

**KUNA CITY COUNCIL MEETING
MINUTES
AUGUST 19, 2008
KUNA CITY HALL COUNCIL CHAMBER, 763 W. AVALON**

7:00 p.m. – REGULAR COUNCIL MEETING

1. CALL TO ORDER AND ROLL CALL

Mayor Scott Dowdy called the meeting to order at 7:07 p.m.

PRESENT: Mayor Dowdy, Council President Lang, Councilwoman Bachman, and Councilwoman Stroebel. Councilmember Cardoza was excused.

ALSO PRESENT: City Attorney Randy Grove, City Engineer Gordon Law, P&Z Director Steven Hasson, City Treasurer Robin McKean, Deputy City Clerk Chris Engels and Planner Tech Tracy Rushlow.

2. INVOCATION: The Invocation was given by Pastor Dale Foote, Cool Springs Community Church

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

Moved by C/Lang, seconded by C/Stroebel to remove Items 4.I and 4.J. from the Consent Agenda and move 4.I and 4.J. to 9C and 9B, Old Business; Amend 4.B. on the Consent Agenda and remove Item 8 from Old Business. Motion carried by the following Roll Call vote:

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

Moved by C/Lang, seconded by C/Stroebel to continue 10C to September 16, 2008. Motion carried 3-0-1 (C/Cardoza absent).

Moved by C/Lang, seconded by C/Stroebel to approve the Consent Agenda as amended. Motion carried 3-0-1 (C/Cardoza absent).

4. CONSENT AGENDA:

A. APPROVED MINUTES OF AUGUST 5, 2008.

B. APPROVED ACCOUNTS PAYABLE DATED AUGUST 14, 2008 IN THE AMOUNT OF \$257,641.80.

C. APPROVED BUSINESS LICENSE FOR JAMES SHRIMPLIN, "HAPPY VENDING," 607 S. STIBNITE.

- D. APPROVED BUSINESS LICENSE FOR CARLYN J. MARTIN, "MAX VOLUME ENTERTAINMENT," 1022 SLUICE WAY.
- E. APPROVED BUSINESS LICENSE FOR TONY GEARHART, "TONY GEARHART INSURANCE," 675 W. 4TH ST.
- F. APPROVED BUSINESS LICENSE FOR ANDREA CHAMPLIN AND JENNIFER HARTWAY, "BELLA FRATELLI GIFTS," 1268 EL CAMINO.
- G. APPROVED FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR RANDALL AND SHERRIE FEIST, 08-07-AN (ANNEXATION), 08-08-DA (DEVELOPMENT AGREEMENT) AND 08-05-SUP (SPECIAL USE PERMIT).
- H. APPROVED UTILITY EASEMENT AGREEMENT BETWEEN THE CITY AND DAVID AND BARBARA DOAN.

5. KUNA CITY POLICE DEPARTMENT MONTHLY REPORT

Police Chief Aldrich presented the year-to-date and the July report and reminded everyone that the report is on the ACSO website. Crime, including burglaries, is down from last year and response time has been reduced. Citations are up this year with help from the various grants received.

6. ADA COUNTY HIGHWAY DISTRICT REPORT:

No report given.

7. CITIZEN'S REPORTS OR REQUESTS:

- A. PRESENTATION BY SKIP HOSELEY, REPRESENTING THE KUNA LION'S CLUB, REGARDING THE CIRCUS HELD ON THE CITY PARKING LOT ON AVENUE B.

Skip Hoseley thanked the city and the police department on behalf of the Lions Club for all their help with the Circus. He thanked Mayor Dowdy for being the guest ringmaster. He also thanked the City Council for their support.

- B. PRESENTATION BY PAT ENGLE, SAGE, ID REGARDING GRANT PROGRAMS.

Pat Engle introduced herself and handed out an information packet. She explained the projects they have been involved with in Kuna. She spoke about downtown revitalization and explained local business financing options, job promotion, and public arts.

