understood after his meeting with them.

Mayor Nelson said that the school district and Council meet quarterly to discuss anything on the horizon. They also receive our building activity reports. He further

explained that the property taxes from the Simplot plant and the Solar Farm have been reduced for a period of time by the county however he doesn't know what that amount is but is trying to find out.

Council Member Stear stated the city is approaching a population where businesses will continue to come and increase the tax base.

Neutral:

Tim Gordon, 1206 N Black Cat wanted to echo the sentiments of Mayor Nelson and encourages more commercial business to bring down taxes for existing business and residential as well.

Mayor Nelson closed the hearing at 8:19 p.m.

Mayor Nelson said the matter was before Council for discussion.

Council President Cardoza asked for Mr. Crawford to show him the public areas.

Mr. Crawford explained the public areas are related to the pathways within the subdivision and connecting the subdivisions, the open space lots are related to buffering the streets along the sides of the project and throughout the development.

Council President Cardoza said he wasn't sure there is adequate public space.

Council Member Buban-Vonder Harr said there is paved pathway and it leads to the large Arbor Ridge Park. It isn't required by city code and the subdivision is sandwiched between two large parks that are accessible.

Mayor Nelson said the description of the development as an infill development would be accurate.

Council President Cardoza expressed he didn't like the amount of open space.

Council Member Buban-Vonder Harr said that she didn't personally like the plan but it meets code. The comp plan needs to be revised.

Council Member Jones asked Mr. Behunin what type of subdivision required ten percent open space.

Mr. Behunin explained a development that would be asking for relaxed standards such as narrower street frontages or a higher density would be subject to the ten percent open space requirement.

Council Member Jones asked if there is an open space requirement for a high density subdivision compared to a medium density subdivision.

Mr. Behunin responded if it is properly zoned for R12 or R20 and the developers are not asking for any variance to what code requires, then no, there is no open space requirement.

Council Member Jones agrees that there are items that need to be taken care of in the near future and agrees the applicant has met all the current requirements.

Council President Cardoza asked Mr. Crawford about the entrance to the subdivision having only 4 or 5 trees. Will there not be any other beautification? It seems plain.

Mr. Crawford said it does seem somewhat plain but what is being shown is what is required. The rest of the landscaping will go through a specific design review.

Council Member Buban-Vonder Haar moved to approve 15-04-S. Seconded by Council Member Jones with the following roll call vote:

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

Voting No: None

Motion carried 4-0.

7. Business Items:

(Timestamp 01:34:05)

- A. Consideration to Approve 15-02-AN, 15-02-ZC and 15-01-S Based on the record contained in Case No.s 15-02-AN, 15-02-ZC and 15-01-S, including the exhibits, staff's report and the public testimony at the public hearing, the City Council of Kuna, Idaho, hereby *approves* the Findings of Fact and Conclusions of Law, and conditions of approval for Case No's 15-02-AN, 15-02-ZC and 15-01-S, annexation, rezone and preliminary plat. – Troy Behunin, Senior Planner.

Council Member Stear moved to approve the Findings of Fact and Conclusions of Law, and conditions of approval for Case No's 15-02-AN, 15-02-ZC and 15-01-S, annexation, rezone and preliminary plat. 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

Motion carried 4-0.

- B. Consideration to Approve Resolution R70-2015 Approving 2016 Irrigation Assessment Roll and Adopting Irrigation Fees and Policies for 2016 – Gordon Law, City Engineer

(Timestamp 01:36:20)

A RESOLUTION OF THE COUNCIL OF THE CITY OF KUNA, IDAHO
SETTING FORTH FEES, ASSESSMENTS AND POLICIES FOR THE KUNA
MUNICIPAL IRRIGATION DISTRICT FOR SAID CITY; RECEIVING AND

