

**KUNA CITY COUNCIL MEETING
MINUTES
DECEMBER 2, 2008
KUNA CITY HALL COUNCIL CHAMBER, 763 W. AVALON**

7:00 p.m. – REGULAR COUNCIL MEETING

1. CALL TO ORDER AND ROLL CALL

Council President Lang called the meeting to order at 7:06 p.m.

PRESENT: Mayor Dowdy, Council President Lang, Council Members Bachman, Stroebel and Cardoza.

ALSO PRESENT: City Attorney Randy Grove, City Engineer Gordon Law, P&Z Director Steven Hasson, City Clerk Lynda Burgess, Planner II Troy Behunin and Planner Tech Maranda Schindel.

2. INVOCATION: Pastor Scott Piper, First Baptist Church

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

Moved by C/Lang, seconded by C/Stroebel to remove Item 4B from the Consent Agenda and add New Business Item REQUEST FOR RECONSIDERATION BY TOM NICHOLSON/BLACKS CREEK DEVELOPMENT 08-08-CZ. 08-18-DA/REZONE AND DEVELOPMENT AGREEMENT. Motion carried 4-0.

4. CONSENT AGENDA:

Moved by C/Lang, seconded by C/Stroebel to approve the Consent Agenda. Motion carried by the following Roll Call vote:

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

A. APPROVED ACCOUNTS PAYABLE DATED NOVEMBER 25, 2008 IN THE AMOUNT OF \$1,360,672.80.

~~B. APPROVE FINDINGS OF FACTS AND CONCLUSIONS OF LAW 08-08-ZC/08-18-DA, REZONE AND DEVELOPMENT AGREEMENT FOR BLACKS CREEK DEVELOPMENT.~~

C. APPROVED FINDINGS OF FACTS AND CONCLUSIONS OF LAW – GALIANO ESTATES SUBDIVISION - TO AMEND CONDITIONS OF APPROVAL DATED APRIL 4, 2006 RELATING TO SQUARE FOOTAGE OF HOMES.

D. APPROVED FINDINGS OF FACTS AND CONCLUSIONS OF LAW – 08-02-LS
WALGREENS LOT SPLIT.

E. APPROVED FINAL PLAT TIME EXTENSION 08-10-TE FOR GREYHAWK
SUBDIVISION PHASE 2.

5. FIRE DISTRICT MONTHLY REPORT:

Chief Rosin gave November and Decembers statistics combined. There were 203 fire and EMS calls--50 in the city and 53 in the district. 149 were medically-related and 54 fire-related. Testing has been completed to bring on new volunteers.

6. CITIZEN’S REPORTS OR REQUESTS:

7. OLD BUSINESS:

8. NEW BUSINESS:

REQUEST FOR RECONSIDERATION BY TOM NICHOLSON/BLACKS CREEK
DEVELOPMENT 08-08-CZ.08-18-DA/REZONE AND DEVELOPMENT AGREEMENT.

Colby Hawker, Hawkins Co., 8855 Broad St, Boise asked for reconsideration of the rezone approved at the last Council meeting. Walgreen’s requires full access rather than modified access approved on December 18, 2008 for a right-in, right-out. He would like the opportunity to speak toward the requirement.

Moved by C/Lang, seconded by C/Bachman to approve re-opening of the Public Hearing on January 6, 2009. Motion carried 4-0.

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

08-09 DA/DEVELOPMENT AGREEMENT AMENDMENT - WHITNEY PROPERTY,
1530 W. HUBBARD RD.

PT/Schindel reported that on July 1, 2008, Council approved a rezone for the property at 1530 W Hubbard Rd. with conditions for additional parking and screened fencing. The agreement is back before Council to show that the amendments were made.

M/Dowdy opened the Public Hearing.

SUPPORT

None

NEUTRAL

None

OPPOSE

None

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

Moved by C/Bachman, seconded by C/Lang to approve 08-09DA/Development Agreement Amendment – Whitney Property, 1530 W. Hubbard Rd. Motion carried 4-0.

10. REPORTS:

CODE ENFORCEMENT REPORT / STEVE HASSON

P & Z DIRECTOR / STEVE HASSON – November had a reduction in building permit activity. Twice as many permits were issued last year than this year.

CITY ENGINEER / GORDON LAW- No report.

CITY ATTORNEY / RANDY GROVE- There is still no word from the Supreme Court. It has been six months. The interim financing agreement for the sewer plant financing is almost complete. It will be sent out via email.

CITY TREASURER / VACANT

CITY CLERK / LYNDA BURGESS reported that 4,772 paper bills were mailed and 158 e-bills sent for the November water, sewer and trash charges at an approximate total of \$433,286. Staff continues to aggressively pursue collections.

11. ORDINANCES:

DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS –
ORDINANCE NO. 2008-31: AN ORDINANCE OF THE CITY OF KUNA, IDAHO, REZONING CERTAIN LANDS IN THE CITY OF KUNA, ADA COUNTY, IDAHO, NOW KNOWN AS BLACKS CREEK DEVELOPMENT (WALGREENS), PARCEL NUMBER R0615252001, 987 E. KUNA RD. FROM “R-6” MEDIUM DENSITY RESIDENTIAL DISTRICT TO “C-1” LIGHT COMMERCIAL; AMENDING THE ZONING MAP OF THE CITY OF KUNA TO REFLECT SUCH CHANGE; AND PROVIDING AN EFFECTIVE DATE.

Moved by C/Lang, seconded by C/Stroebel to dispense with full reading and three consecutive readings of Ordinance 2008-31. Motion carried 4-0.

Moved by C/Lang, seconded by C/Bachman to adopt Ordinance No. 2008-31. Motion carried by the following Roll Call vote:

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

12. MAYOR /COUNCIL DISCUSSION:

13. ANNOUNCEMENTS:

C/Bachman asked when the next Comp Plan meeting would be held.

P & Z Director/Hasson responded that the next meeting will be held on December 10th and announced that a position needs to be filled on the P & Z Commission due to the resignation of Holly Kerfoot.

The Mayor recognized and welcomed the Boy Scouts who attended.

14. EXECUTIVE SESSION:

15. ADJOURNMENT: There being no further business to conduct, C/Lang moved, seconded by C/Bachman to adjourn the meeting at 7:37 p.m.

JEFFERY T. LANG, COUNCIL PRESIDENT

ATTEST:

LYNDA BURGESS, CITY CLERK

DATE APPROVED: 12/16/2008