

**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.**

**KUNA CITY COUNCIL MEETING  
MINUTES  
MARCH 4, 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 7:02 p.m.

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

**ALSO PRESENT:** City Attorney Randy Grove, P&Z Director Steven Hasson, City Treasurer Robin McKean, Planner Stacey Yarrington, Public Works Director Jim Taylor, City Clerk Lynda Burgess, Planner Tech Tracy Rushlow 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 led by Mayor Dowdy

AMEND CONSENT AGENDA 4.B., ACCOUNTS PAYABLE, TO \$197,727.28.

ADD TO AGENDA: NEW BUSINESS 9.B. – CONFIRM APPOINTMENT OF GORDON N. LAW AS CITY ENGINEER.

Moved by C/Lang, seconded by C/Stroebel to amend the agenda. Motion carried 4-0.

**4. CONSENT AGENDA:**

Moved by C/Bachman, seconded by C/Lang to remove Item 4.E. from the Consent Agenda and direct that the matter be continued to March 18, 2008. Motion carried 4-0.

Moved by C/Lang, seconded by C/Bachman to approve the Consent Agenda and direct that funds for remodeling City Hall be withdrawn from the Contingency Fund. Motion carried by the following Roll Call vote:

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

ABSENT: None

- A. APPROVED MINUTES – February 19, 2008.
- B. APPROVED ACCOUNTS PAYABLE DATED FEBRUARY 29, 2008 IN THE AMOUNT OF ~~\$197,707.48~~ \$197,727.28.
- C. APPROVED BUSINESS LICENSE FOR JEFF AND WENDY BELL, “MOXIE JAVA,” 1575 N. LINDER RD.
- D. APPROVED BUSINESS LICENSE FOR ROBERT MUCKLER, “AFFORDABLE HEATING AND COOLING, LLC,” 1577 N. LINDER RD., MD#24.
- E. FINDINGS OF FACT AND DEVELOPMENT AGREEMENT FOR PROFILE RIDGE SUBDIVISION NOS. 1, 2, 3 AND 4; 07-01-AN/07-03-ZC/07-04-S/07-03-DA (continued to March 18, 2008).
- F. APPROVED PAY REQUEST NO. 3 FOR JC CONSTRUCTORS, INC. FOR THE KUNA NORTH WWTP PHASE 1 IN THE AMOUNT OF \$270,750.
- G. APPROVED PAY REQUEST NO. 3 FOR H2 EXCAVATION, LLC FOR THE SADIE CREEK IRRIGATION PUMP STATION AND POND PROJECT IN THE AMOUNT OF \$104,460.

**5. FIRE DISTRICT MONTHLY REPORT:**

Chief Rosin submitted a monthly report to the Council. 63 fire and EMS calls. 60 were in city limits 3 were in the district. 55 were EMS related and 8 were fire related. The Mayor thanked the chief and his staff for their hard work.

**6. ADA COUNTY HIGHWAY DISTRICT REPORT:**

Errol Morgan reported that the Plan for 2009 thru 2013 was approved last week. Improvements to Deerflat Rd. will continue to be in 2009. He gave an update on what the crews are working on locally.

**7. CITIZEN’S REPORTS OR REQUESTS:**

**8. OLD BUSINESS:**

- A. APPROVE NOTICE OF AWARD TO H2 EXCAVATION FOR THE TEN MILE ROAD UTILITY IMPROVEMENTS PROJECT IN THE AMOUNT OF \$833,875 (continued from February 19, 2008).

Moved by C/Lang, seconded by C/Bachman to approve the Notice of Award. Motion carried by the following Roll Call vote:

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

- B. APPROVE NOTICE TO PROCEED AND EXECUTION OF CONTRACT WITH H2 EXCAVATION FOR THE TEN MILE ROAD UTILITY IMPROVEMENT PROJECT CONTINGENT UPON RECEIPT OF REQUIRED BONDING, INSURANCE AND TAX DOCUMENTATION (Continued from February 19, 2008).

Moved by C/Lang, seconded by C/Bachman to approve the Notice to Proceed. Motion carried by the following Roll Call vote:

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

**9. NEW BUSINESS:**

- A. CONSIDER TASK ORDER NO. 6 FOR PREDESIGN, DESIGN AND CONSTRUCTION ADMINISTRATION UPGRADES TO DANSKIN WELL.

Justin Walker indicated that Phase One would provide approximately 600 new connections and Phase Two would provide approximately 3400 new connections based on current water demands.

Moved by C/Lang, seconded by C/Bachman to approve assignment of sub-tasks A & B to Keller Associates and sub-tasks C-H to Gordon Law, City Engineer, as necessary. Motion carried by the following Roll Call vote:

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

RESOLUTION NO. R4-2008: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA, ADA COUNTY, IDAHO AUTHORIZING THE MAYOR AND CITY CLERK TO AUTHORIZE TASK ORDER NO. 6 WITH KELLER ASSOCIATES FOR RETROFIT OF THE DANSKIN WELL PUMPING PLANT AND PROVIDING AN EFFECTIVE DATE

C/Lang moved, seconded by C/Stroebel to adopt Resolution R4-2008. Motion carried 4-0.

