

**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**

**JUNE 5, 2007**

**KUNA CITY HALL COUNCIL CHAMBER, 763 W. AVALON**

**6:00 p.m. - PRE-COUNCIL MEETING**

DISCUSSIONS REGARDING SEPTIC TANKS ON PROPERTIES INSIDE CITY LIMITS AND PROVISION OF SEWER, WATER AND PRESSURIZED IRRIGATION TO PROPERTIES OUTSIDE CITY LIMITS.

Keven Shreeve, 2655 E. Meadowview, reported that he was interesting in building a home on his parcel within City limits but current Ordinances prohibit septic tanks anywhere in the City. He felt that this was not reasonable as other parcels recently annexed into the City would require septic tanks as well; therefore, those properties could not be developed. He understood that the County allows septics on five-acre parcels and requested that the City consider a similar policy.

City Attorney Grove reported that he had contacted surrounding cities to obtain policies and learned that Meridian does not allow septics and appear to be working toward supplying water and sewer outside city limits. The City of Boise supplies sewer outside their limits but the water is supplied by United Water separately. The City of Caldwell does allow septics within its city limits on occasion and outside city limits to provide services within its area of impact so that there is consistency in systems used. The City of Nampa has policies similar to Caldwell with extensive annexation agreements requiring annexation when the parcels become contiguous to the City. The City of Rathdrum allows no septics whatsoever since the city sits on a protected aquifer. DEQ requires nutrient pathogen tests for central septics serving more than one building and in a nitrate watch area such as Kuna. Regarding pressurized irrigation, state statute seems to prohibit cities from operating irrigation systems beyond their municipal boundaries. Cities are not prohibited from providing water and sewer services outside their boundaries.

Following discussion, CA/Grove recommended that the Council consider prohibiting septic systems in a development that will be platted. Under City Code, a lot can be split into three separate parcels without a subdivision plat which would allow for parcels such as Mr. Shreeve's to be split once or twice at a maximum.

Council directed CA/Grove to draft an ordinance providing for septics in lot splits with 5-acre minimum parcels and a 3-year timeline for sewer availability.

There being no further business to conduct, moved by C/Cardoza, seconded by C/Lang to adjourn the Pre-Council meeting at 6:45 p.m. Motion carried 3-0.

**7:00 p.m. - REGULAR COUNCIL MEETING**

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

Mayor Dowdy called the meeting to order at 7:00 p.m.

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

Also present were: City Attorney Randy Grove, City Treasurer Robin McKean, Public Works Director Jim Taylor and Justin Walker, Keller Associates.

**2. INVOCATION:** The Invocation was given by Pastor Bruce Wheeler, New Beginnings Christian Church.

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

**4. CONSENT AGENDA:** Moved by C/Lang, seconded by C/Stroebel to approve the Consent Agenda with the exception of Item 4.B., Accounts Payable. Motion carried 3-0.

A. APPROVED MINUTES - REGULAR MEETING OF MAY 5, 2007.

C. APPROVED FINDINGS OF FACT AND CONCLUSIONS OF LAW – 06-14-S/06-10-DA/06-12/ZC/SERA SOL SUBDIVISION, 429 SWAN FALLS RD.

D. APPROVED FINAL PLAT FOR THE PLACERVILLE (AKA NICHOLSON) SUBDIVISION.

E. APPROVED NOTICE TO PROCEED AND AGREEMENT WITH LURRE CONSTRUCTION, INC. IN THE AMOUNT OF \$586,405 FOR THE PHASE 1 NORTH WASTEWATER TREATMENT PLANT EARTHWORK

F. APPROVED CONTRACT CHANGE ORDER NO. 1 WITH LURRE CONSTRUCTION, INC. TO CLARIFY THAT UNIT PRICE FOR DUST ABATEMENT WATER IS \$590 FOR THE FIRST 100 LOADS OF 100 GALS. AND \$59 FOR ALL LOADS OF 1000 GALS. AFTER THE FIRST 100 LOADS.

**REMOVED FROM CONSENT AGENDA:**

**4.B. APPROVED ACCOUNTS PAYABLE DATED MAY 10, 2007 IN THE AMOUNT OF \$140,265.23.**

Moved by C/Cardoza, seconded by C/Stroebel to remove payment for Invoice No. 63, HD Supply, \$30,653.17; Invoice No. 429, Keller Associates for \$27,580 and Invoice No. 512,

BHS Marketing in the amount of \$4,767.18, for a total of \$63,000.35 until negative balances in Accounts Payable is resolved. Motion carried 3-0.

**5. FIRE DISTRICT REPORT**

Chief Rosin reported that 84 fire and EMS calls were received during the month of May; 51 of which were within City limits. 59 calls were EMS related and 25 were fire.

**6. ADA COUNTY HIGHWAY DISTRICT REPORT**

Errol Morgan distributed copies of 2006 Annual ACHD Report. He stated that the Interim South Corridor Plan calls for 140 ft. right-of-way.

Mayor Dowdy confirmed that a meeting will be held on June 19<sup>th</sup> at 8 a.m. at the ACHD offices to provide input to the Urban Land Institute regarding ACHD operations and services to communities.

**7. OLD BUSINESS:**

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

**A. PRESENTATION BY ALLEN GAMEL REGARDING "KUNA DAYS."**

Mr. Gamel reported that Kuna Days will be held August 3<sup>rd</sup> through 7<sup>th</sup> with a fireworks display on Friday night, August 3<sup>rd</sup>. He stated that the City's donation last year was \$3,500 and again requested a donation of at least \$3,500.

Council agreed to continue the matter to the June 19, 2007 meeting so that staff can determine the amount remaining in the budget.

