

**KUNA CITY COUNCIL MEETING**  
**MINUTES**  
**JULY 18, 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. – REGULAR COUNCIL MEETING**

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

Mayor Dean Obray called the Regular Meeting to order at 7:01 p.m.

Present: Mayor Dean Obray, Council President Jeffery Lang, Councilman Dowdy and Councilman Richard Cardoza. Councilwoman Trina Stroebel was absent.

Also present were: City Attorney Randy Grove; City Treasurer Colleen Cook, City Clerk Lynda Burgess; Interim Planning & Zoning Director Diana Sanders and Director of Public Works Jim Taylor. City Engineer Keven Shreeve was absent.

**2. INVOCATION:** Not given.

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

**4. CONSENT AGENDA:**

Moved by Councilman Dowdy, seconded by Councilman Lang to remove Item 4.F. from the Consent Agenda. Motion carried 3-0-1 (Councilwoman Stroebel absent).

**A. APPROVED MINUTES**

1. BUDGET WORKSHOP OF JUNE 20, 2006 – as presented.
2. REGULAR MEETING OF JUNE 20, 2006 – as presented.
3. BUDGET WORKSHOP OF JULY 5, 2006 – as presented.

**B. APPROVED ACCOUNTS PAYABLE - Dated July 18, 2006 in the amount of \$258,541.27.**

**C. RECEIVED AND FILED FINANCIAL REPORTS DATED JUNE 30, 2006.**

**D. APPROVED REQUEST BY THE KUNA CHAMBER OF COMMERCE FOR ECONOMIC DEVELOPMENT FUNDS IN THE AMOUNT OF \$7,500.**

**E. APPROVED SERVICE REQUEST WITH IDAHO POWER TO INSTALL A POLE IN THE GREENBELT.**

Moved by Councilman Lang, seconded by Councilman Dowdy to approve the Consent Agenda. Motion carried 3-0-1 (Councilwoman Stroebel absent).

**F. APPROVED AGREEMENT WITH HIDDLESTON DRILLING & PUMP CO. TO CONDUCT A WATER AQUIFER STUDY ON 10 CITY WELLS.**

Moved by Councilman Lang, seconded by Councilman Dowdy to approve contract with Hiddleston Drilling & Pump Co. to conduct a water aquifer study on 10 city wells. Motion carried by the following Roll Call vote:

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

**5. SHERIFF MONTHLY REPORT**

Sergeant Laraway presented the Statistical Report for July 2006 and pointed out the highlights and trends of the report. There were 713 calls for service compared to last month's calls of 695.

In response to Mayor Obray, Captain Johnson explained that the State will provide a physical office for the probation and parole officer so there will be no physical need for the City to provide that space.

**6. ADA COUNTY HIGHWAY DISTRICT REPORT**

No report given.

**7. CITIZEN'S REPORTS OR REQUESTS:  
SUGGESTED CHANGES TO THE AGENDA:**

**A. CATHY GEALY, REPORTING ON THE RESULTS OF THE BOYS AND GIRLS CLUB FEASIBILITY STUDY.**

Kristen Prieur reported on the results of the Boys and Girls Club feasibility study and stated that the biggest items of importance are the proposed recreation district and the potential YMCA campaign. The Boys and Girls Club needs to incorporate this type of information into their study because both of these activities each have potential to impact on their organization moving forward with their plans. Another proposed campaign in the community of Kuna is the Charter School Campaign. Ms. Prieur conducted 39 confidential interviews and submitted a written report to the steering committee and Council. Significant comments from the interviewees indicated 1) the timing of this campaign and location of the club are priorities, 2) the general consensus was that if a group is going to do something in the community, it should be done well, with a facility that Kuna could be proud of and 3) the project should be privately funded. She stated that 20% of \$3.5 million would be needed to fund, with one lead gift of \$750,000 and the next two gifts need to be 10% of the goal at \$500,000 and \$250,000.

Mayor Obray asked what would be the end result of the three levels of funding.

Ms. Prieur responded that when the goals are determined, the scope of the project needs to be identified based on the dollar amount pledged. The committee is looking into location, leadership and timing.

Mayor Obray explained that the City Council finalized the budget today without being able to financially assist in pushing the project forward in the community. He hoped that the City can find funds next year.