- B. CONFIRM APPOINTMENT OF GORDON N. LAW AS CITY ENGINEER.

ROLL CALL VOTE TO AFFIRM APPOINTMENT OF GORDON N. LAW:

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

M/Dowdy welcomed Mr. Law to the City.

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

A. PUBLIC HEARING – 07-13-ZC/REZONE, 07-16-DA/DEVELOPMENT AGREEMENT, CHAD AND MARISA QUEEN.

Report given by Planner Tech/Rushlow (not audible)

M/Dowdy opened the Public Hearing.

Chad Queen, 368 E. Avalon, applicant (not audible)

SUPPORT

None

NEUTRAL

None

OPPOSED

None

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

In response to C/Bachman, Mr. Queen indicated that he would not be receptive to the addition of curbs and gutter at this point. He stated that he wished to continue with the design currently laid out with ACHD.

P & Z D/Hasson (not audible)

Rocco D’Orazio commented on the requirements from ACHD about the Audroc development and curb and gutter.

Moved by C/Lang to approve 07-13-ZC/Rezone from R-6 to CBD Central Business District and 07-16-DA/Development Agreement, require the applicant to follow all staff and agency recommendations, and provide for a 5’ sidewalk. Motion died due to lack of second.

Rocco D’Orazio offered to pay for prep work for gutter and curb when his is work is being done but wants someone else to cover the cost of the gutter and curb.

Mr. Queen agreed with the City’s recommendation for aesthetics in the form of landscaping.

Errol Morgan, ACHD discussed drainage requirements and historical problems thereof.

Moved by C/Lang, seconded by C/Stroebel to approve 07-13-ZC/Rezone from R-6 to CBD Central Business District and 07-16-DA/Development Agreement, require the applicant to follow all staff and agency recommendations and provide for a 5' detached sidewalk and landscaping buffer between the sidewalk and pavement. Motion carried 3-1 (C/Cardoza voted no).

**B. PUBLIC HEARING – 07-10-ZC/REZONE, 07-17-DA/DEVELOPMENT AGREEMENT, AUDROC NATIONAL, LLC.**

Report given by Planner Tech/Rushlow (not audible)

Rocco D'Orazio, applicant, stated that he would like to build two buildings--one approximately 4,400 sq. ft. and the other about 4,000 sq. ft. He indicated that two restaurants have signed a lease, Taco DelMar and a barbecue rib shack for a portion of a building. The second building has not been leased as yet.

M/Dowdy opened the Public Hearing.

SUPPORT

None

NEUTRAL

None

OPPOSED

None

Rocco D'Orazio stated that the current buildings on the site are for sale and are to be moved. The developer will try to preserve as much of the mature tree canopy as possible.

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

Moved by C/Bachman, seconded by C/Lang to approve 07-10-ZC/Rezone from R-6 to CBD, Central Business District and 07-17-DA/Development Agreement, developer to follow all staff recommendations and directing that curb and gutter be installed along Avalon and amend the Development Agreement to provide for a 5' sidewalk along Orchard and Avalon and to allow for preservation of the existing trees. Motion carried 4-0.

**11. REPORTS:**

**CODE ENFORCEMENT REPORT / STEVE HASSON**

There have been 5 code enforcement issues but they have been resolved.

**P & Z DIRECTOR / STEVE HASSON**

Kuna's growth is promising. Building permits for January and February this year is up from last year by double. There will be an article in the Idaho Statesman on Sunday about COMPASS that will give statistics for population that indicates that Kuna is number 1 in terms of growth dynamics. 2007 had a 4% growth rate in Kuna.

CITY ENGINEER / KELLER ASSOCIATES or GORDON LAW

A letter was sent to the Mayor and Gordon Law about a drain issue on the Best Bath property. A drainage facility has been filled in. P & Z will address the issue. Justin responded to questions about billings from C/Cardoza.

CITY ATTORNEY / RANDY GROVE

No Report

CITY TREASURER / ROBIN McKEAN

No Report

CITY CLERK / LYNDA BURGESS

No Report

**12. ORDINANCES:**

**13. MAYOR /COUNCIL DISCUSSION:**

Kuna may need to define the design review process to prevent further inconsistencies similar to what occurred with tonight's developments.

M/Cardoza received calls about 5 acre parcels and septic tanks and asked P & Z for an update. Further, he also asked when the LID workshop would be scheduled.

**14. ANNOUNCEMENTS:**

**15. EXECUTIVE SESSION:**

**16. ADJOURNMENT:** There being no further business to conduct, it was moved by C/Lang, seconded by C/Stroebel to adjourn the meeting at 8:51 p.m.

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J. SCOTT DOWDY, MAYOR

ATTEST:

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LYNDA BURGESS, CITY CLERK

DATE APPROVED: MARCH 18, 2008