

## OFFICIALS

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



## CITY OF KUNA

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

### City Council Meeting AGENDA Tuesday, June 7, 2016

#### 6:00 P.M. REGULAR CITY COUNCIL

1. **Call to Order and Roll Call**
2. **Invocation:** Karen Hernandez, United Methodist Church
3. **Pledge of Allegiance:** Mayor Stear
4. **Consent Agenda:**

*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 Business or as instructed by the City Council.*

#### A. City Council Meeting Minutes:

1. Regular City Council Minutes, March 18, 2016

#### B. Accounts Payable Dated June 2, 2016 in the Amount of \$329,191.31

#### C. Resolutions

1. Resolution R42-2016 NE Kuna Farms EDU Transfer

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE TRANSFER OF 621 KUNA NORTH SEWER TREATMENT CONNECTION CERTIFICATES FROM COREY D. BARTON TO NE KUNA FARMS, LLC; AND AUTHORIZING THE MAYOR, THE CITY ATTORNEY AND THE CITY ENGINEER TO EXECUTE THE TRANSFER DOCUMENT.

#### D. The Findings of Fact

1. A request by P & F Development to change to the Comprehensive Plan Map (Comp Plan) designation for lot 2, block 6 within the Mineral Springs No. 2

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.

Subdivision, from commercial to residential. The applicant also requests to rezone approximately 6.50 acres (lot 2, block 6) from C-1 (Neighborhood Business District) to R-4 (Low Density Residential) and Preliminary Plat approval for 12 buildable lots within the previously constructed Mineral Springs Subdivision No. 2.

**5. Community Reports or Requests:**

- A.** Shane and Cathy Summers, Freedom Fitness – Discussion on proposed partnership for pool and fitness facility.

Shane and Cathy Summers have secured funding for a pool and fitness facility and would like to partner with the City of Kuna on the possibility of a long term lease of 7 acres on city owned property to build the proposed pool and fitness facility.

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

- A.** 16-02-AN (Annexation) Gerald & Evelyn Butler/Jayne Butler – Trevor Kesner, Planner II

Applicant is requesting approval to annex an approximately 1.145 acres parcel located at 7945 S. Linder Road into the City of Kuna with a ‘C-1’ (Commercial) zoning designation.

- B.** Ordinance No. 2016-16 Amending KCC Title 5 – Zoning Regulations – Wendy Howell – Planning & Zoning Director

*Consideration to waive three readings*

*Consideration to approve ordinance*

*Consideration to approve a summary publication of the ordinance*

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO AMENDING KCC 5-1-6-2 “COMMENCEMENT OF CONSTRUCTION” TO INCLUDE THE PREPAYMENT OF PREPAID SEWER HOOK UPS OR LID EDU’S; AMENDING KCC 6-2-3 ENTITLED “PRELIMINARY PLAT” TO CLARIFY CERTAIN SECTIONS REGARDING THE APPROVAL PERIOD FOR A PRELIMINARY PLAT, REMOVING LANGUAGE REGARDING CONSTRUCTION PHASING AND THE REQUIREMENT THAT THE DEVELOPER PROVIDE A TIME SCHEDULE WITH START AND COMPLETION DATES, ADDING LANGUAGE TO REQUIRE SIXTY (60) DAYS NOTICE PRIOR TO A PLAT EXPIRING, ADDING LANGUAGE THAT A DEVELOPER MAY RECEIVE A PRELIMINARY PLAT REINSTATEMENT IF THERE HAS BEEN COMMENCEMENT OF CONSTRUCTION, SETTING FORTH CONDITIONS FOR MAKING APPLICATION FOR A PRELIMINARY PLAT EXTENSION APPLICATION INCLUDING PAYMENT OF PAST DUE FEES, REQUIRING PRELIMINARY PLATS THAT HAVE BEEN EXTENDED WHERE THE DEVELOPER ALSO REQUEST A CHANGE IN PHASING TO

RECEIVE CITY COUNCIL APPROVAL IF THE PHASING HAS A REQUIREMENT SUCH AS A SWIMMING POOL OR OTHER AMENITY; AMENDING KCC 6-2-4 ENTITLED "FINAL PLAT" TO MAKE CERTAIN CHANGES TO CLARIFY THE APPROVAL PROCESS, ADDING A REQUIREMENT THAT ALL EASEMENTS BE SHOWN ON ALL LOT LINES, AND ADDING TO THE PLAT NOTES THAT HOA COMMON LOTS IRRIGATION ASSESSMENTS ARE FRACTIONALLY ASSESSED TO THE INDIVIDUAL IMPROVED LOTS; AND PROVIDING AN EFFECTIVE DATE.

