

**KUNA CITY COUNCIL MEETING
MINUTES
MARCH 18, 2008
KUNA CITY HALL COUNCIL CHAMBER, 763 W. AVALON**

7:00 p.m. – REGULAR COUNCIL MEETING

1. CALL TO ORDER AND ROLL CALL

M/Dowdy called the meeting to order at 7:05 p.m.

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

ALSO PRESENT: City Attorney Randy Grove, P&Z Director Steven Hasson, City Engineer Gordon Law, City Treasurer Robin McKean, Planner Stacey Yarrington, Public Works Director Jim Taylor and City Clerk Lynda Burgess.

2. INVOCATION: The Invocation was given by President Rick Bell, Latter Day Saints

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

REVISE AGENDA ITEM NO. 4.B., ACCOUNTS PAYABLE TOTAL TO \$98,341.34.

Moved by C/Lang, seconded by C/Stroebel to amend the agenda as recommended. Motion carried 3-1 (C/Bachman absent).

4. CONSENT AGENDA:

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

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

A. APPROVED MINUTES – March 4, 2008.

B. APPROVED ACCOUNTS PAYABLE DATED MARCH 13, 2008 IN THE AMOUNT OF \$98,341.34.

C. APPROVED BUSINESS LICENSE FOR RANDALL N. GRAHAM, “RNG SOLUTIONS,” 1816 W. SEGO PRAIRIE ST.

D. APPROVED FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR PROFILE RIDGE SUBDIVISION NOS. 1, 2, 3 AND 4; 07-01-AN/ANNEXATION, 07-03-ZC/

REZONE, 07-04-S/07-03-DA/DEVELOPMENT AGREEMENT (Continued from 3/4/08).

- E. APPROVED FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR CHAD QUEEN, AMERICAN FAMILY INSURANCE, 07-13ZC/REZONE, 07-16-DA/DEVELOPMENT AGREEMENT.
- F. APPROVED FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR AUDROC NATIONAL, LLC, ROCCO D’ORAZIO, 07-10-ZC/REZONE, 07-17-DA/DEVELOPMENT AGREEMENT.
- G. APPROVED PAY REQUEST NO. 4 FOR CUSTOM ELECTRIC, INC. FOR THE SYSTEM-WIDE SCADA PROJECT IN THE AMOUNT OF \$19,494.28.
- H. APPROVED PAY REQUEST NO. 2 FOR SIEMENS WATER TECHNOLOGIES FOR THE WASTEWATER TREATMENT PLANT PHASE I MEMBRANE EQUIPMENT PRE-PURCHASE IN THE AMOUNT OF \$107,364.05.
- I. APPROVED LICENSE FOR SALE OF LIQUOR BY THE DRINK – CREEKSIDE KUNA, INC., 751 W. 4TH ST.
- J. PROCLAIMED APRIL 2008 AS “FAIR HOUSING MONTH” IN KUNA.
- K. APPROVED TEMPORARY BUSINESS PERMIT 08-01-TB/KAREN WALLIN AND LISA DRIESEL, “SNACK SHACK TROPICAL SNOW,” 102 E. 2ND ST.

5. KUNA POLICE DEPARTMENT MONTHLY REPORT:

Sgt. Kody Aldrich provided the monthly report for February, 2008. He announced that the report can also be found on the Ada County Sheriff website. Warmer weather tends to see an increase in crime.

6. ADA COUNTY HIGHWAY DISTRICT REPORT:

M/Dowdy thanked the ACHD for the new traffic light on Deer Flat and Linder.

Errol Morgan reported that the flashers for the pedestrian crossing and a handicap pedestrian ramp are being worked on and will be completed shortly.

7. CITIZEN’S REPORTS OR REQUESTS: None.

8. OLD BUSINESS:

CONSIDER SEPTIC TANK USE POLICY AS PROPOSED BY P&Z DIRECTOR/HASSON AND CITY ENGINEER/LAW.

