

**KUNA CITY COUNCIL MEETING  
MINUTES  
SEPTEMBER 2, 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, City Engineer Gordon Law, P&Z Director Steven Hasson, City Clerk Lynda Burgess and City Treasurer Robin McKean.

**2. INVOCATION:** None given.

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

**ADD TO AGENDA:** 4.A.3. AMEND AND APPROVE MINUTES OF SPECIAL BUDGET MEETING OF AUGUST 11, 2008; MOVE 11.1, ANNUAL APPROPRIATIONS ORDINANCE TO 9.B.

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

**4. CONSENT AGENDA:**

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

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

- A.**
1. APPROVED MINUTES OF SPECIAL MEETING OF AUGUST 18, 2008
  2. APPROVED MINUTES OF REGULAR MEETING OF AUGUST 19, 2008.
  3. AMENDED AND APPROVED MINUTES OF SPECIAL BUDGET MEETING OF AUGUST 11, 2008 TO PROVIDE FOR INCREASE OF \$36,000 IN PRESSURIZED IRRIGATION CAPITAL IMPROVEMENTS, FOR A TOTAL OVERALL BUDGET INCREASE TO \$26,927,691.

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- B. APPROVED ACCOUNTS PAYABLE DATED AUGUST 28, 2008 IN THE AMOUNT OF \$1,537,209.07.
  - C. APPROVED BUSINESS LICENSE FOR TANYA & CHRISTOPHER CASSINAT, "FIDO'S & FELINE'S, LLC," 224 W. TROY ST.
  - D. APPROVED FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR BEST BATH 08-01-SUP (SPECIAL USE PERMIT).
  - E. APPROVED FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR TROY TODD, INDIAN CREEK SPORTS, 07-12-ZC (REZONE), 07-15-DA (DEVELOPMENT AGREEMENT).
  - F. APPROVED FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR PORTER PROPERTY, 08-11-AN (ANNEXATION), 08-13-DA (DEVELOPMENT AGREEMENT), 08-05ZC (REZONE).
  - G. ADOPTED RESOLUTION R19-2008 AUTHORIZING MAYOR AND CITY CLERK TO FORWARD THE 2008 TRANSPORTATION TASK FORCE REQUESTS TO THE ADA COUNTY HIGHWAY DISTRICT.
  - H. ADOPTED RESOLUTION R20-2008 ALLOWING THE CITY TO TAKE FUNDS COLLECTED ON BEHALF OF DEVELOPERS UNDER REIMBURSEMENT POLICIES OR AGREEMENTS AND PAY TOWARD OBLIGATIONS SUCH DEVELOPERS OWE THE CITY.
  - I. ADOPTED RESOLUTION R21-2008 DECLINING TO ACCEPT A FISCAL YEAR 2009 STATE DRINKING WATER GRANT.
  - J. ADOPTED RESOLUTION R22-2008 APPROVING GENERAL DESIGN AND CONSTRUCTION REQUIREMENTS FOR PRESSURE IRRIGATION FACILITIES.
  - K. PRE-PAID SEWER AND WATER CONNECTION FEES.

## **5. FIRE DISTRICT MONTHLY REPORT**

Chief Doug Rosin reported that there were 84 EMS and Fire Calls in August; 70 of which were inside of city limits, 14 in the district. 65 were medically related and 19 were fire related.

C/Bachman asked about the fire along the railroad tracks.

Chief Rosin indicated that someone had left a fire burning and it caught the trees on fire. They spent most of Saturday night until early Sunday morning taking care of the fire. He indicated that the irrigation district trees were going to be eliminated.

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Chief Rosin further reported that Kuna Fire Department sent three apparatus to assist in the recent fires in Boise.

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

**PRESENTATION BY WALT DOUGLAS, KUNA BASEBALL PARK REDEVELOPMENT COMMITTEE TO PROVIDE AN UPDATE ON THE PROGRESS OF THE PROPOSED UPGRADES.**

Walt Douglas, KBPRC Director, stated that the committee is requesting to redevelop the baseball park in four different phases, provided a description of phase one and asked for the Council's approval. They want to make sure that the fields are available for the leagues to use the fields this next summer. He described the personalized paver bricks and placard plans. Mr. Douglas then gave a description of future phases and indicated some of the people who are involved.

CE/Law gave his review of the project and agreed with the phased approach. He has met with the KBPRC representatives.

