

**CITY OF KUNA  
CITY COUNCIL MEETING  
MINUTES  
JUNE 3, 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 7:13 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 Engineer Gordon Law, Public Works Director Jim Taylor, City Clerk Lynda Burgess, City Treasurer Robin McKean, Planner II Stacey Yarrington and Planner Tech Tracy Rushlow.

**2. INVOCATION:** The Invocation was give by Bill James, Church of Jesus Christ of Latter Day Saints

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

**AMEND AGENDA:**

REPLACE CONSENT AGENDA ITEM 4.G., TIME EXTENTION FOR SAILOR SHORES SUBDIVISION WITH ITEM 4.G., ADDENDUM NO. 1 TO AGREEMENT FOR MISCELLANEOUS ENGINEERING SERVICES WITH KELLER ASSOCIATES FOR ADDITION OF TASK C, REPLACEMENT OF EQUIPMENT AT THE DANSKIN WELL; CHANGE AGENDA ITEM 5 FROM KUNA P.D. MONTHLY REPORT TO FIRE DISTRICT MONTHLY REPORT; ADD NEW BUSINESS ITEM 9.C, PRESENTATION OF A PLAQUE RECOGNIZING OUTGOING PUBLIC WORKS DIRECTOR JIM TAYLOR

Moved by C/Lang, seconded by C/Stroebel to amend the Agenda as outlined. 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 MINUTES

1. REGULAR MEETING OF MAY 6, 2008.
2. REGULAR MEETING OF MAY 20, 2008.

B. APPROVED ACCOUNTS PAYABLE DATED MAY 30, 2008 IN THE AMOUNT OF \$188,364.60.

C. APPROVED LIQUOR CATERING PERMIT SUBMITTED BY EL GALLO GIRO FOR "GIFT FOR ANNA" PARTY ON JUNE 8, 2008.

D. APPROVED BUSINESS LICENSE FOR VICKI JARVIS TO OPERATE A GROUP HOME DAYCARE AT 1028 N. PYRITE PL.

E. APPROVED FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR MELLIN PROPERTIES 08-01-AN (ANNEXATION) AND 08-01-ZC (ZONE CHANGE).

F. APPROVED PAY REQUESTS:

1. REQUEST #3 BY H2 EXCAVATION, INC. FOR THE TEN MILE ROAD UTILITY IMPROVEMENTS PROJECT IN THE AMOUNT OF \$308,753.80.
2. REQUEST #3 BY SIEMENS WATER TECHNOLOGIES FOR THE NORTH WWTP PHASE 1 MEMBRANE EQUIPMENT PRE-PURCHASE IN THE AMOUNT OF \$1,992,726.50.
3. REQUEST #6 BY JC CONSTRUCTORS, INC. FOR THE NORTH WWTP IN THE AMOUNT OF \$568,637.00.
4. REQUEST #5 BY KEPHA CONSTRUCTION FOR THE NORTH WWTP PHASE 1 SUPPORT BUILDINGS PROJECT IN THE AMOUNT OF \$115,184.79.

G. APPROVED ADDENDUM NO. 1 TO AGREEMENT FOR MISCELLANEOUS ENGINEERING SERVICES WITH KELLER ASSOCIATES FOR ADDITION OF TASK C, REPLACEMENT OF EQUIPMENT AT THE DANSKIN WELL.

H. ADOPTED RESOLUTION NO. R14-2008 AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AGREEMENTS WITH DENALI DEVELOPMENT CORP. FOR REIMBURSEMENT OF COSTS FOR CONSTRUCTION OF POTABLE WATER FACILITIES, SEWER FACILITIES AND PRESSURE IRRIGATION FACILITIES IN THE DENALI HEIGHTS SUBDIVISION.

**5. FIRE DISTRICT MONTHLY REPORT:**

Chief Rosin reported that, for the month of May, there were 106 Fire and Medical calls with 80 inside city limits and 26 in the district. 77 of the calls were EMS related and 29 were fire related. He announced that the "Fill the Boot" campaign raised over \$6000.

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

No report given.