P & Z Director Hasson presented a draft Septic Tank Use Policy outlining four circumstances where use of septic systems may be appropriate including a) septic tank

failure; b) unlikelihood that the land will ever be connected to the public sewer system; c) replacement of a residential dwelling reliant upon a septic system or d) when a property owner possesses vacant land zoned and comp plan map designated for residential use but is more than 300 ft. from the closest public sewer connection. (See Exhibit A attached hereto.)

Council directed staff to bring back two proposals: one including scenarios A, B and C; the other including scenario D. Council further directed staff to develop language for a possible ordinance change.

9. NEW BUSINESS: None.

10. PUBLIC HEARINGS: None.

11. REPORTS:

CODE ENFORCEMENT REPORT/STEVE HASSON

P & Z DIRECTOR/STEVE HASSON presented a binder to Council showing the efforts to obtain consulting services for development of the City's Comprehensive Plan including a copy of the negotiations to date with CSRA Coopers, Roberts, Simonson Associates, a planning and consulting organization out of Salt Lake City. He further indicated that there will be an increase in cost from \$140,000 to \$168,000 or \$173,000.

Mr. Hasson also provided a summary of current building permit numbers in comparison to last year.

CITY ENGINEER/GORDON LAW reported on a recent meeting with the DEQ and Kuna staff in reference to Well No. 4 and arsenic levels allowed by the EPA. DEQ will allow the City time to resolve the issue of higher levels in Well 4 than allowed. CE/Law then proposed to bring Well No. 5 on line as a temporary solution and proposed that a mailer be included in a future billing statement explaining to the public the situation.

P & Z Director/Hasson pointed out that elevated levels in the water are natural forming and there isn't an external factor or contamination that has occurred.

CITY ATTORNEY/RANDY GROVE reported on his attendance earlier in the day for discussions of House Bill 577 in reference to the LID statute. An earlier Bill, 535, to require changes by public vote died but a new Bill 577 has surfaced. Bill 535 met with resistance from the Association of Idaho Cities. He stated that he testified against Bill 577 and provided reasons why cities sometimes need LIDs. The vote today was to hold HB577 in committee, which makes the Bill dead. There was a change in the Annexation Statute allowing cities to annex outside their areas of impact. If a city does annex outside its area of impact, it must be included in the comprehensive plan.

CITY TREASURER/ROBIN McKEAN – No report.

CITY CLERK/LYNDA BURGESS – No report.

12. ORDINANCES:

DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS - ORDINANCE NO. 2008-01: AN ORDINANCE ANNEXING ADDITIONAL CERTAIN REAL PROPERTY NOW KNOWN AS PARCEL S1324142204, PROFILE RIDGE SUBDIVISION, 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 of Ordinance No. 2008-91. Motion carried 3-1 (C/Bachman absent).

Moved by C/Lang, seconded by C/Stroebel to adopt Ordinance No. 2008-01. Motion carried by the following Roll Call vote:

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

13. MAYOR /COUNCIL DISCUSSION:

14. ANNOUNCEMENTS:

M/Dowdy announced that the Post Office's land acquisition department has contacted the City regarding their search for a 2-5 acre parcel within Kuna for expansion. They have requested the City's assistance in locating such a parcel.

M/Dowdy stated that, at C/Cardoza's suggestion, a monthly Council workshop was being proposed to be held on the 2nd Wednesday of each month starting in April during lunch in an informal sharing of information in an open forum. No decisions would be made during the discussions. The location will be in the Council Chambers. (Input will be asked from C/M Bachman for her time availability.)

15. EXECUTIVE SESSION:

16. ADJOURNMENT: There being no further business to conduct, moved by C/Lang, seconded by C/Stroebel to adjourn the meeting at 8:39 p.m.

ATTEST:

LYNDA BURGESS, CITY CLERK

Date Approved April 1, 2009