

**CITY OF KUNA
CITY COUNCIL MEETING
MINUTES**

JULY 15, 2008

KUNA CITY HALL COUNCIL CHAMBER, 763 W. AVALON

**DUE TO TECHNICAL DIFFICULTIES, A RECORDING OF THIS MEETING IS
UNAVAILABLE**

5:00 p.m. - BUDGET WORKSHOP

Mayor Dowdy called the Workshop to order at 5:28 p.m.

PRESENT: Mayor Dowdy, Council President Lang, Councilwoman Bachman, and Councilwoman Stroebel. Councilmember Cardoza arrived at 5:35 p.m.

ALSO PRESENT: City Engineer Gordon Law; Planning & Zoning Director Steven Hasson; City Clerk Lynda Burgess; City Treasurer Robin McKean; Kuna Police Chief Kody Aldrich and Planner II Stacey Yarrington.

Steve Ricks, representing the Kuna Chamber of Commerce, requested funding for the Chamber in the amount of \$18,000 for the 08/09 fiscal year.

C/Bachman suggested budgeting for fabrication and installation of City entrance signs as well as construction of a community pool.

C/Lang suggested making improvements to Bernie Fisher Park similar to Storey Park in Meridian.

M/Dowdy adjourned the Budget Workshop at 5:55 p.m.

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, City Clerk Lynda Burgess and Planner II Stacey Yarrington.

2. INVOCATION: The Invocation was give by Brad Fisher, Church of Jesus Christ of Latter Day Saints

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

Moved by C/Stroebel, seconded by C/Cardoza to waive the time required by Code Section 3-1-6 to file for expansion of Alcohol Business License for Cowgirls, LLC. Motion carried 3-1 (C/Lang voted no).

Moved by C/Stroebel, seconded by C/Cardoza to add New Business 9.D., Consideration of Expansion of Alcohol Beverage License for Cowgirls, LLC and New Business 9.8, Appointment of Carl Trautman to the Planning & Zoning Commission. Motion carried 4-0.

4. CONSENT AGENDA:

Moved by C/Lang, seconded by C/Bachman to remove Items 4.H., 4.K., 4.L., 4.M., 4.N. and 4.O. from the Consent Agenda and move 4.H. to 8, Old Business, 4.K., 4.L., 4.M. and 4.N. to 7, Citizen's Reports or Requests and continue 4.O. to the next meeting.

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

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

A. APPROVED MINUTES

1. AMENDED MINUTES OF JUNE 26, 2008.
2. REGULAR MEETING OF JULY 1, 2008.

B. APPROVED ACCOUNTS PAYABLE DATED JULY 10, 2008 IN THE AMOUNT OF \$328,596.66.

C. APPROVED FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR DALE AND LISA WHITNEY, 08-08-AN (ANNEXATION), 08-04-ZC (ZONE CHANGE) AND 08-09-DA (DEVELOPMENT AGREEMENT).

D. APPROVED FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR DENNIS AND TRACY VANDER STELT, 08-09-AN (ANNEXATION), 08-03-LLA (LOT LINE ADJUSTMENT) AND 08-012-DA (DEVELOPMENT AGREEMENT).

E. APPROVED DEVELOPMENT AGREEMENT 08-12-DA WITH DENNIS AND TRACY VANDER STELT.

- F. APPROVED FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR KSP IDAHO, LLC, 08-10-AN (ANNEXATION) AND 08-011-DA (DEVELOPMENT AGREEMENT).
- G. APPROVED DEVELOPMENT AGREEMENT 08-11-DA WITH KSP IDAHO, LLC.
- H. FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR AMENDMENT OF FUTURE LAND MAP, 08-01-CPA (moved to 8.C.)
- I. APPROVED AMENDMENT TO THE DEVELOPMENT AGREEMENT (07-17-DA) FOR TACO DEL MAR.
- J. AUTHORIZED THE PLANNING & ZONING DIRECTOR TO EXECUTE MODIFICATION NO. 1 TO THE AGREEMENT WITH CRSA FOR UPDATE TO THE COMPREHENSIVE PLAN BY REDUCING THE CONTRACT AMOUNT IN THE AMOUNT O \$2,600.
- K. LIQUOR CATERING PERMIT SUBMITTED BY LONGHORN, LLC FOR THE “CLASS OF 98” REUNION AT THE COMMUNITY HALL ON JULY 18, 2008 (moved to 7.B.)
- L. LIQUOR CATERING PERMIT SUBMITTED BY CK ENTERPRISES OF IDAHO, LLC FOR THE KUNA DAYS STREET DANCE, AUGUST 2, 2008 (moved to 7.B)
- M. LIQUOR CATERING PERMIT SUBMITTED BY LONGHORN, LLC FOR THE KUNA DAYS STREET DANCE, AUGUST 2, 2008 (Moved to 7.B).
- N. LIQUOR CATERING PERMIT SUBMITTED BY FOUR E’S BAR, LLC FOR THE KUNA DAYS STREET DANCE, AUGUST 2, 2008 (Moved to 7.B).
- O. APPOINT MEMBERS OF THE DESIGN REVIEW COMMITTEE (continued to August 5, 2008,