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

**A. PRESENTATION BY TOM PIPPEN, BBC CONSULTING RE CAPITAL FACILITIES PLAN COMPONENT OF THE COMPREHENSIVE PLAN.**

P & Z Director Hasson gave a review of the progress of the Capital Facilities Plan and introduced Mr. Pippen.

Mr. Pippen reported on his background and the background of BBC Consulting. He explained the Capital Facilities Plan and potential impact fees.

**B. PRESENTATION BY GINNY GREGER, KUNA POSTMASTER RE CONSTRUCTION OF NEW POST OFFICE.**

Mrs. Greger explained that she was making the presentation on behalf of John Walters, the Western Area Facilities Coordinator. She gave a status report of the prospective new building and stated that they will advertise for a building or property to build upon. She then gave an update on the schedule and public comment parameters.

**C. PRESENTATION BY WALT DOUGLAS, REPRESENTING THE KUNA YOUTH SOFTBALL AND BASEBALL ASSOCIATION, PROPOSING TO REDEVELOP EXISTING CITY BALL FIELDS.**

Mr. Douglas asked Council to support a study to see what the cost may be for redevelopment of the existing City Ball Fields.

PW/Director Taylor confirmed that the ball fields are on City property, not the railroad easement.

Council supported the proposal.

**D. REQUEST BY SKIP HOSELEY, REPRESENTING THE KUNA LIONS CLUB, FOR USE OF THE CITY PARKING LOT ON AVENUE B FOR ONE DAY FOR LOCATION OF A CIRCUS ON JULY 23, 2008.**

Mr. Hoseley stated that he would be discussing the event with the Sheriff, ACHD, Fire Dept., etc. to ensure that everything is properly arranged for.

C/Cardoza requested that Mr. Hoseley check into whether baseball season is over by then so there is no conflict over parking.

C/Lang moved, seconded by C/Stroebel to permit use of the City Parking lot on Avenue B for one day for a circus to be hosted by the Kuna Lions Club. Motion carried 4-0.

**8. OLD BUSINESS:**

CONSIDER COMMERCIAL KENNEL LICENSE APPLICATION – GUADALUPE AND JOSE BALLESTEROS, 1278 W. CURTNER ST. (Continued from May 20, 2008).

Applicant Guadalupe Ballesteros stated that she would be getting rid of 3 dogs next week

Jim Crosby, 1311 Curtner St. felt that the residence was not the proper location for a commercial kennel and stated that the pit bulls often run free. He fears for his family's safety because of the dogs.

Steve Ferbrache, 1330 Curtner St. reported that he hears dogs fighting and on the loose very early in the morning and felt that there were too many dogs for any one residence. The dogs get loose throughout the neighborhood quite often.

Additional comments were unintelligible.

C/Lang moved, seconded by C/Bachman to deny the commercial kennel license application. Motion carried 4-0.

**9. NEW BUSINESS:**

**A. WILLOW GLENN PRELIMINARY PLAT EXPIRATION**

P & Z Director Hasson gave a background and explanation of the staff report.

Lance Warnick, Treasure Valley Engineers, gave a history of the Plat and expiration and requested an extension.

City Attorney Grove asked for clarification. He reviewed the time line of the application.

C/Stroebel moved, seconded by C/Lang to deny the request for an extension of the Preliminary Plat for the Willow Glenn Subdivision. Motion carried 4-0.

**B. CONSIDER REQUEST BY THE PLANNING AND ZONING DEPARTMENT FOR FUNDING OF AN ADDITIONAL STAFF MEMBER IN THE PLANNER/BUILDING INSPECTOR PAY GRADE FOR THE REMAINDER OF FY 2007/08.**

Moved by C/Cardoza, seconded by C/Stroebel to approve funding for a Mapping, Engineering and Land Use Analyst for the remainder of the fiscal year in the amount of \$14,000 for salary and benefits and \$2,000 for office equipment. Motion carried 4-0.

**C. PRESENTED A PLAQUE RECOGNIZING THE CONTRIBUTIONS TO THE CITIZENS OF KUNA BY OUTGOING PUBLIC WORKS DIRECTOR JIM TAYLOR.**

RECESS: M/Dowdy recessed the meeting at 9:22 p.m.

