

**KUNA CITY COUNCIL MEETING  
MINUTES  
OCTOBER 23, 2006  
KUNA CITY HALL COUNCIL CHAMBER, 763 W. AVALON**

**NOTE: These minutes are an unofficial record of this City Council meeting until reviewed; corrected if deemed appropriate and formally approved by the Kuna City Council at a subsequent Council meeting.**

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**7:00 p.m. – ADJOURNED REGULAR COUNCIL MEETING**

**1. CALL TO ORDER AND ROLL CALL**

Mayor Dean Obray called the Regular Meeting to order at 7:00 p.m.

Present: Mayor Dean Obray, Council President Jeffery Lang, Councilman Scott Dowdy, Councilwoman Trina Stroebel (arrived 7:03 p.m.) and Councilman Richard Cardoza.

Also present were: City Attorney Randy Grove; City Clerk Lynda Burgess; City Treasurer Robin McKean; Interim Planning & Zoning Director Diana Sanders and Director of Public Works Jim Taylor.

**2. INVOCATION -** None given.

**3. PLEDGE OF ALLEGIANCE-** The Pledge of Allegiance was led by Mayor Obray.

**SUGGESTED CHANGES TO THE AGENDA:**

Mayor Obray requested that the following changes be made to the Agenda: Add Item No. 8. Citizens Request “One Child at a Time, Keeping Kuna Kids Drug Free”. Moved by Councilman Dowdy, seconded by Councilman Lang to amend the agenda to add Item 8 “One Child at a Time” under Citizens Requests. Motion carried 3-1. (Councilwoman Stroebel absent).

**4. CONSENT AGENDA:**

Moved by Councilman Dowdy, seconded by Councilman Lang to approve the Consent Agenda. Motion carried by the following Roll Call vote:

AYES: Lang, Dowdy, Stroebel, Cardoza  
NOES: None  
ABSENT: None

A. APPROVED MINUTES – REGULAR MEETING OF OCTOBER 3, 2006.

B. APPROVED ACCOUNTS PAYABLE - Dated October 20, 2006 in the amount of \$204,809.75.

- C. APPROVED CONTRACT WITH KELLER ASSOCIATES FOR INTERIM CITY ENGINEERING SERVICES.
- D. APPROVED CHANGE IN TITLE FOR DIANA SANDERS FROM INTERIM DIRECTOR, PLANNING & ZONING TO DIRECTOR, PLANNING & ZONING.
- E. APPROVED CONTRACT WITH WILSON, HARRIS & COMPANY, CPAs FOR 2005-06 FISCAL YEAR AUDIT IN THE AMOUNT OF \$5,900.
- F. APPROVED CONTRACT #C592 WITH THE IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY PROVIDING FOR INSTALLATION OF A MONITORING WELL AT THE WASTEWATER TREATMENT FARM FACILITY ON SWAN FALLS ROAD.
- G. APPROVED THE BOND REQUIRED BY THE PLANNING AND ZONING DEPARTMENT FOR THE TOMORROW NO. 3 SUBDIVISION.
- H. APPROVED CHANGE ORDER NO. 3 DECREASING THE CONTRACT PRICE BY \$5,720; NOTICE OF COMPLETION AND FINAL PAY REQUEST IN THE AMOUNT OF \$59,251.98 RELATING TO THE PROJECT CLOSE-OUT DOCUMENTS FOR THE WINTER STORAGE PROJECT.
- I. APPROVED NOTICE OF COMPLETION AND FINAL PAY REQUEST IN THE AMOUNT OF \$2,503.04 RELATING TO THE PROJECT CLOSE-OUT DOCUMENTS FOR THE TOMORROW PUMP STATION PROJECT.
- J. APPROVED JOINT POWERS AGREEMENT WITH THE ADA COUNTY SHERIFF'S OFFICE AND THE ADA COUNTY PROSECUTING ATTORNEY'S OFFICE FOR FISCAL YEAR 2006-07.

## **5. SHERIFF MONTHLY REPORT**

Sergeant Laraway presented the Statistical Report for September 2006 and pointed out the highlights and trends of the report. There were 559 calls for service compared to last month's calls of 644, last year at this time, there were 587 calls.

Sergeant Laraway suggested that the City send out a notice in their monthly newsletter to include a statement that Halloween trick-or-treaters should not knock on doors of houses without lights on.

## **6. ADA COUNTY HIGHWAY DISTRICT REPORT**

Errol Morgan reported that the temporary pathway on Linder Road and the crosswalk are complete. ACHD will be installing flashing lights at school crossings at Linder, Porter and Ten Mile Roads.