9. NEW BUSINESS:

- A. TRANSPORTATION PRIORITY LIST AND RESOLUTION.

City Engineer Law explained the priority list and stated that Item 5 had an error which was corrected from 2112 to 2012. He explained that item number 9, requesting a signal at Highway 69 and Columbia Rd. was added to the list.

C/Lang moved, seconded by C/Stroebel to table the Resolution until September 2, 2008. Motion carried 3-0-1 (C/Cardoza absent).

B. LOT SPLIT REQUEST FOR 820 W. BOISE ST.

C/Bachman recused herself since her employer, JUB, has been contracted by the property owner.

Director Hasson explained that the property is a health hazard. The owner has requested the lot split but it is not in compliance with City Code.

Mayor Dowdy asked if there was a formal request for a lot split.

Director Hasson explained that the Mayor and Council had received a copy of the letter on behalf of the owner from JUB. He also explained the zoning and where the split was being requested. He spoke about the house needing to be demolished because it is a health hazard and there have been complaints.

Daren Fluke, JUB Engineers, 250 S. Beechwood, Boise, represented the applicant. He stated the owner; Mr. Loper, doesn't agree with the city that the house is a health hazard. The owner would like to rehabilitate the dwelling. The owner has requested to demolish the building if approval for the lot split was allowed.

Mayor Dowdy asked why the owner believes the building can be rehabilitated.

Mr. Fluke didn't know. He also said that he didn't think that the Health Department entered the building.

Mayor Dowdy explained that Mr. Loper was contacted by the City Attorney and told that the property was considered by the City to be a health hazard.

C/Stroebel said that the ordinance should be followed and a lot split should not be allowed.

Moved by C/Stroebel, seconded by C/Lang to deny the lot split. Motion carried 2-1-1 (C/Bachman abstained (C/Cardoza absent).

C. SADIE CREEK SUBDIVISION NO. 1 – BOND AMOUNT FOR \$137,838.90

City Engineer Law explained that the circumstances of the subdivision are that there are sanitary restrictions in place by the State and the improvements of the subdivision have not been completed. He feels that the bond amount needs to be adjusted. He spoke about

the report of the bond amounts and suggested changes to be made. He requested Council give staff authority to reduce and adjust bond amounts. Set bond amount at \$263,232.00

Moved by C/Stroebel, seconded by C/Lang to approve the bond amount for Sadie Creek Subdivision #1 in the amount of \$263,232 and approving a variation allowance for it to be reduced if and when the city Engineer deems appropriate. Motion carried 3-0-1 (C/Cardoza absent).

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

A. PUBLIC HEARING: PORTER 08-11-AN (ANNEXATION), 08-13-DA, (DEVELOPMENT AGREEMENT) 08-05-ZC (REZONE)

Planner Tech Tracy Rushlow gave a report on the request. The applicant is requesting to annex 1.58 acres with a rezone to C-1. The project is located on Deerflat, east of Linder.

Applicant Rob Hoffman, 1835 S. Hobnobbin Lane, represents co-owners Wilma Hoffman and Karen Porter. He had an offer from a dentist that fell through and couldn't wait for the rezoning and annexing. He would still like to be part of the city and wanted to move forward with the zoning.

M/Dowdy opened the Public Hearing.

SUPPORT:

None

NEUTRAL:

None

OPPOSED:

None

There being no testimony offered, M/Dowdy closed the Public Hearing.

C/Lang moved, seconded by C/Stroebel to approve the Porter Property 08-11-AN, 08-13-DA, 08-05-ZC annexation with a zoning from R-1 to C-1. Motion carried 3-0-1 (C/Cardoza absent).

B. PUBLIC HEARING: TROY TODD; INDIAN CREEK SPORTS 07-12-ZC, REZONE, 07-15-DA, DEVELOPMENT AGREEMENT (Continued from 05/06/08).