RECONVENE: M/Dowdy reconvened the meeting at 9:35 p.m.

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

A. PUBLIC HEARING – 08-03-AN (ANNEXATION, 08-04-DA (DEVELOPMENT AGREEMENT, REBECCA AND BRADLEY ABBOTT.

Applicant, Becky Abbott, 12165 Farmer Lane, Middleton requested that the Development Agreement allow up to 40 daycare students.

M/Dowdy opened the Public Hearing.

SUPPORT

Bonnie Heinrich, 1672 N. Calaveras, supported the request but was concerned about entering into a development agreement at this point when there are many unknown issues for her property which is adjacent to the subject property. Nothing is defined at this time.

NEUTRAL

None.

OPPOSED

None.

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

C/Bachman – Reviewed the concerns of the zoning in comparison with the comp plan.

Moved by C/Bachman, seconded by C/Lang to approve 08-03-AN (Annexation, 08-04-DA (Development Agreement) with C-2 zone as requested, with revisions to the Development Agreement as follows: 3.1.7 to read Design Review and/or Special Use, add 5<sup>th</sup> bullet that indicates all design review and/or special use conditions shall be complied with and added to the Development Agreement, strike bullet #2 in 3.1.6 that the number of children be limited to 20 in the daycare site, follow all P and Z conditions and making approval contingent upon comp plan amendment approval. Motion carried 3-1 (C/Cardoza voted no).

B. PUBLIC HEARING – 08-05-AN (ANNEXATION), 08-06-DA (DEVELOPMENT AGREEMENT, BROTHERS PROPERTY.

C/Bachman moved, seconded by C/Lang to table the Public Hearing to June 17, 2008. Motion carried 4-0.

C. PUBLIC HEARING – 08-04-AN (ANNEXATION, 08-05-DA (DEVELOPMENT AGREEMENT), MARK AND BONNIE HEINRICH.

Applicant Bonnie Heinrich, 1672 N. Calaveras stated that she would like to market the property and rezoning to C-2 would make it easier because a commercial designation for the site is the highest and best use of the property.

M/Dowdy opened the Public Hearing.

SUPPORT

None

NEUTRAL

None

OPPOSED

None

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

In response to C/Bachman about cross-access, Mark Heinrich stated his concerns but understood that the access was important to the marketability of the property.

Moved by C/Bachman, seconded by C/Stroebel to approve 08-04-AN (Annexation), 08-05-DA (Development Agreement) with a rezone to C-1, with revisions to the Development Agreement as follows: 3.1.7 to read Design Review and/or Special Use, add 5<sup>th</sup> bullet that indicates all design review and/or special use conditions shall be complied with and added to the Development Agreement, follow all P and Z conditions and making approval contingent upon comp plan amendment approval. Motion carried 3-1. (C/Cardoza voted no).

**11. REPORTS:**

CODE ENFORCEMENT REPORT / STEVE HASSON-The usual weed issues are being dealt with and the house on School are being worked through.

P & Z DIRECTOR / STEVE HASSON – Director Hasson reported that last month’s building permits were almost double from last year. He further stated that the Mellin property Development Agreement will be finished soon. Mr. Mellin was agreeable to the changes.

CITY ENGINEER / GORDON LAW – Well #4 has arsenic levels down in the two range. He recommended funds for drilling the production well.

CITY ATTORNEY / RANDY GROVE – Black Labrador appeal will be heard by the State Supreme Court on Friday, June 6<sup>th</sup>. He will be presenting Code changes in the near future for the Boise-Kuna irrigation district. He then reviewed the proposed

settlement for the Bureau of Reclamation Protest. He recommended the Best Bath appeal hearing be schedule for July 22<sup>nd</sup> at 6 p.m.

CITY TREASURER / ROBIN McKEAN – No report.

CITY CLERK / LYNDA BURGESS – No report.

**12. ORDINANCES:**

**13. MAYOR /COUNCIL DISCUSSION:**

Unintelligible.

**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 11:44 p.m.

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J. SCOTT DOWDY, MAYOR

ATTEST:

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LYNDA BURGESS, CITY CLERK

DATE APPROVED: JUNE 17, 2008