**7. OLD BUSINESS:**

ADOPT RESOLUTION NO. R2B-2006 SETTING DOMESTIC WATER RATES AND SEWER USER FEES.

Moved by Councilman Dowdy, seconded by Councilman Lang to table Item 7 amended Resolution No R2A-2006 to the December 5, 2006 City Council meeting Motion carried 4-0.

**8. CITIZEN'S REPORTS OR REQUESTS:**

ONE CHILD AT A TIME, KEEPING KUNA KIDS DRUG FREE.

Mayor Obray read the proclamation of "One Child at a Time."

**9. LICENSES AND PERMITS:**

A. APPROVED LIQUOR CATERING PERMIT FOR CONPAZ, INC. FOR PARTY AT THE COMMUNITY HALL ON NOVEMBER 4, 2006.

Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to approve the liquor catering permit for Conpaz, Inc. for a party at the Kuna Community Center on November 4, 2006 from 6:00 p.m. to 12:00 midnight. Motion carried 4-0.

B. APPROVE BUSINESS LICENSE FOR SUZI MEUSER, "SUZI'S SKIN CARE," 684 FRANKLIN AVE.

Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to table item to the November 8, 2006 Council meeting. Motion carried 4-0.

C. APPROVED BUSINESS LICENSE FOR NANCY LAMM, "HELPING HANDS MASSAGE THERAPY," 675 4<sup>TH</sup> ST.

Moved by Councilman Lang, seconded by Councilwoman Stroebel to approve the business license for Nancy Lamm, doing business as "Helping Hands Massage Therapy," at 675 4<sup>th</sup> St. Motion carried 4-0.

**10. NEW BUSINESS:**

DISCUSSED 2007-08 PRIORITY LIST SUBMITTED BY THE TRANSPORTATION TASK FORCE.

Ms. Sanders reported that this is a document that the Transportation Task Force looks at every year in conjunction with Compass and ACHD. The Planning and Zoning Commission has reviewed the document and made a few minor changes.

Moved by Councilman Lang, seconded by Councilman Dowdy to approve the Transportation Task Force priorities for 2007-08 as proposed by the Transportation Task Force. Motion carried 4-0.

City Clerk Burgess and Planning & Zoning Director Diana Sanders were directed to find more members for the Transportation Task Force.

**11. PUBLIC HEARINGS:** 7 p.m. or as soon thereafter as matters may be heard.

**PUBLIC HEARING – 06/02/ZC REZONE/06-07-DA DEVELOPMENT AGREEMENT/ 06-05-S PRELIMINARY PLAT/SILVERTIP SUBDIVISION – LUKER ROAD.**

Diana Sanders, Planning & Zoning Director, explained that this application is for approximately 85 lots, 5 of the lots being common lots, on 22 acres with 3.68 dwelling units per acre and a request for R-6 and an R-2 zoning. The Planning and Zoning Commission recommended R4 zoning for the property.

Applicant Matt Schultz, Grizzly Land Co., 2127 S. Alaska Way, Meridian, ID, presented the application. He reported that the site is south of Luker Road and along King Road, is contiguous to city limits and part of the LID. They are proposing a lot size of 60 x 105, 2 1-1/2 acre lots, a 35-ft. wide pathway winding through the trees abutting the large lots, fencing on the north and south side of the subdivision and a playground with a basketball area. Mr. Schultz stated that they will have \$200,000 homes on the lots and asked that their R6 zoning request be granted.

Mayor Obray opened the Public Hearing.

Speakers in support of application:

Tim Gordon, 1206 Black Cat, Kuna, stated that he owned 2 lots to the south of the subdivision and that this is a positive development for this area of land.

Speakers opposed to application:

Neutral Speakers:

Eric Freeman, 1250 Luker Road, Kuna, stated that he was concerned about flooding along Luker Road again and pointed out that it was critical that the culvert and the drainage below be kept clear of debris.

There being no further testimony offered, Mayor Obray closed the Public Hearing.

Rebuttal:

Mr. Schultz stated that they were willing to work with the City to do whatever they could to improve the drainage and relieve the flooding.

Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to approve the Silvertip Subdivision 06/02/ZC rezone/06-07-DA Development Agreement/ 06-05-S Preliminary Plat with an R-6 zone, density not to exceed 3.68 units per acre, R-6 for the

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northern 19.04 acres, R-2 for the southern 2 lots that equal 2.98 acres and direct that the developer follow all staff and ACHD recommendations with the following changes:

- 1) Developer construct all perimeter and internal fences to be consistent as 4-foot vinyl fence with a 2-foot lattice.
- 2) Developer provide a rock or water feature at the subdivision entrance as approved by the Planning and Zoning Commission. Motion carried 4-0.

