

**CITY OF KUNA  
CITY COUNCIL MEETING  
MINUTES**

**JANUARY 16, 2007**

**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 Obray called the regular meeting to order at 7:04 p.m.

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

Also present were: City Attorney Randy Grove; Planning & Zoning Director Diana Sanders; City Clerk Lynda Burgess; City Treasurer Robin McKean; Public Works Director Jim Taylor and Justin Walker, Keller Associates.

**2. INVOCATION**

**3. PLEDGE OF ALLEGIANCE**

**SUGGESTED CHANGES TO THE AGENDA:**

Mayor Obray requested that the agenda be amended as follows: Amend Item 4.C. under Consent Agenda to approve Pay Request No. 2 For Don Young Construction in the Amount Of \$48,713.15 and add Item 7.D. under Old Business – Agreement with developers of Osprey Ridge Subdivision to pay \$158,000 for redesign of the Wastewater Treatment Plant and Sewer System to increase capacity by 30%. Moved by Council President Lang, seconded by Councilman Dowdy to amend the agenda as recommended. Motion carried 4-0.

**4. CONSENT AGENDA:** Moved by Council President Lang, seconded by Councilwoman Stroebel to approve the Consent Agenda. Motion carried 4-0.

**A. APPROVED MINUTES:**

1. SPECIAL MEETING OF NOVEMBER 28, 2006.
2. SPECIAL MEETING OF NOVEMBER 29, 2006.
3. SPECIAL MEETING OF DECEMBER 12, 2006.
4. REGULAR MEETING OF DECEMBER 19, 2006.
5. SPECIAL MEETING OF DECEMBER 28, 2006.
6. REGULAR MEETING OF JANUARY 2, 2007.

B. APPROVED ACCOUNTS PAYABLE DATED JANUARY 11, 2007 IN THE TOTAL AMOUNT OF \$196,358.23.

C. APPROVED PAY REQUEST NO. 2 FOR DON YOUNG CONSTRUCTION & SUPPLY, INC. IN THE AMOUNT OF \$52,361.95 FOR CONSTRUCTION OF THE BERNIE FISHER BATHROOM FACILITIES.

5. **SHERIFF MONTHLY REPORT** – Sergeant Laraway stated that his report was not yet ready and announced that he would be leaving the City of Kuna as its Police Chief.

6. **ADA COUNTY HIGHWAY DISTRICT REPORT** – Errol Morgan stated that he had no report to give.

Mayor Obray asked if the Highway District Commissioners would consider selling the building on Shortline to the City.

Mr. Morgan responded that he would look into the matter.

7. **OLD BUSINESS:**

A. APPROVE GROUND LEASE FOR PROPERTY ON SOUTHWEST CORNER OF LINDER AND DEER FLAT TO THE BOYS AND GIRLS CLUB OF ADA COUNTY, INC. FOR NOT LESS THAN 50 YEARS AT \$1 PER YEAR (Continued from January 2, 2007).

- DISCUSS POTENTIAL ALTERNATIVE SITE FOR LOCATION OF THE BOYS AND GIRLS CLUB OF ADA COUNTY, INC.

Moved by Councilman Dowdy, seconded by Council President Lang to remove the lease from the Agenda until further information is received from the Boys and Girls Club. Motion carried 4-0.

B. APPROVE ONE-YEAR TIME EXTENSION FOR THE FOSSIL CREEK SUBDIVISION PRELIMINARY PLAT AS REQUESTED BY DYVER DEVELOPMENT, LLC AND LANDPRO DEVELOPMENT, LLC (Continued from January 2, 2007).

Moved by Councilman Dowdy, seconded by Council President Lang to table this issue to the February 6, 2007 Council meeting and directed staff to invite the developer to explain his request for the extension. Motion carried 4-0.

C. APPROVE REIMBURSEMENT IN THE AMOUNT OF \$45,928.61 REQUESTED BY PAUL BECKMAN, P & F DEVELOPMENT, LLC, FOR INSTALLATION OF OVERSIZED PRESSURE IRRIGATION PIPE FOR THE MINERAL SPRINGS SUBDIVISION AS REQUESTED BY THE CITY ENGINEER (Continued from January 2, 2007).

Moved by Councilman Cardoza, seconded by Council President Lang to approve the reimbursement. Motion carried 4-0.

- D. APPROVE OSPREY RIDGE SUBDIVISION AGREEMENT IN THE AMOUNT OF \$158,000 FOR REDESIGN OF THE WASTEWATER TREATMENT PLANT AND SEWER SYSTEM TO INCREASE CAPACITY BY 30%.