ACCEPTING THE ASSESSMENT BOOK FOR THE 2016 IRRIGATION SEASON; RECEIVING AND ACCEPTING THE ESTIMATE OF EXPENSES FOR THE 2016 IRRIGATION SEASON; SETTING THE TIME AND PLACE FOR THE MEETING OF THE BOARD OF CORRECTION FOR 2016 ASSESSMENTS; SETTING FEES FOR CONNECTING TO SAID IRRIGATION SYSTEM; SETTING UNIFORM METHOD OF ALLOCATING ASSESSMENTS FOR THE 2016 IRRIGATION SEASON; ESTABLISHING BILLING POLICIES; SETTING CUSTOMER SERVICE CHARGES; SETTING SYSTEM POLICIES; REPEALING EXISTING FEES AND POLICIES AS PREVIOUSLY SET BY RESOLUTION, AND SETTING AN EFFECTIVE DATE.

City Engineer Gordon Law explained this is an annual assessment affecting all those benefiting from the city pressurized irrigation system. The meeting of the board of correction will take place on March 15, 2016. The proposal calls for a 1% increase in the annual assessment for a typical residence.

Council Member Buban-Vonder Haar noted there was a typo in the Unauthorized Connection paragraph.

Mr. Law asked if everyone understood the paragraph.

Council Member Jones asked why unauthorized connection to the system isn't criminal.

Mr. Law said he couldn't explain but the city is taking appropriate measures by establishing a fine for such an action.

Council Member Jones asked how the city would know if someone connected without authorization.

Mr. Law responded there is general knowledge of the location of services that are not presently hooked up. When employees see a location is enjoying those services without having paid for a connection, there is a notation made. At this time there are 6 – 8 residences that this would apply to.

Council Member Jones stated he would like to make sure the consequence is a deterrent.

Council President Cardoza stated he notices the potable water use is down substantially and asked Mr. Law if he had considered the water usage from the treatment plant.

Mr. Law responded he has not at this time. At this time, the permit is out for comment. There are concerns that should be addressed by staff and the governing board for decisions to be made. Because of that, it does not seem appropriate at this time to take into account the cost or savings that may result from the treatment plant.

**Council Member Buban-Vonder Haar moved to approve Resolution R70-2015. 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
Motion carried 4-0.**

- C. Consideration to Approve Resolution R74-2015 Adopting Water Fund Fees and Policies for 2016 – Gordon Law, City Engineer
(Timestamp 01:47:40)

A RESOLUTION AMENDING PORTIONS OF RESOLUTION R58-2014 THAT: SETS FORTH THE AUTHORITY FOR ADOPTING WATER CONNECTION FEES AND MONTHLY WATER SERVICE RATES; ESTABLISHES FEES FOR CONNECTING TO THE WATER SYSTEM; ESTABLISHES WATER USE FEES THAT ARE NOW AMENDED WITH WATER RATE CHANGES FOR ALL CUSTOMERS; PROVIDES FOR MISCELLANEOUS WATER CUSTOMER SERVICE POLICIES; SETS FORTH MINIMUM LINE SIZES; REPEALS FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETS AN EFFECTIVE DATE.

City Engineer, Gordon Law commented that there have been several successes over the last year. One was the line extension which resulted in a reduction of potable water use. There has been a reduction during peak demand time from 5 million gallons to 2.5 million gallons. There is still a shortage requiring usage of potable water but heading in the right direction. Also, there was a somewhat short irrigation water supply this year but due to the successes shared; 47 days of water at maximum rate remained in supply at the end of the season.

Mr. Law explained the projected inflation adjustment for the upcoming year is 1%. There is an additional item of expense due to the internal transfer of expenses from the general fund to water, sewer and pressurized irrigation which brings the total adjusted percentage to 2.3% or 2.4%. There are also some connection fees being subsidized.

Mayor Nelson said it was a great report. He would like to thank the staff for moving in the right direction.

Council President Cardoza asked how Kuna water rates compare to neighboring cities.

Mr. Law said we are substantially lower than United Water but higher than Caldwell. He doesn't know about Meridian.