## 12. REPORTS:

P & Z DIRECTOR/DIANA SANDERS - Ms. Sanders reported on expansion of her office space and announced the addition of three new staff members in the Planning and Zoning Department.

### CODE ENFORCEMENT REPORT/ DIANA SANDERS

CITY ENGINEER/KELLER ASSOCIATES – Justin Walker reported that construction services for the winter storage project were \$15,000 under budget with engineering \$38,000 under budget. He stated that the storage capacity was increased from 32,000,000,000 gallons to 42,000,000,000 gallons (1,400 EDU's) and brand new motors and blowers were installed. Regarding the Tomorrow Pump Station, which was over budget by \$2,500, he reported that the pumping capacity was increased by using 40 hp motors instead of 30 hp motors. Over all, the two projects came in \$65,000 under budget. He asked that the latecomer agreement be placed on a future City Council agenda for discussion.

Mayor Obray asked Mr. Walker to prepare a report showing the status of water and sewer connections.

CITY ATTORNEY / RANDY GROVE - Mr. Grove reported that the Mayor, Floyd Ayres and he had met with several representatives of Farmers & Merchants Bank and had a telephone conference with a representative of Key Bank, who recommended funding the LID with a construction loan followed by an assessment roll at the end of the construction and permanent financing for a period of 15 years. A document will be drafted on October 25. He further reported that Bank of America is also very interested in submitting a proposal and essentially bid against Farmers & Merchants Bank to fund the LID. Farmers & Merchants Bank will have a letter of commitment to present to Council at the November 8 Council meeting.

Council was concerned that the publicity for the Bond Election on November 8 has not been well publicized. Councilman Cardoza would like to approach other developers who have the financial strength to carry the recreation complex through to completion.

CITY CLERK / LYNDA BURGESS – Ms. Burgess reported that the City will share the polling precincts with the Ada County this year. The three polling precincts are the Seventh Day Adventist Church, the Fire Department and the Kuna Library. She requested that Council consider moving the Council meeting to Wednesday, November 8 to allow ballot counting to be conducted in the Council Chambers on Tuesday, November 7.

Moved by Councilman Dowdy, seconded by Council Lang to reschedule the November 7<sup>th</sup> City Council meeting to November 8<sup>th</sup>. Motion carried 4-0.

**13. ORDINANCES:**

DISPENSE WITH FULL READING AND 3 CONSECUTIVE READINGS –  
ORDINANCE 2006-98 ANNEXING A PORTION FROM THE BOISE KUNA  
IRRIGATION DISTRICT INTO THE MUNICIPAL IRRIGATION SYSTEM – DENALI  
HEIGHTS SUBDIVISION.

Mayor Obray read the Ordinance by title only.

Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to dispense with full reading and 3 consecutive readings of Ordinance 2006-98. Motion carried 4-0.

Moved by Councilman Dowdy, seconded by Councilman Lang to adopt Ordinance 2006-98 annexing a portion from the Boise Kuna Irrigation District into the Municipal Irrigation System – Denali Heights Subdivision. Motion carried by the following Roll Call vote:

AYES: Lang, Dowdy, Stroebel, Cardoza  
NOES: None  
ABSENT: None

**14. MAYOR / COUNCIL DISCUSSION:**

Mayor Obray encouraged citizens to vote.

Councilman Cardoza questioned the Farm Account's negative balance of \$52,284.46 by stating that it looks like that balance is not being affected by the transactions. Ms. McKean stated she would check this budget line item and report back to the Council.

**15. ANNOUNCEMENTS:**

Councilman Dowdy stated that they will be interviewing the three wastewater treatment plant membrane manufacturers on Monday, November 27 at 10:00 a.m. and 2:00 p.m. and on November 28 10:00 a.m.

**16. EXECUTIVE SESSION:**

Moved by Councilman Dowdy, seconded by Councilman Lang to adjourn to Executive Session per Idaho Code 67-2345c regarding property acquisition. Motion carried 4-0. Adjourned to Executive Session at 9:10 p.m.

Reconvened Regular Council Meeting at 9:26 p.m.

**17. ADJOURNMENT:**

There being no further business to conduct, Councilman Dowdy moved, seconded by Councilman Lang to adjourn the meeting at 9:26 p.m. Motion carried 4-0.

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O. Dean Obray, Mayor

ATTEST:

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Lynda Burgess, City Clerk

DATE APPROVED: November 8, 2006