

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.

**CITY OF KUNA
CITY COUNCIL MEETING**

MINUTES

APRIL 17, 2007

KUNA CITY HALL COUNCIL CHAMBER, 763 W. AVALON

6:30 p.m. – PRE-COUNCIL MEETING

Mayor Dean Obray called the Pre-Council Meeting to order at 6:30 p.m.

Present: Mayor 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 and City Treasurer Robin McKean.

DISCUSSION WITH KELLER ASSOCIATES REGARDING ENGINEERING CONSTRUCTION MANAGEMENT FEE & DESIGN OF THE WWTP ONSITE LIFT STATION.

Mayor Obray announced that the discussion with Keller Associates would not take place.

Mayor Obray then announced that he would be resigning his post as Mayor effective May 1, 2007 for personal reasons.

Mayor Obray adjourned the Pre-Council Meeting at 6:20 p.m.

7:00 p.m. - REGULAR COUNCIL MEETING

1. CALL TO ORDER AND ROLL CALL

Mayor Dean Obray called the City Council Meeting to order at 7:05 p.m.

Present: Mayor 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 and City Treasurer Robin McKean.

2. INVOCATION: The Invocation was given by Pastor Jody Felton, Kuna United Methodist Church

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

Moved by Council President Lang, seconded by Councilman Dowdy to add to the agenda: Consent Agenda, item no. 4 j –approve license for sale of liquor by the drink – Redeye Bar and Grill, 414 Main St; Citizen Request, item no. 8 c – request by Sheri Russell for reimbursement for Easter Egg Hunt; New Business, item no. 10 c – approve change of usage of budgeted amount of \$13,426.80 for the Kuna Unified School District from “seed money toward a community college” to “maintenance of KUSD fields as a result of public use.” Motion carried 4-0.

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

- A. APPROVED MINUTES – REGULAR MEETING OF APRIL 3, 2007.
- B. APPROVED ACCOUNTS PAYABLE DATED APRIL 12, 2007 IN THE AMOUNT OF \$136,592.56.
- C. APPROVED LICENSE FOR SALE OF LIQUOR BY THE DRINK – CREEKSIDE KUNA, INC., 751 W. 4TH ST.
- D. APPROVED LICENSE FOR SALE OF LIQUOR BY THE DRINK – LONGHORN LOUNGE, 458 W. MAIN ST.
- E. APPROVED LICENSE FOR SALE OF LIQUOR BY THE DRINK – 4 E’S BAR, 379 MAIN ST.
- F. APPROVED LICENSE FOR SALE OF OFF-PREMISE BEER AND WINE – JACKSON’S FOOD STORES #26, 330 W. 3RD.
- G. APPROVED LICENSE FOR SALE OF ON-PREMISE BEER AND WINE – IDAHO PIZZA CO., 331 AVENUE E.
- H. APPROVED LICENSE FOR SALE OF ON- AND OFF-PREMISE WINE – SILVER TRAIL WINERY, 347 AVENUE E.
- I. APPROVED FINDINGS OF FACT AND CONCLUSIONS OF LAW – 06-12-DA/06-15-S/06-13-ZC/FALCO CATENA/SWAN FALLS RD.
- J. APPROVED LICENSE FOR SALE OF LIQUOR BY THE DRINK – REDEYE BAR AND GRILL, 414 MAIN ST.

5. KUNA CITY POLICE MONTHLY CRIME REPORT

Sgt. Kody Aldrich reported that, during the month of March, calls for service increased from 182 in 2006 to 216 this year. Officer-initiated calls went from 308 to 329 with an 18.1%

increase in pro-active calls. Violent crime saw a 16.7% increase from last year, property crime increased 20.4% and drug-related crimes were down 71.8%.

He stated that he was working with the Kuna Melba News to include educational articles on crime prevention.

6. ADA COUNTY HIGHWAY DISTRICT REPORT

Errol Morgan reported that the Highway District is considering the City's request to trade its property on Swan Falls Rd., currently used by the City to store maintenance equipment, in order to provide a fire station south of the railroad tracks.

7. OLD BUSINESS:

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.

Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to continue the matter until the ACHD has reviewed potential engineering changes. Motion carried 4-0.

8. CITIZEN'S REPORTS OR REQUESTS:

A. PRESENTED CERTIFICATE OF APPRECIATION TO GARY O'DELL FOR HIS SERVICE ON THE PLANNING AND ZONING COMMISSION.

B. APPROVED REQUEST BY J & M SANITATION FOR MATCH OF DONATION FOR THE ANNUAL CLEAN-UP PROGRAM.

Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to approve a donation in the amount of \$150 for the Annual Clean-up Program. Motion carried 4-0.