Council President Cardoza asked if the city is being careful to not price ourselves out of the building trade. Are the costs reflecting the true cost for connections?

Mr. Law responded; one fee is the monthly fee which is based on operation costs, the connection fee is based on capital costs. The major connection fees for wells and transmission lines are what developers and contractors see and those are not part of the cost adjustments. The capital cost adjustment reflected here is for those fees related to providing the service itself such as the meter vault and meter.

Mayor Nelson asked Mr. Law to compare Kuna to neighboring cities and send the information to Council.

Council Member Buban-Vonder Haar noted two corrections for the motion.

**Council Member Stear moved to approve Resolution R74-2015 with the change of 2A1 to read twenty two ninety five and 2A4 bracketed to read \$1.67. 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
Motion carried 4-0.**

**D. Consideration to Approve Resolution R75-2015 Adopting Sewer Fund Fees and Policies for 2016 – Gordon Law, City Engineer
(Timestamp 01:57:35)**

A RESOLUTION AMENDING CERTAIN SECTIONS OF RESOLUTION R59-2014 THAT: SETS FORTH THE AUTHORITY FOR ADOPTING SEWER FEES; ESTABLISHES FEES FOR CONNECTING TO SEWER SYSTEM; ESTABLISHES MONTHLY SEWER USE FEES THAT ARE NOW AMENDED WITH SEWER RATE CHANGES FOR ALL CUSTOMERS; SETS FORTH MINIMUM LINE SIZES; PROVIDES FOR A METHOD OF COMPUTING USER EQUIVALENT; REPEALS FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETS AN EFFECTIVE DATE.

City Engineer, Gordon Law explained there was another success this year in the water system. A tank mixer was purchased to circulate water in wells to alleviate a bubble problem as well as a hard water problem. This has exceeded expectations.

Mr. Law stated sewer fees are proposed to be adjusted to match the inflationary rate.

**Council Member Stear moved to approve Resolution R75-2015. 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
Motion carried 4-0.**

- E. Consideration to Approve Resolution R52-2015A to Appoint Fabiola Giddings to the Kuna Development Impact Fee Advisory Committee – Richard Roats, City Attorney
(Timestamp 02:02:07)

The previous appointment, Kellie Goicoechea, was unable to serve on the committee

City Attorney, Richard Roats asked for the Resolution to be approved. He plans to have a draft ordinance for review by the Committee.

Council President Cardoza asked if there was a developer on the committee for input.

Mr. Roats responded; no there is not, however he does intend to pass along information to the developers the city works with and invite their input as well as their attendance at some of the meetings as the committee moves forward.

Council President Cardoza asked if contractors should be included as well.

Mr. Roats suggested moving forward as described and contractors can be added if any express an interest.

**Council Member Stear moved to approve Resolution R52-2015A. 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
Motion carried 4-0.**

- F. Consideration to accept the resignation from the Planning and Zoning Commissioner Joan Gay effective November 1, 2015 – Wendy Howell, P & Z Director
(Timestamp 02:05:54)

**Council Member Buban-Vonder Haar moved to approve the resignation of Planning and Zoning Commissioner Joan Gay. 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
Motion carried 4-0.**

- G. Consideration to Appoint Ron Herther to the Planning and Zoning Commission effective November 1, 2015. Mr. Herther's term will expire on November 1, 2018 – Wendy Howell, P & Z Director
(Timestamp 02:07:32)

Planning and Zoning Director Wendy Howell explained that she did not have any applicants for the Planning and Zoning Commissioner vacancy. Ms. Howell approached Mr. Herther regarding the opportunity and he submitted a resume to Ms. Howell.

Council Member Jones asked about advertising for the position to give the public an opportunity to apply.

Council Member Buban-Vonder Haar said she hadn't seen any advertising on any of the social media pages.

Ms. Howell responded there was no advertising.