**SUGGESTED CHANGES TO THE AGENDA:**

Mayor Obray suggested removal of Item No. 7B, a presentation by Kelli Fairless of Valley Transit; addition of Item 9C to Re-Open the fiscal year 05-06 Budget for Public Hearing on the August 15th City Council Agenda and addition of Item 9D to adopt Tentative Budget for fiscal year 06-07 in the amount of \$17,800,000.

Moved by Councilman Lang, seconded by Councilman Dowdy to amend the agenda by deleting Item 7B, a Presentation by Valley Regional Transit, adding under New Business Item 9C Re-Opening the Budget of fiscal year 05-06 for Public Hearing on August 15<sup>th</sup> and Item 9D approval of the Tentative Budget for fiscal year 06-07 in the amount of \$17,800,000. Motion carried 3-0-1 (Councilwoman Stroebel absent)

~~B. PRESENTATION BY KELLI FAIRLESS, VALLEY REGIONAL TRANSIT REGARDING THE REGIONAL PUBLIC TRANSPORTATION PLAN.~~

**8. OLD BUSINESS:**

**9. NEW BUSINESS:**

A. 06-01-LS/LOT SPLIT/PARK AVENUE

Diana Sanders, Interim Planning & Zoning Director, reported that the application is for a lot split on Park Avenue to divide the property into two parcels which meets the dimensional standards for the zoning as well as all other requirements. The applicant is aware that they are required to put in a sidewalk.

Moved by Councilman Dowdy, seconded by Councilman Lang to approve a lot split for file 06-01-LS for Dan Powell subject to the recommendations of the staff report with the exception that he only be required to add sidewalks on the frontage lot. Motion carried 3-0-1 (Councilwoman Stroebel absent).

B. REVIEWED COMMERCIAL WATER AND SEWER USER EQUITY AND DETERMINE HOW TO CHARGE.

Moved by Councilman Dowdy, seconded by Councilman Lang to table review of the commercial water and sewer user equity and determine how to charge to August 1, 2006

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City Council meeting. Motion carried 3-0-1 (Councilwoman Stroebel absent.)

C. SET PUBLIC HEARING FOR RE-CONSIDERATION OF THE FISCAL YEAR 05-06 BUDGET.

Moved by Councilman Lang, seconded by Councilman Dowdy to reopen the fiscal year 05-06 budget and set a budget hearing for the August 15, 2006 in the amount of \$650,000. Motion carried 3-0-1 (Councilwoman Stroebel absent.)

D. APPROVED TENTATIVE BUDGET OF 06-07 IN THE AMOUNT OF \$17,800,000.

Moved by Councilman Lang, seconded by Councilman Dowdy to adopt tentative 06-07 budget in the amount of \$17,800,000. Motion carried 3-0-1 (Councilwoman Stroebel absent.)

10. **REPORTS:**

P & Z - CODE ENFORCEMENT REPORT / INT. DIRECTOR DIANA SANDERS –

Diana Sanders reported that she one property owner outside the City is looking at possible annexation. Once annexed, the property owner would request a lot split. The split would allow up to three lots and they would be proposing three septic systems on those lots until sewer is available. She wanted to run this proposed request by Council to see if they would support three septic systems being placed on 1.9 acres.

Mayor Obray asked if they could get approved by the Health Department and County.

Mrs. Sanders replied that the owner has said that she has spoken to Central District Health and they would approve the three septic. Mrs. Sanders stated that she would want verification in writing from Central District Health and the County's approval. Typically, they want an acre of land per septic system. Mrs. Sanders further clarified that within the annexation application, Central District Health's approval of the three septic on 1.9 acres would be included as part of the development agreement along with the agreement that they would hook into the City's sewer system as soon as that was available to them.

Mrs. Sanders reported that she had had a discussion with the Wild Meadows Homeowners Association President and one of its members about what they would like to see on the north property line for the 60-foot piece of land between the subdivision and the industrial park dedicated to the City for a future road, which would have been Sunbeam Road. The Quit Claim deed will be recorded next week. The homeowner's association would like the City to pipe the drainage area on that property and install grass. The Association is not proposing any financing of the project, only some possible man hours to plant the grass. They are concerned with an open drainage ditch going through that area; it is a safety issue for their children. Further, they wanted the light industrial developer to pay for sidewalks, a six-foot privacy fence and a 5-foot landscape strip with trees planted. As the industrial lots are built on, they will put up a privacy fence. The City's ordinance does not require the light industrial developer to put in sidewalks. The homeowners association could ask the developer if he would be willing to put them in.