Planner Tech Tracy Rushlow gave a report on the request. The applicant has requested to rezone the property from an R-6 to a C-2 to expand his business. The adjoining property is zoned C-2. She provided a description of the sidewalks and fencing.

Applicant Troy Todd, 1080 S. Sarah, indicated that he would like to be able to rezone. There will be parking available.

C/Lang asked about the fence and the view to the street.

Planner Tech Rushlow clarified that the setback for the fence was twenty feet.

M/Dowdy opened the Public Hearing.

SUPPORT:

None

NEUTRAL:

None

OPPOSED:

None

There being no testimony offered, M/Dowdy closed the Public Hearing.

C/Bachman asked if the applicant would go through design review.

Planner Tech Rushlow said that would happen after the zoning was approved.

C/Lang moved, seconded by C/Bachman to approve Troy Todd Indian Creek Sports rezone 07-12-ZC, 07-15-DA, for 975 W. Owyhee from R-6 Medium Residential to C-2 Business District and that applicant follow all staff recommendations and Planning and Zoning requirements. Motion carried 3-0-1 (C/Cardoza absent).

C. PUBLIC HEARING: REQUEST FOR RE-CONSIDERATION OF THE COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT BOUNDARIES (Continued to September 16, 2008).

D. PUBLIC HEARING: ADOPT BUDGET FOR FISCAL YEAR 2008-09 (Open Public Hearing and continue to the regular Council Meeting on September 2, 2008.)

Mayor Dowdy opened the Public Hearing and explained why it would be continued until September 2, 2008.

C/Lang moved, seconded by C/Stroebel to continue the Public Hearing for the budget until September 2, 2008. Motion carried 3-0-1 (C/Cardoza absent).

12. REPORTS:

CODE ENFORCEMENT REPORT / STEVE HASSON – explained that when there have been code complaints on weeds and signs, those notices are forwarded to the Council. He explained the process.

P & Z DIRECTOR / STEVE HASSON:

CITY ENGINEER / GORDON LAW – announced the employment of the new Map and Land Use Analyst employee, Mike Borzick. A new subdivision has been started named Crimson Point North. He presented an update on Sadie Creek 1 and stated that construction is proceeding. He discussed the reimbursement agreements reviews up to this point.

CITY ATTORNEY / RANDY GROVE - proposed a change of policy for the New York Irrigation District agreement.

CITY TREASURER / ROBIN McKEAN: No Report

DEPUTY CITY CLERK / CHRIS ENGELS: No Report

13. ORDINANCES:

A. DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS – ORDINANCE NO. 2008-24: AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, NOW KNOWN AS PARCEL S1302142020, WEST OF LINDER AND SOUTH OF LAKE HAZEL, SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO, AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, TO THE CITY OF KUNA, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Moved by C/Lang, seconded by C/Stroebel to dispense with full reading and three consecutive readings. Motion carried 3-0-1 (C/Cardoza absent).

Moved by C/Lang, seconded by C/Stroebel to adopt Ordinance 2008-24. Motion carried by the following Roll Call vote:

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

14. MAYOR /COUNCIL DISCUSSION: The Mayor discussed the design review subcommittee vacancy. He will meet with two potential candidates.

15. ANNOUNCEMENTS: None

16. EXECUTIVE SESSION:

Moved by C/Lang, seconded by C/Stroebel to adjourn to Executive Session at 8:17 p.m. per Idaho Code 67-2345(b). Motion carried by the following Roll Call vote:

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

ADJOURNED EXECUTIVE SESSION: Moved by C/Lang, seconded by C/Bachman to adjourn Executive Session at 8:27 p.m.

17. ADJOURNMENT: There being no further business to conduct, it was moved by C/Lang, seconded by C/Stroebel to adjourn the meeting at 8:37 p.m. Motion carried 3-0-1 (C/Cardoza absent).

J. SCOTT DOWDY, MAYOR

ATTEST:

CHRIS ENGELS, DEPUTY CITY CLERK

DATE APPROVED: SEPTEMBER 2, 2008