- C. Request to table the public hearing until June 21, 2016 for Ordinance No. 2016-12, Park Impact Fees
- D. Resolution R16-2016 City Parks and Public Property Amended Fees – Chris Engels, City Clerk

CITY PARKS AND CITY PUBLIC PROPERTY FEES- AMENDING FEE SCHEDULE. A RESOLUTION OF THE CITY OF KUNA, IDAHO AMENDING RESOLUTION NO. R26-2015 TO AMEND THE RENTAL FEES FOR THE SENIOR CENTER ON THE CITY PARK AND CITY PUBLIC PROPERTY PARK USE FEE SCHEDULE, AND PROVIDING AN EFFECTIVE DATE

**7. Business Items:**

- A. Discussion regarding Temporary/Special Event Vendors – Pat Jones, Council President
- B. Resolution R40-2016 Park Use Agreement – Richard Roats, City Attorney

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE PARK USE AGREEMENT FOR BERNIE FISHER PARK WHERE THE FEE IS WAIVED IN CONSIDERATION OF THE NON-PROFIT ENTITY PERFORMING A COMMUNITY SERVICE AT A CITY PARK AND THE EVENT IS FREE AND OPEN TO THE GENERAL PUBLIC; AND AUTHORIZING THE CITY CLERK TO SIGN THE PARK USE AGREEMENT FORM

- C. Resolution R41-2016 ACHD Agreement for Main St. Improvements - Chris Engels, City Clerk

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE INTERAGENCY AGREEMENT BETWEEN THE ADA COUNTY HIGHWAY DISTRICT AND THE CITY OF KUNA FOR ROADWAY IMPROVEMENTS ALONG MAIN STREET BETWEEN AVENUE C AND AVENUE E.

- D. Resolution No. R43-2016 Approve Agreement with Bailey Engineering, Inc. for Design of Memory Ranch Regional Lift Station – Gordon Law, City Engineer

RESOLUTION AWARDING CONTRACT FOR CONSULTING SERVICES TO BAILEY ENGINEERING, INC. IN THE AMOUNT OF \$13,600.00 FOR DESIGN OF THE MEMORY RANCH REGIONAL LIFT STATION PROJECT; DIRECTING EXPENDITURE OF FUNDS FROM THE SEWER FUND FOR SAID WORK; AND AUTHORIZING THE MAYOR, CITY CLERK AND CITY ENGINEER TO EXECUTE CONTRACT DOCUMENTS WITH SAID CONSULTANT.

**8. Ordinances:**

- A.** Ordinance No. 2016-14 (14-02-AN) Annexing Certain Real Property for Yvonne & Mark Kirkpatrick

*Consideration to waive three readings*

*Consideration to approve ordinance*

*Consideration to approve a summary publication of the ordinance*

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, TO WIT: PARCEL NO. S1315427802 AND PARCEL NO. S1315427820 SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA INTO THE CITY OF KUNA, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

- B.** Ordinance No. 2016-15 Rezoning Part of Mineral Springs No. 2 Subdivision

*Consideration to waive three readings*

*Consideration to approve ordinance*

*Consideration to approve a summary publication of the ordinance*

AN ORDINANCE REZONING PARCEL R5741281000, PART OF THE MINERAL SPRINGS NO. 2 SUBDIVISION, FROM C-1 TO R-4; SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

- C.** *Second Reading* of Ordinance No. 2016-09A Amending Ordinance No. 2016-09 to Modify and Re-Number Certain Sections