Council Member Buban-Vonder Haar said she had some concerns regarding the applicant's lack of experience in planning and zoning matters or city functions.

Council Member Jones would like to see the position advertised to give everyone an opportunity to participate.

Council Member Stear said obtaining volunteers can be difficult especially on short notice.

Mayor Nelson agreed it should be advertised.

Council Member Buban-Vonder Haar said she believes it would be reasonable to put out a call on social media and any way possible. Any responses can then be considered.

Council Direction: Advertise the position for others to consider applying and review the matter at the next Council meeting.

Council Member Buban-Vonder Haar moved to table Ron Herther to the Planning and Zoning Commission. 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

Motion carried 4-0.

- H.** Consideration to set Council Workshop date and time for final review of Personnel Manual – Richard Roats, City Attorney
(Timestamp 02:18:12)

City Attorney, Richard Roats asked for a time and date that would work for everyone to schedule the final review workshop of the Personnel Manual.

Council agreed to a November 17, 2015 pre-council meeting workshop at 5:30 p.m.

Mr. Roats asked if the next item on the agenda, Ordinance No 2015-12 could be pulled from the agenda until the next Council meeting.

Council Member Buban-Vonder Haar moved to table Ordinance No 2015-12 until the November 4, 2015 Council meeting. 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

Motion carried 4-0.

8. Ordinances:

(Timestamp 0:00:00) Pulled from the agenda

- A. *First Reading of Ordinance No 2015-12 Idaho Power Franchise Agreement
Consideration to waive three readings
Consideration to approve ordinance
Consideration to approve a summary publication of the ordinance*

AN ORDINANCE IN ACCORDANCE WITH IDAHO CODE SECTIONS 50-328, 50-329 AND 50-329A GRANTING A FRANCHISE TO IDAHO POWER COMPANY, AN IDAHO CORPORATION, AND TO ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, MAINTAIN AND OPERATE IN AND UPON THE PRESENT AND FUTURE STREETS, HIGHWAYS AND OTHER PUBLIC PLACES WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, IDAHO, ELECTRIC UTILITY PROPERTY AND FACILITIES FOR SUPPLYING ELECTRICITY AND ELECTRIC SERVICE TO THE CITY, THE INHABITANTS THEREOF, AND OTHERS FOR A TERM OF TEN (10) YEARS; PROVIDING A RIGHT TO THE CITY TO PHYSICALLY LOCATE AND MAINTAIN TELEPHONE, CABLE, FIBER OPTICS OR OTHER COMMUNICATIONS FACILITIES ON THE POLES AND OTHER FACILITIES OF GRANTEE; PROVIDING FOR A HOLD HARMLESS CLAUSE; PROVIDING FOR A REQUIREMENT FOR INSURANCE; PROVIDING FOR A PROCESS TO IMPLEMENT A FRANCHISE FEE; PROVIDING FOR A NON COMPETE CLAUSE; PROVIDING A CLAUSE THAT PERMITS THE CITY TO GENERATE POWER FOR ITS OWN CONSUMPTION; RESERVING POWER OF EMINENT DOMAIN; PROVIDING FOR THE PAYMENT OF FRANCHISE FEES; AND SPECIFYING OTHER LIMITATIONS, TERMS AND CONDITIONS GOVERNING THE EXERCISE OF SAID FRANCHISE.

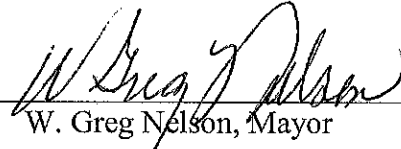
9. Mayor/Council Discussion Items:

10. Announcements:

11. Executive Session:

12. Adjournment:

Council Member Stear moved to adjourn the meeting at 9:20 p.m. Seconded by Council Member Jones. Motion carried 4-0


W. Greg Nelson, Mayor

ATTEST:


Chris Engels, City Clerk

*Minutes prepared by Dawn Stephens
Date Approved: CCM 11.04.2015*