C. APPROVED REQUEST BY SHERI RUSSELL FOR REIMBURSEMENT FOR THE ANNUAL EASTER EGG HUNT.

Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to approve reimbursement to Sheri Russell in the amount of \$2,000 for the Annual Easter Egg Hunt. Motion carried 4-0.

D. APPROVED REQUEST BY JOSEPH LUPPENS TO SPEND \$100 OF JUVENILE JUSTICE FUNDS FOR PAYMENT OF DUES.

Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to approve expenditure by the Juvenile Justice Program in the amount of \$100 for membership dues. Motion carried 4-0.

9. LICENSES AND PERMITS:

- A. APPROVED BUSINESS LICENSE FOR RICHARD CARDOZA, "MULTI-COM INSURANCE AGENCIES, INC.," 462 MAIN ST.

Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to approve the Business License for "Multi-Com Insurance Agencies, Inc." Motion carried 3-0-1 (Councilman Cardoza abstained).

- B. APPROVED BUSINESS LICENSE FOR SARAH LAHREN, "LAHREN BY DESIGN BRACELETS," 1361 W. SACRAMENTO ST.

Moved by Councilman Dowdy, seconded by Council President Lang to approve the Business License for "Lahren by Design Bracelets." Motion carried 4-0.

- C. APPROVED NON-COMMERCIAL KENNEL LICENSE APPLICATION – JEFF AND TAMMY BATEMAN, 1327 W. SACRAMENTO.

Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to approve the Non-Commercial Kennel License for Jeff and Tammy Bateman. Motion carried 4-0.

- D. DENIED NON-COMMERCIAL KENNEL LICENSE APPLICATION – DANNY AND JULIE AGEE, 712 MENDI ST.

Sandra Newman, 638 Mendi, complained about stray cats and dogs consistently barking.

Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to deny the Non-Commercial Kennel License for Danny and Julie Agee. Motion carried 4-0.

10. NEW BUSINESS:

- A. APPROVED NOTICE TO PROCEED AND CONTRACT WITH TITAN TECHNOLOGIES, INC. FOR THE TEN MILE LIFT STATION 16-INCH FORCE MAIN PROJECT CONTINGENT UPON RECEIPT FROM THE CONTRACTOR OF THE NECESSARY BONDING, INSURANCE AND TAX FORMS.

- B. APPROVE NOTICE TO PROCEED AND CONTRACT WITH TERRA-WEST, INC. FOR THE TEN MILE WATER LINE PROJECT CONTINGENT UPON RECEIPT FROM THE CONTRACTOR OF THE NECESSARY BONDING, INSURANCE AND TAX FORMS.

Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to approve New Business Items A and B. Motion carried 4-0.

- C. APPROVE CHANGE OF USAGE OF BUDGETED AMOUNT OF \$13,426.80 FOR THE KUNA UNIFIED SCHOOL DISTRICT FROM "SEED MONEY TOWARD A

COMMUNITY COLLEGE” TO “MAINTENANCE OF KUSD FIELDS AS A RESULT OF PUBLIC USE.”

Moved by Councilman Dowdy, seconded by Council President Lang to approve usage of \$13,426.80 by KUSD for maintenance of fields as a result of public use. Motion carried 4-0.

11. REPORTS:

P & Z DIRECTOR / DIANA SANDERS – Director Sanders reported that the Meridian P & Z Commission will meet on April 19th to discuss the proposal for the Comprehensive Plan Map Amendment for the southern portion of Meridian and indicated that she would be in attendance. Further, she reported that she met with the Kuna School Board last week to bring them up to date as to the preliminary plats coming to the City so they can prepare for the new development.

A document is anticipated to be received from the ACHD regarding the standards for an expressway on Kuna Mora Rd. She believed that they are proposing 140’ of right-of-way with two lanes in each direction and eventual expansion to six lanes each direction.

Regarding the billboard installed near Fiesta Guadalajara, she reported that the sign conforms to the City’s ordinance. Since the City has received many complaints about the sign, she proposed that the City impose a moratorium on any signs for three to three and a half months while sign ordinance amendments are being developed.

CODE ENFORCEMENT REPORT / DIANA SANDERS – No report.

CITY ENGINEER / KELLER ASSOCIATES – No report.

CITY ATTORNEY / RANDY GROVE – Conducting research regarding moratoriums.

CITY TREASURER / ROBIN McKEAN – No report.

CITY CLERK / LYNDA BURGESS – Regarding auction of surplus City property, City Clerk Burgess reported that the City received a total of \$222.05 for sale of the jail cell, the 3-wheel RTV, the GMC S15 pickup truck, the merry-go-round, the 6’ chain link fence, the children’s slides and the dishwasher. An offer will be made to the Middleton High School for the computers, printers, scanner and computer parts to replace materials lost in the fire.