*Consideration to waive third reading*

*Consideration to approve ordinance*

*Consideration to approve a summary publication of the ordinance*

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO AMENDING ORDINANCE NO. 2016-09- THE KUNA CITY MUNICIPAL UTILITIES SYSTEM BILLING CODE TO MODIFY AND RE-NUMBER CERTAIN SECTIONS, SPECIFICALLY: SECTION 7-7-6a ENTITLED “THIRD PARTY BILLING AGENT” TO ALLOW THE CITY TO PROVIDE THE FORM FOR THE THIRD PARTY AGENT; SECTION 7-7-6b ENTITLED “SECONDARY RECIPIENT OF BILLS” TO PROVIDE FOR THE BILLING PROCESS TO BE PERFORMED BY THE CITY WHEN IMPLEMENTED AND THE NOTICING OF THE SHUT OFF WARNING; SECTION 7-7-9 ENTITLED “INDIGENCY DISCOUNT” TO CLARIFY THAT THE PROGRAM IS AVAILABLE ONLY IF THE FUNDS ARE APPROPRIATED BY THE CITY COUNCIL; SECTION 7-7-12 ENTITLED “LATE FEE” TO PROVIDE THAT THE LATE FEE WILL BE ASSESSED IF PAYMENT IS NOT RECEIVED BY THE LAST DAY OF THE MONTH; SECTION 7-7-14 ENTITLED “ACCOUNT SHUT OFF” TO PROVIDE AN EFFECTIVE DATE ON OR AFTER NOVEMBER 16, 2016 FOR SHUTOFFS OF ACCOUNTS PAST DUE SIXTY (60) DAYS; SECTION 7-7-15 ENTITLED “ACCOUNT TURN ON- WATER SERVICE” TO PROVIDE AN EFFECTIVE DATE ON OR AFTER NOVEMBER 16, 2016 FOR ACCOUNT WATER TURN ON SERVICE AND CHARGES INCLUDE ALL CHARGES OR FEES THAT HAVE ACCRUED SINCE THE LAST BILL; SECTION 7-7-16 ENTITLED “NOTICE OF SHUT OFF-WATER SERVICE” TO PROVIDE THAT NOTICE OF SHUT OFF MAY BE TRANSMITTED BY ELECTRONIC DELIVERY OR AUTOMATED DIALER IN LIEU OF POSTING ON THE PROPERTY; SECTION 7-7-17 ENTITLED “PAYMENT ARRANGEMENTS” TO PROVIDE THAT THE LATE FEE SHALL BE SUSPENDED IF THE PAYMENT AGREEMENT IS COMPLIED WITH OR IMPOSED IF IT IS NOT COMPLIED WITH; SECTION 7-7-18 ENTITLED “HARDSHIP ARRANGEMENTS” TO ALLOW THE CITY TO PROVIDE THE FORM FOR HARDSHIP REQUEST AND FOR THE SUSPENSION OF ANY LATE FEES IF THE PAYMENT AGREEMENT IS COMPLIED WITH; ADDING SECTION 7-7-13 ENTITLED “ACCOUNT SHUT OFF WARNING” TO ADD A SECTION TO PROVIDE FOR A SHUT OFF WARNING; AND CHANGING THE EFFECTIVE DATE TO AUGUST 31, 2016.

**D. *Third Reading*** and consideration to approve Ordinance No. 2016-11 Amending Business License Code

*Consideration to approve ordinance*

*Consideration to approve a summary publication of the ordinance*

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO AMENDING THE CITY OF KUNA, IDAHO’S BUSINESS LICENSING CODE TO CLARIFY THAT IT APPLIES TO A COMMERCIAL BUSINESS OR HOME OCCUPATION OPERATING WITHIN THE CITY LIMITS; STRIKING THE EXCEPTIONS TO LICENSE REQUIREMENT; PROVIDING THAT THE CLERK OR DESIGNEE MAY ISSUE THE LICENSE; STRIKING THE FEE AMOUNT AND PROVIDING THAT THE FEE SHALL BE SET BY

RESOLUTION OF THE CITY COUNCIL; PROVIDING THAT LICENSE FEES SHALL BE PAID IN FULL; PROVIDING THE APPLICATION FOR LICENSE SHALL BE SUBMITTED TO THE CLERK AND PAID IN FULL; PROVIDING FOR SUSPENSION OF LICENSES; PROVIDING A LICENSE SHALL BE VALID FOR A DURATION OF TWELVE (12) MONTHS; PROVIDING THAT FAILURE TO PROCURE A LICENSE SHALL BE PUNISHABLE AS AN INFRACTION IN THE AMOUNT OF TWENTY-FIVE DOLLARS (\$25.00) FOR EACH VIOLATION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

**10. Announcements:**

**11. Executive Session:**

**12. Adjournment:**