CA/Grove discussed a possible issue with the KBPRC and the KYSBA and wondered if it had been resolved. He indicated that the KYSBA was frustrated by the lack of control. CA/Grove stated that the fields belong to the City and the KYSBA is allowed to use them. He asked if a letter should be sent to the KYSBA reminding them that the fields do belong to the City.

Walt Douglas, KBPRC Director, indicated that they are continuing to try and work through the issues. The KYSBA has been invited to the redevelopment committee meetings. They are continuing to keep the project for the citizens as the focus.

Jason Hotchkiss, KYSBA President, commended Walt Douglas and his committee for the project. He felt initially that the KYSBA didn't know all the information. He felt that the Association had been supportive but that it couldn't provide any funding and that the issues had been worked through. He was grateful that the fields are available for use of the KYSBA. They are in the process of drafting an announcement for the community that they are in support of the redevelopment of the fields. There is a need for more space for fields.

Moved by C/Cardoza, seconded by T/Stroebel to continue the matter to the September 16, 2008 meeting to allow Mr. Douglas to investigate the possibility of providing liability insurance and Workers Compensation coverage for volunteer workers on the fields. Motion carried 4-0.

**7. OLD BUSINESS:**

**8. NEW BUSINESS:**

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

P & Z Director/Hasson stated that this is a standard annexation, rezone and development agreement. The applicant is M7 Development represented by Victor Clark. He gave a description of the property location and the zoning designation.

A. PUBLIC HEARING: VICTOR CLARK 08-06-AN (ANNEXATION), 08-03-ZC (REZONE), 08-07-DA – M-7 (DEVELOPMENT AGREEMENT)

Victor Clark, 2800 S. Eagle Rd., Applicant, explained that the property has been owned by them for four years. They felt this request was a step in the right direction.

M/Dowdy opened the Public Hearing.

SUPPORT

None

NEUTRAL

None

OPPOSE

None

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

In response to C/Bachman, the applicant indicated that a concept plan had not been developed yet but indicated that he had been working with the Planning & Zoning department.

C/Bachman expressed concern that a concept plan was not yet available for City review.

Discussion ensued regarding the request for a zone change without a concept plan. The applicant requested C-2 designation.

Moved by C/Lang, seconded by C/Stroebel to approve 08-06-AN (Annexation), 08-03-ZC (Rezone), 08-07-DA – M-7 (Development Agreement) for 7370 S. Meridian Rd. annexing 14.8 acres, rezone from Rural Residential in the county to C2 Business Area; directing applicant to follow all staff recommendations and work closely with the design review committee. Motion carried 3-1 (C/Bachman voted no.)

B. PUBLIC HEARING: ADOPT BUDGET FOR FISCAL YEAR 2008-09 (Continued from August 19, 2008)

CT/McKean recommended following the tentative budget that had been previously reviewed.

M/Dowdy opened the Public Hearing.

SUPPORT

None

NEUTRAL

None

OPPOSE

None

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

C/Lang moved, seconded by C/Stroebel to approve the budget for Fiscal Year 2008-09 in the amount of \$26,927,961. Motion carried 4-0.

DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS –  
ORDINANCE NO. 2008-27: AN ORDINANCE ENTITLED THE ANNUAL  
APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER  
1, 2008 AND ENDING SEPTEMBER 30, 2009, APPROPRIATING THE SUM OF  
\$26,927,961 TO DEFRAY EXPENSES AND LIABILITIES OF THE CITY OF KUNA  
FOR SAID FISCAL YEAR; AUTHORIZING A LEVY OF A SUFFICIENT TAX  
UPON THE TAXABLE PROPERTY; SPECIFYING THE OBJECTS AND PROPOSED  
EXPENSES FOR WHICH SAID APPROPRIATION IS MADE; AND PROVIDING AN  
EFFECTIVE DATE.

Moved by C/Lang, seconded by C/Stroebel to dispense with full reading and three  
consecutive readings of Ordinance 2008-27. Motion carried 4-0.

Moved by C/Lang, seconded by C/Stroebel to adopt Ordinance 2008-27. Motion carried  
by the following Roll Call vote:

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

**10. REPORTS:**

CODE ENFORCEMENT REPORT / STEVE HASSON-No report

P & Z DIRECTOR / STEVE HASSON – reviewed the building permit report and stated that  
building permits for residential is continuing to exceed last year's permits. The market is  
showing a trend toward recovery.