She further reported that the draft job descriptions had been received from the City’s consultant and were currently being reviewed by staff. The first phase of the project should be completed within the next couple of weeks with acceptance by the City Council anticipated to take place in May. Staff will then begin to work with the consultant on updating the Personnel Policies and the Compensation Plan.

12. ORDINANCES:

- A. DISPENSE WITH FULL READING AND 3 CONSECUTIVE READINGS –
ORDINANCE NO. 2007-18: AN ORDINANCE OF THE CITY OF KUNA, IDAHO,
REZONING CERTAIN LANDS IN THE CITY OF KUNA, ADA COUNTY, IDAHO,
NOW KNOWN AS FALCO CATENA SUBDIVISION, PARCEL NUMBERS
S1336241000, S1336325400 AND S133623650, S. SWAN FALLS ROAD FROM
AGRICULTURAL TO R-4, MEDIUM DENSITY RESIDENTIAL DISTRICT;
AMENDING THE ZONING MAP OF THE CITY OF KUNA TO REFLECT SUCH
CHANGE; AND PROVIDING AN EFFECTIVE DATE.

Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to dispense with full reading and three consecutive readings of Ordinance No. 2007-18. Motion carried 4-0.

Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to adopt Ordinance No. 2007-18. Motion carried by the following Roll Call vote:

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

- B. DISPENSE WITH FULL READING AND 3 CONSECUTIVE READINGS –
ORDINANCE NO. 2007-19: ANNEXING A PORTION FROM BOISE KUNA
IRRIGATION DISTRICT INTO THE MUNICIPAL IRRIGATION SYSTEM AND
CHANGING THE BOUNDARIES THEREOF; DIRECTING THAT COPIES OF THIS
ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN
EFFECTIVE DATE – SILVERTIP SUBDIVISION.

Moved by Council President Lang, seconded by Councilman Dowdy to dispense with full reading and three consecutive readings of Ordinance No. 2007-19. Motion carried 4-0.

Moved by Council President Lang, seconded by Councilman Dowdy to adopt Ordinance No. 2007-19. Motion carried by the following Roll Call vote:

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

- C. DISPENSE WITH FULL READING AND 3 CONSECUTIVE READINGS –
ORDINANCE NO. 2007-20: AN ORDINANCE OF THE CITY OF KUNA, IDAHO,
ANNEXING A PORTION FROM BOISE KUNA IRRIGATION DISTRICT INTO
THE MUNICIPAL IRRIGATION SYSTEM AND CHANGING THE BOUNDARIES
THEREOF; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED

AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE – ARROYO INDIO SUBDIVISION.

Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to dispense with full reading and three consecutive readings of Ordinance No. 2007-20. Motion carried 4-0.

Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to adopt Ordinance No. 2007-20. Motion carried by the following Roll Call vote:

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

13. MAYOR / COUNCIL DISCUSSION:

14. ANNOUNCEMENTS:

- ▶ Mayor's State of the City Address – Postponed to June 2007.

Mayor Obray reported that Mr. Doan and Mr. Jewett reached a compromise earlier today regarding the Doan property at the north boundary of Crimson Point about drainage going through that property.

15. EXECUTIVE SESSION: Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to adjourn to Executive Session pursuant to IC 672345.a, Personnel and 672345.c regarding property acquisition at 8:45 p.m. Motion carried by the following Roll Call vote:

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

Moved by Councilman Dowdy, seconded by Council President Lang to adjourn Executive Session at 9:34 p.m. Motion carried 4-0.

16. APPOINTMENT OF INTERIM MAYOR TO COMPLETE THE TERM VACATED BY O. DEAN OBRA.

Council President Lang nominated Councilman Dowdy to act as Interim Mayor. Motion failed due to lack of a second.

Councilman Cardoza nominated Council President Lang to act as Interim Mayor. Motion failed due to lack of a second.

It was agreed that Special City Council meeting would be held on Tuesday, April 24, 2007 at 8:30 a.m. for further consideration of the appointment of an Interim Mayor.

17. APPOINTMENT OF CITY ENGINEER

Mayor Obray nominated Steve Hannula as City Engineer.

Following discussion, Mayor Obray withdrew his nomination of Steve Hannula as City Engineer.

Discussion of appointment of City Engineer will be added to the Special Meeting agenda for Tuesday, April 24, 2007.

18. ADJOURNMENT: Moved by Councilman Dowdy, seconded by Councilwoman Stroebel to adjourn the meeting at 9:45 p.m. Motion carried 4-0.

JEFFERY T. LANG,
COUNCIL PRESIDENT

ATTEST:

LYNDA BURGESS, CITY CLERK

DATE APPROVED: May 1, 2007