5. KUNA POLICE DEPARTMENT MONTHLY REPORT:

6. ADA COUNTY HIGHWAY DISTRICT REPORT:

7. CITIZEN’S REPORTS OR REQUESTS:

- A. PASTOR BRUCE WHEELER, NEW BEGINNINGS CHRISTIAN CHURCH, REQUESTING FEE WAIVER FOR USE OF BERNIE FISHER PARK ON AUGUST 9, 2008 FOR DISTRIBUTION OF SCHOOL SUPPLIES.

Moved by C/Bachman, seconded by C/Stroebel to approve waiver of the fee for use of Bernie Fisher Park on August 9, 2008. Motion carried 4-0.

B. HOSS GRIGG, KUNA DAYS PRESIDENT, REGARDING PLANS FOR THE 2008 KUNA DAYS EVENT.

Moved by C/Lang, seconded by C/Bachman to approve the plans for the street dance. Motion carried 4-0.

Moved by C/Lang, seconded by C/Bachman to approve Items 7.B, Catering Permits as follows:

1. CK ENTERPRISES OF IDAHO, LLC FOR THE KUNA DAYS STREET DANCE, AUGUST 2, 2008.
2. LONGHORN, LLC FOR THE KUNA DAYS STREET DANCE, AUGUST 2, 2008.
3. FOUR E'S BAR, LLC FOR THE KUNA DAYS STREET DANCE, AUGUST 2, 2008.

Motion carried 3-0-1 (C/Cardoza abstained).

4. LONGHORN, LLC FOR THE "CLASS OF 98" REUNION AT THE COMMUNITY HALL ON JULY 18, 2008.

Moved by C/Bachman, seconded by C/Stroebel to approve the Catering Permit submitted by Longhorn, LLC. Motion carried 4-0.

C. PRESENTATION GIVEN BY BOB TAUNTON AND ERIC LANDSBERG REGARDING THE ELMORE-ADA WATER PROJECT.

8. OLD BUSINESS:

A. SEPTIC TANK/SYSTEM ORDINANCE 08-04-ZOA (Continued from July 1, 2008).

Moved by C/Lang, seconded by C/Bachman to approve 08-04-ZOA and direct staff to agendize the formal Ordinance for the first meeting in August. Motion carried 4-0.

RECESS: M/Dowdy recessed the meeting at 8:30 p.m.

RECONVENE: M/Dowdy reconvened the meeting at 8:42 p.m.

B. REQUEST FOR RECONSIDERATION OF THE COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT BOUNDARIES.

Moved by C/Lang, seconded by C/Cardoza to set a Public Hearing for August 19, 2008 with the northern boundary at Amity from the County line at McDermott to the mid-mile of Highway 69. Motion carried 4-0.

- C. APPROVE FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR AMENDMENT OF FUTURE LAND MAP, 08-01-CPA (continued to August 19, 2008).

9. NEW BUSINESS:

- A. PRESENTED A PLAQUE RECOGNIZING OUTGOING PLANNING AND ZONING COMMISSIONER BRIAN STEWART.
- B. CONSIDER REQUEST BY SYLVIA KUWAHARA FOR A NON-COMMERCIAL KENNEL LICENSE, 527 N. GREAT OAKS.

Moved by C/Bachman, seconded by C/Stroebel to approve the Non-Commercial Kennel License. Motion carried 4-0.