**B. PRESENTATION OF KUNA CLEAN-UP PRIZE AWARDS BY J & M SANITATION.**

Chad Gordon reported that the 20<sup>th</sup> Annual Kuna Clean-up event resulted in the collection of 10 40-yard roll-offs of trash, 5 40-yard roll-off containers of scrap metal, 1 40-yard roll-off container of refrigerators, 3 25-yard compaction trucks, 2 large boxes of hazardous wastes. He thanked the Mayor and Councilmembers, City of Kuna, Ada County, a number of local businesses and numerous volunteers for their assistance in accomplishing such a successful event. He presented checks to Cub Scout Pack 106 for cleaning the alley between Main and 4<sup>th</sup> St. from Route 69 Car Wash to El Gallo Giro; Boy Scout Troop 800 for cleaning up the area between Shortline and the railroad tracks from Swan Falls to Bridge St.; Girl Scout Troop 189 for cleaning up the vacant lot behind Paul's Market; Girl Scout Troup 376 who assisted Troop 189 and Falcon Ridge Charter School for cleaning up the park area in Sutter's Mill Subdivision.

**9. LICENSES AND PERMITS:**

- A. APPROVE BUSINESS LICENSE FOR CHRIS KURKO, "MATRIX WEBART," 728 W. WILLOW DALE WAY (Continued from May 15, 2007). Moved by C/Stroebel, seconded by C/Cardoza to approve. Motion carried 3-0.
- B. APPROVE NON-COMMERCIAL KENNEL LICENSE APPLICATION – DANIEL EMERSON, 2146 2. CASTRO (Continued from May 15, 2007). Moved by C/Lang, seconded by C/Stroebel to approve. Motion carried 3-0.
- C. APPROVE BUSINESS LICENSE FOR SHALA HAWORTH, "SHALA HAWORTH," 710 W. GINA DR. Moved by C/Stroebel, seconded by C/Lang to approve. Motion carried 3-0.
- D. APPROVE LICENSE FOR SALE OF ON-PREMISE BEER – PIZZA HUT #2163, 271 N. AVENUE D. Moved by C/Stroebel, seconded by C/Lang to approve. Motion carried 3-0.
- E. APPROVE LICENSE FOR SALE OF OFF-PREMISE BEER AND WINE – BIG SMOKE, LLC, 1029 E. KUNA RD., SUITE 150. Moved by C/Cardoza, seconded by C/Stroebel to approve. Motion carried 3-0.

**10. NEW BUSINESS:**

- A. APPROVE REIMBURSEMENT REQUEST BY GRIZZLY DEVELOPMENT IN THE AMOUNT OF \$16,698.33 FOR SILVERTIP SUBDIVISION. Moved by C/Lang, seconded by C/Stroebel to approve. Motion carried by the following Roll Call vote:

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

- B. DISCUSS ESTABLISHMENT OF A PRE-AUTHORIZED CHANGE ORDER ALLOWANCE FUND FOR THE NORTH WASTEWATER TREATMENT PLANT CONSTRUCTION (continued to June 19, 2007).

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

None.

**12. REPORTS:**

P & Z DIRECTOR – No report

CODE ENFORCEMENT REPORT – No report

CITY ENGINEER / KELLER ASSOCIATES – Justin Walker stated that he would have approximately 6 items to discuss with the Mayor later in the week.

CITY ATTORNEY / RANDY GROVE – Reported that the Reimbursement Policy Committee met on May 31<sup>st</sup> and the next meeting will be held on June 7<sup>th</sup> following the Mayor’s State of the City Address. He further stated that he was contacted by Steve Siddoway, a consultant on behalf of ACHD and a meeting will be held with him and the Kuna School District on June 7<sup>th</sup> regarding the bicycle pathway policy. Oral arguments will be heard on the Black Labrador case on June 6<sup>th</sup> at 11:00 a.m.

CITY TREASURER / ROBIN McKEAN – No report.

CITY CLERK / LYNDA BURGESS – No report.

**13. ORDINANCES:**

- A. DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS – ORDINANCE NO. 2007-22 ANNEXING A PORTION FROM BOISE-KUNA IRRIGATION DISTRICT INTO THE MUNICIPAL IRRIGATION SYSTEM AND CHANGING THE BOUNDARIES THEREOF.

Moved by C/Lang, seconded by C/Stroebel to dispense with full reading and three consecutive readings of Ordinance 2007-22. Motion carried 3-0

Moved by C/Lang, seconded by C/Stroebel to adopt Ordinance No. 2007-22: 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.

Motion carried by the following Roll Call vote:

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

- B. DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS – ORDINANCE NO. 2007-23 ESTABLISHING THE HOURS OF POLLING PLACES FOR CITY ELECTIONS, REPEALING CONFLICTING ORDINANCES AND PROVIDING AN EFFECTIVE DATE.

Moved by C/Lang, seconded by C/Stroebel to dispense with full reading and three consecutive readings of Ordinance 2007-23. Motion carried 3-0

Moved by C/Lang, seconded by C/Stroebel to adopt Ordinance No. 2007-22: AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ESTABLISHING THE HOURS OF POLLING PLACES FOR CITY ELECTIONS, REPEALING CONFLICTING ORDINANCES AND PROVIDING AN EFFECTIVE DATE. Motion carried by the following Roll Call vote:

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

**14. MAYOR / COUNCIL DISCUSSION:**

**15. ANNOUNCEMENTS:**

▶ Mayor's State of the City Address –June 7, 2007, 4-5:30 p.m., Kuna High School Commons

**16. ADJOURNMENT:** There being no further business to conduct, moved by C/Stroebel, seconded by C/Lang to adjourn the meeting at 8:25 p.m. Motion carried 3-0.

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J. SCOTT DOWDY, MAYOR

ATTEST:

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ROBIN McKEAN, CITY TREASURER

DATE APPROVED: JUNE 19, 2007