CITY ENGINEER / GORDON LAW – stood for questions or comments on the drinking  
water grant and the informational memo that was submitted with the Council packets. In

response to C/Bachman's question about the grant, he stated that he did not suggest doing a grant this small because of the amount of work required to obtain it.

CITY ATTORNEY / RANDY GROVE – presented the proposed license agreement with Nampa Highway District to discharge effluent water into Indian Creek. There is a need for easement agreements down Lake Hazel Rd. to Robinson Rd. Approval is needed to install public improvements in public streets; especially those outside City limits. He explained the details of the agreement and indicated that it should be ready for 9/16 meeting.

CITY TREASURER / ROBIN McKEAN – No report.

CITY CLERK / LYNDA BURGESS – No report.

## 11. ORDINANCES:

Moved by C/Lang, seconded by C/Stroebel to dispense with full reading and three consecutive readings of Ordinances described as 11A through 11H. Motion carried 4-0.

Moved by C/Lang, seconded by C/Stroebel to adopt Ordinances described in 11A through 11H. Motion carried by the following Roll Call vote:

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

- A. DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS –  
ORDINANCE NO. 2006-11A: AN ORDINANCE AMENDING ORDINANCE NO. 2006-11 ANNEXING CERTAIN REAL PROPERTY, NOW KNOWN AS PARCEL NUMBER S1310314800, 4400 W. HUBBARD ROAD, 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.
- B. DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS –  
ORDINANCE NO. 2006-12A: AN ORDINANCE AMENDING ORDINANCE NO. 2007-12 ANNEXING CERTAIN REAL PROPERTY, NOW KNOWN AS PARCEL NUMBER R9404210100, W. COLUMBIA ROAD, 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. 2008-08A: AN ORDINANCE OF THE CITY OF KUNA, IDAHO, AMENDING ORDINANCE NO. 2008-08 ANNEXING A PORTION FROM BOISE KUNA IRRIGATION DISTRICT INTO THE MUNICIPAL IRRIGATION SYSTEM AND CHANGING THE BOUNDARIES THEREOF; DIRECTING THAT COPIES OF THIS

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ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

- D. DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS – ORDINANCE NO. 2008-11A: AN ORDINANCE AMENDING ORDINANCE NO. 2008-11 ANNEXING CERTAIN REAL PROPERTY, NOW KNOWN AS PARCEL NUMBER R8048220010, 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.
- E. DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS – ORDINANCE NO. 2008-12A: AN ORDINANCE AMENDING ORDINANCE NO. 2008-12 ANNEXING CERTAIN REAL PROPERTY, NOW KNOWN AS PARCEL NUMBER R8048220006, LINDER AND DEER FLAT, 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.
- F. DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS – ORDINANCE NO. 2008-17A: AN ORDINANCE AMENDING ORDINANCE NO. 2008-17 ANNEXING CERTAIN REAL PROPERTY, NOW KNOWN AS PARCEL NUMBER S1323141850, BOISE AND LINDER ROADS, 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.
- G. DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS – ORDINANCE NO. 2008-25: AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, NOW KNOWN AS PARCEL S1324223201, SITUATED IN THE UNINCOPORATED 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.
- H. DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS – ORDINANCE NO. 2008-26: AN ORDINANCE OF THE CITY OF KUNA, IDAHO, AMENDING SECTIONS 7-5-3, 7-5-4, 7-5-6 AND 7-5-7 OF THE KUNA CITY CODE; MAKING DISTINCTIONS BETWEEN IRRIGATION AND POTABLE WATER; PROVIDING FOR THE POOLING OF WATER RIGHTS FOR DELIVERY PURPOSES;

UPDATING THE METHOD OF IRRIGATION ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE.

**12. MAYOR /COUNCIL DISCUSSION:**

C/Bachman indicated that the P & Z Commission felt that they would like to have more joint meetings with the Council.

C/Stroebel would like to quarterly meetings, if possible.

M/Dowdy met with the P & Z Commission to discuss their concerns about the Design Review Ordinance. Commissioners stated that they would like to meet jointly with the Council before Ordinances are adopted that would have similar impacts as the Design Review Ordinance.

**13. ANNOUNCEMENTS:**

**14. EXECUTIVE SESSION:**

**15. ADJOURNMENT:** There being no further business to conduct, moved by C/Lang, seconded by C/Stroebel to adjourn the meeting at 8:44 p.m.

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J. SCOTT DOWDY, MAYOR

ATTEST:

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LYNDA BURGESS, CITY CLERK

DATE APPROVED: SEPTEMBER 2, 2008