- C. CONSIDER AMENDMENT TO AGREEMENT WITH REGENCE BLUE SHIELD TO PROVIDE INCREASED COVERAGE FOR PHARMACY BENEFITS AND INCREASE THE CONTRACT AMOUNT FROM \$14,880 TO \$15,810 PER MONTH EFFECTIVE AUGUST 1, 2008.

Moved by C/Bachman, seconded by C/Lang to approve the amendment to the agreement with Regence Blue Shield for increased pharmacy benefit coverage. Motion carried by the following Roll Call vote:

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

- D. CONSIDERATION OF EXPANSION OF ALCOHOL BEVERAGE LICENSE FOR COWGIRLS, LLC.

Larry Hansen, 1888 Rodeo Ln., Kuna indicated that all statements made by him regarding usage of the building in Sandstone Plaza to the City have always been consistent.

Moved by C/Cardoza, seconded by C/Bachman to continue the Special Use Permit for 353 Avenue E. Motion carried 3-1 (C/Lang voted no).

- E. APPOINTMENT OF CARL TRAUTMAN TO THE PLANNING & ZONING COMMISSION.

Moved by C/Lang, seconded by C/Stroebel to approve appointment of Carl Trautman to the Planning & Zoning Commission. Motion carried 4-0.

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

PUBLIC HEARING: CONSIDER PROPOSED ORDINANCE NO. 2008-19 PROHIBITING TRANSPORTATION OF UNCOVERED LOADS IN ADA COUNTY,

INSURING THAT THE LOAD DOES NOT DROP, SIFT, LEAK OR OTHERWISE ESCAPE FROM THE VEHICLE, CREATING EXCEPTIONS TO SUCH RESTRICTIONS, AND ADDING PENALTIES THEREFORE.

M/Dowdy opened the Public Hearing.

SUPPORT

None

NEUTRAL

None

OPPOSE

Jim Russell, 781 S. School, discussed previously proposed legislation.

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

Moved by C/Lang, seconded by C/Bachman to dispense with full reading and three consecutive readings of Ordinance No. 2008-19: AN ORDINANCE PROHIBITING TRANSPORTATION OF UNCOVERED LOADS IN ADA COUNTY, INSURING THAT THE LOAD DOES NOT DROP, SIFT, LEAK OR OTHERWISE ESCAPE FROM THE VEHICLE, CREATING EXCEPTIONS TO SUCH RESTRICTIONS, AND ADDING PENALTIES THEREFORE.

Moved by C/Lang, seconded by C/Stroebel to adopt Ordinance 2008-19 by the following roll Call vote:

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

11. REPORTS:

CODE ENFORCEMENT REPORT / STEVE HASSON
P & Z DIRECTOR / STEVE HASSON
CITY ENGINEER / GORDON LAW
CITY ATTORNEY / RANDY GROVE
CITY TREASURER / ROBIN McKEAN
CITY CLERK / LYNDA BURGESS

12. ORDINANCES:

A. DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS –
ORDINANCE NO. 2008-20: AN ORDINANCE ANNEXING CERTAIN REAL

PROPERTY, NOW KNOWN AS 1530 W. HUBBARD RD., PARCEL S1312336050, SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY.

B. DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS – ORDINANCE NO. 2008-21: AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, NOW KNOWN AS PARCELS S1434441000, S143410000, S1534410000, S1434427810 AND S1434336100 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.

C. DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS – ORDINANCE NO. 2008-22: AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, NOW KNOWN AS 2777 S. SWAN FALLS RD., PARCELS S133541770 AND S1335314800, SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY.

Moved by C/Lang, seconded by C/Stroebel to dispense with full reading and three consecutive readings of Ordinance Nos. 2008-20, 2008-21 and 2008-22. Motion carried 4-0.

Moved C/Lang, seconded by C/Bachman to adopt Ordinance Nos. 2008-20, 2008-21 and 2008-22. Motion carried by the following Roll Call vote:

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

13. MAYOR /COUNCIL DISCUSSION:

14. ANNOUNCEMENTS:

15. EXECUTIVE SESSION:

16. ADJOURNMENT: There being no further business to conduct, it was moved by C/Stroebel, seconded by C/Bachman to adjourn the meeting at 11:11 p.m.

ATTEST:

LYNDA BURGESS, CITY CLERK

DATE APPROVED: AUGUST 5, 2008