Moved by Council President Lang, seconded by Councilman Dowdy to approve the agreement. Motion carried 3-1 (Councilman Cardoza voted no).

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

CONSIDER REQUEST BY RENEE DICKINSON, JOHN L. SCOTT REAL ESTATE, TO PLACE A DIRECTION SIGN FOR THE CRIMSON POINT NEW HOME COMMUNITY AT THE SOUTHWEST CORNER OF DEER FLAT AND LINDER ROADS.

Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to deny the request for placement of a sign on public property. Motion carried 4-0.

**9. LICENSES AND PERMITS:**

- A. APPROVE BUSINESS LICENSE FOR JEREMY & JASMIN NIXON, "CUTTING EDGE T-SHIRTS & GRAPHICS," 287 SHORTLINE RD., UNIT 101.

Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to approve the Business License for Cutting Edge T-Shirts & Graphics. Motion carried 4-0.

- B. APPROVE BUSINESS LICENSE FOR STEVE SATTERLEE AND KAMI SATTERLEE, "TIP TAP TOES DANCE," 1532 W. RYEGRASS CT.

Moved by Councilman Dowdy, seconded by Council President Lang to table the matter until February 6, 2007 and directed staff to invite the applicants to attend the meeting. Motion carried 4-0.

**10. NEW BUSINESS:**

- A. APPROVE RENEWAL OF TEMPORARY BUSINESS – 06-05-TB/FARMERS AND MERCHANTS BANK, 840 E. AVALON.

Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to approve renewal of the Temporary Business through October 5, 2007. Motion carried 4-0.

- B. ADOPT RESOLUTION NO. R1-2007 ADOPTING THE COMPREHENSIVE PLAN MAP AMENDMENTS.

Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to adopt Resolution No. R1-2007. Motion carried 4-0.

C. APPROVE AGREEMENT FOR PURCHASE AND SALE WITH UNITED WATER IDAHO, INC. FOR THE DANSKIN WELL.

Moved by Councilman Dowdy, seconded by Council President Lang to approve the agreement contingent upon final review and approval of the exhibit and amendment.  
Motion carried 4-0.

**11. PUBLIC HEARINGS:** None.

**12. REPORTS:**

P & Z DIRECTOR/DIANA SANDERS – Ms. Sanders reported that staff is working on a Design Review Ordinance with the Planning and Zoning Commission for submission to the City Council within the next month or two.

Ms. Sanders further reported that the City has been approached by approximately 14 property owners interested in the possible formation of a second Local Improvement District. She asked for City Council direction on whether to proceed with this issue.

Councilman Cardoza asked whether property owners in the first LID could sell their stake in the wastewater treatment plant.

Mr. Grove responded that, as he understood the laws regarding LIDs, property owners cannot exchange land inside the LID for land outside of the LID and cannot transfer assessments from one piece of property to another. If, however, a property owner with, for example, 100 acres and 300 guaranteed connections in the treatment plant and construction of the plant is imminent (or after the plant is constructed), changes his plan and is not interested in developing right away but still has the assessment payment due, a mechanism via an administrative overlay on the district would allow someone else to payoff the assessment and acquire the connections in the plant. The city has always intended to provide for the overlay. The property owner does not have a right to sell his connections but the City could allow it under the overlay plan.

CODE ENFORCEMENT REPORT/ DIANA SANDERS

CITY ENGINEER/KELLER ASSOCIATES – No report.

CITY ATTORNEY / RANDY GROVE – Mr. Grove announced that he would need to meet with the Council in Executive Session.

CITY TREASURER/ROBIN McKEAN – No. report.

CITY CLERK / LYNDA BURGESS – Ms. Burgess reported that staff was still waiting for additional information from one of the proposers for preparation of an employee Classification and Compensation System/Policy Handbook. It is anticipated that Council would be requested to approve a contract at its February 6, 2007 meeting.

**13. ORDINANCES:**

**14. MAYOR / COUNCIL DISCUSSION:**

**15. ANNOUNCEMENTS:**

- 16. EXECUTIVE SESSION:** Moved by Councilman Dowdy, seconded by Council President Lang to adjourn to Executive Session in accordance with Idaho Code 672345 (f) regarding litigation at 9:20 p.m. Motion carried 4-0.

Moved by Councilman Dowdy, seconded by Council President Lang to adjourn Executive Session at 9:46 p.m. Motion carried 4-0.

- 17. ADJOURNMENT:** There being no further business to discuss, Councilman Dowdy moved, seconded by Council President Lang to adjourn the meeting at 9:46 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: FEBRUARY 6, 2007