In response to Mayor Obray's question regarding other subdivisions in the City with live drainage areas next to them, Mrs. Sanders responded yes.

Further, Mrs. Sanders reported that the BMX Park has requested that two street lights be put in that area. The property is being leased by the City from the railroad. The skate park also requested a street light in that spot. Council was not in favor of the previous request from the skate park. If Council chooses not to act on either request, they curfew ordinance will need to be changed to dusk instead of putting lights in those areas.

P & Z staff received a request to change the ordinance of the Highway 69 overlay. The City's ordinance requires a 150-foot setback from the right-of-way, but IDT does not require a setback. When the ordinance was drafted, IDT required a setback at that time. Council and the Transportation Task Force may want to look at the setback requirements and see if they are still valid for the present and future growth of the highway.

Mayor Obray asked for findings from the Transportation Task Force and Planning and Zoning on the 150-foot setback. The 150-foot setback might have included the possible

frontage road so that direct access was denied. If it is taken care of in another manner, then maybe the 150-foot is not important.

CITY ENGINEER / KEVEN SHREEVE – No report given.

CITY ATTORNEY / RANDY GROVE – Mr. Grove stated that he had an opportunity to speak with a representative of a proposed developer along Highway 69 today and they relayed their concerns over the 150 foot setback. The adoption of the ordinance was before Mr. Grove became City Attorney and he did not know the purpose of the frontage setback. He understood the intent was to limit the number of access points onto the highway thereby trying to keep traffic moving on the highway or maybe for frontage roads.

Mr. Grove reported that all of the annexations for the LID are complete. He anticipated that a proposed Resolution of Intent would be included on the August 1, 2006 City Council Agenda.

Mr. Grove announced that there will be a need to hold an executive session for an update on litigation.

CITY CLERK / LYNDA BURGESS – No report given.

## **11. APPROVED FINDINGS OF FACTS & CONCLUSIONS OF LAW:**

### **06-01-LS/LOT SPLIT/PARK AVENUE**

Mrs. Sanders reported that Council just approved that lot split and Planning and Zoning would make the adjustment to the Findings of Fact and Conclusions of Law removing the curb and gutter requirement.

Moved by Councilman Lang, seconded by Councilman Dowdy to approve Findings of Fact and Conclusions of Law for 06-01-LS/Lot Split/Park Avenue removing curb and gutter requirements on Page 5, No. 2. Motion carried 3-0-1 (Councilwoman Stroebel absent).

**12. MAYOR / COUNCIL DISCUSSION:**

Councilman Dowdy stated that, based upon the latest proposal submitted by Mr. Shreeve for City Engineer services, he felt the City should advertise for a new, full-time City Engineer. Mr. Shreeve has removed one of the items that he was requesting funds on but has increased the cost of every other proposed item in his projected costs to where the total is \$259,000 in compensation for his services for fiscal year 2006-07. He did not feel that that Mr. Shreeve is viable candidate for City Engineer and he did not believe that Mr. Shreeve is interested in giving the City of Kuna his full attention and effort.

Councilman Dowdy instructed staff to advertise for a new, full-time engineer position. Following discussion, advertising for the position of City Engineer was tabled until the August 1, 2006 meeting.

**13. ANNOUNCEMENTS:**

**RECESS:** Mayor Obray recessed the meeting at 9:05 p.m.

**RECONVENE:** Mayor Obray reconvened the meeting at 9:10 p.m.

**14. EXECUTIVE SESSION:**

Moved by Councilman Dowdy, seconded by Councilman Lang to adjourn to Executive Session per Idaho Code 67-2345f regarding potential litigation. Motion carried 3-0-1 (Councilwoman Stroebel absent). Adjourned to Executive Session at 9:10 p.m.

Reconvened Regular Council Meeting at 9:20 p.m.

**15. ADJOURNMENT**

There being no further business to conduct, moved by Councilman Dowdy, seconded by Councilman Lang to adjourn the meeting at 9:20 p.m. Motion carried 3-0-1 (Councilwoman Stroebel absent).

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O. Dean Obray, Mayor

ATTEST:

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Lynda Burgess, City Clerk

DATE APPROVED: August 15, 2006