

**CITY OF KUNA
SPECIAL CITY COUNCIL MEETING
MINUTES**

AUGUST 21, 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.

Mayor Dean Obray called the Special City Council Meeting for discussion of the City Farm Contract at 4:15 p.m.

Present: Mayor Dean Obray, Council President Jeff Lang, Council Members Scott Dowdy, Richard Cardoza, and Councilwoman Stroebel, City Attorney Randy Grove; City Engineer Keven Shreeve, Interim Planning & Zoning Director Diana Sanders, and Planner 1 Molly Smith.

Moved by Councilman Lang, seconded by Councilman Dowdy to add Swan Falls Development, LLC Letter of Intent to the agenda as Item #2. Motion carried 4-0.

Jeff Bues stated he would like to purchase a tractor for continuing farming the City Farm, however, he wanted to make sure that farming would still be feasible for the next 2 years with the upcoming plan for moving the sewer treatment plant and construction of a recreational area.

Mr. Carley asked the status of the Thornton property verbal agreement to displace the water from the sewer treatment plan to Thornton's property.

Keven Shreeve stated he was not sure of the status. The Thornton's are waiting for the results of the bond election before drafting a contract.

Keven Shreeve said that he met with Mr. Steinbacher and Mr. Sullivan/BLM to discuss the letter from BLM for the city land.

Mayor Obray requested a time table for possible construction on the recreation City Farm area. Mr. Carley stated that dirt could be moved as early as the spring of 2008, with completion in 2009 for the golf course.

There was discussion about crop growth and cut off times for crops harvestings.

Mr. Bues requested \$35.00 a ton for the 2007-2008 crop yield to allow for compensation for the possible losses in 2008. He estimates 4 cuttings of the alfalfa through September 2007.

Mr. Carley recommended that in case construction is delayed that Mr. Bues' contract with the City of Kuna in regards to the west farm be reinstated for the 2008 crops.

Moved by Councilman Lang, seconded by Councilman Dowdy to approve \$35.00 a ton for crop yields for the east and west fields for the year 2007, and the east field negotiable for 2008, and negotiate the west field depending on construction plans.

Motion carried by the following Roll Call vote:

AYES: Lang, Dowdy, Strobel, Cardoza
NOES: None

Mayor Obray said that Mr. Carley would like a Letter of Intent to initially market the proposal and the City of Kuna should have one for clarity to move forward on the project. A formal contract will be made available in the future for specific details and requirements.

Mr. Carley asked if he was allowed to hire Keller & Associates \$10,000 - \$15,000 of his own finances to move forward with the Overpass project.

Diana Sanders stated that the City of Kuna budget for year 2007 has funds of \$30,000 committed to ACHD for an overpass study, with the understanding that ACHD would not bill the City of Kuna until after the new budget year.

Mayor Obray stated that Keller & Associates have not been given authority to move forward on the project by the City of Kuna.

Councilman Cardoza questioned what entity would be contracting to work on the project, and where funding would be coming from.

Mr. Grove said that land that was owned by the City of Kuna has will transferred to Swan Falls Development, LLC and that will be part of the security of the development at the time a contract is written. Specific stipulations will be stated at the time a contract is instituted.

There was discussion on lien responsibility if developer of the project failed.

Mayor Obray said that the letter from the bank for Mr. Carley is adequate for moving forward until the contract is official. The letter requested by Mr. Carley is for intent only.

Moved by Councilman Dowdy to approve the Swan Falls Development LLC as negotiated and as amended, seconded by Councilman Lang.

Motion carried by the following Roll Call vote:

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

Mr. Grove said that the City of Kuna would need to adopt an ordinance and publish it 30 days in advance before a Bond can be put on the election ballot. This would need to be completed by the 2nd meeting of September.

Mayor Obray requested a motion to go into Executive Session.

Moved by Councilman Lang to go into Executive Session, seconded by Councilman Dowdy. Motion passed 4-0 at 5:20 p.m.

Meeting was reconvened at 5:45 p.m.

Mayor Obray said that Keller & Associates recommended that the City of Kuna have a city engineer on staff instead of a contract engineer.

Randy Grove explained the difference between a contractor and an employee.

Moved by Councilman Dowdy to adjourn the meeting, seconded by Councilman Lang. Motion carried 4-0.

There being no further business to conduct, the meeting was adjourned at 5:55 p.m.

O. Dean Obray, Mayor

ATTEST:

Randal S. Grove, City Attorney

DATE APPROVED: September 5, 2006