

**KUNA CITY COUNCIL MEETING
MINUTES
SEPTEMBER 1, 2009
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 7:03 p.m.

PRESENT: Mayor Dowdy, Council President Jeffery Lang, Council Members Lisa Bachman, Richard Cardoza and Trina Stroebel.

ALSO PRESENT: City Attorney Randy Grove; Planning & Zoning Director Steven Hasson; City Clerk Lynda Burgess; City Treasurer John Marsh and Planner II Troy Behunin.

2. INVOCATION: None given.

3. PLEDGE OF ALLEGIANCE: Mayor Dowdy

4. CONSENT AGENDA:

Moved by C/Lang, seconded by C/Stroebel to amend the Consent Agenda to change the Accounts Payable total to \$438,232.27. Motion carried 4-0.

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 OF SPECIAL MEETING OF AUGUST 3, 2009.

B. APPROVED ACCOUNTS PAYABLE DATED AUGUST 27, 2009 IN THE AMOUNT OF ~~\$435,782.27~~ \$438,232.27.

C. APPROVED BUSINESS LICENSE FOR TERRY HEFFNER & JEFF HOLMES, "GUILD MORTGAGE COMPANY," 277 W. QUAKING ASPEN LN.

D. APPROVED BUSINESS LICENSE FOR SCOTT AND ANNE SUMNER, "SUMNER MUSIC STUDIOS," 361 W. 4TH ST.

E. APPROVED BUSINESS LICENSE FOR PERRY AND SHIRLEY LEFFLER, DBA PLS, INC., "COWGIRLS KUNA," 323 AVENUE E.

- F. ADOPTED RESOLUTION NO. R20-2009 AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ADDENDUM NO. 4 TO AGREEMENT FOR ENGINEERING SERVICES WITH KELLER ASSOCIATES, INC.
- G. ADOPTED RESOLUTION NO. R21-2009 AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE WATER AND SEWER REIMBURSEMENT AGREEMENTS WITH GALIANO, LLC FOR THE GALIANO ESTATES SUBDIVISION.
- H. ADOPTED RESOLUTION NO. R22-2009 AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE DANSKIN WATER REIMBURSEMENT AGREEMENT. WITH JLJ ENTERPRISES, LLC.
- I. APPROVED FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR 09-14-RZ/09-14-DA/09-03-LS-REZONE AND DEVELOPMENT AGREEMENT AND LOT SPLIT, VITO AND MONICA ROSATI.
- J. APPROVED FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR 09-01-VAC, JOHN MESSMER.

5. CITIZEN'S REPORTS OR REQUESTS:

PROCLAIMED SEPTEMBER 2009 AS PROSTATE CANCER AWARENESS MONTH.

Moved by C/Lang, seconded by C/Stroebel to approve. Motion carried 4-0.

6. OLD BUSINESS:

09-07-TE – ARROYO INDIO PRELIMINARY PLAT TIME EXTENSION. (CONTINUE TO 9/15/09)

7. NEW BUSINESS

- A. APPROVE NON-COMMERCIAL KENNEL LICENSE FOR SAMANTHA JONES, 1266 N. CABRILLO.

Moved by C/Bachman, seconded by C/Lang to approve. Motion carried 4-0.

- B. APPROVE 09-08-TE, ZATICA #2 SUBDIVISION TIME EXTENSION.

PII/Behunin reported that the applicant is requesting a second time extension. Original approval took place in July 2005 with a time extension given in September of 2008. The applicant wants to make sure everything is flowing together as it should.

Moved by C/Stroebel, seconded by C/Lang to approve. Motion carried 4-0.

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

PUBLIC HEARING – 08-02-CPA: COMPREHENSIVE PLAN AMENDMENT

PII/Behunin reported that staff is excited about the Comprehensive Plan and feels it is very comprehensive including supplemental maps displayed for council to view. There have been several public hearings and meetings to obtain the public's input. A steering committee was formed to ensure public opinion was taken. This plan involves every aspect from start to finish for the entire city and lays out a blueprint of the city's goals; where we would like to see the city go, etc. There have been 60 or more responses as how citizens want to see their lands designated or offering text to be included. The plan was last updated in 2003. Over the summer, 3 land use applications have come before the council from Ada County. The old standards don't keep up with our vision and this plan will close the loopholes and fortify ourselves against various things.

P&Z D/Hasson explained that the Plan was before the P & Z Commission in May and they approved it with minor modifications. It came to council and then another workshop was held on July 28. The results were that there were some issues but not many and the comp plan was on the right track. The city has worked with CRSA and their consultant Laura Hanson for the last two years and modifications have been made. He provided a summary and a timeline of the progress over the last two years. He asked the council as part of their approval process, to review the maps and approve the map without the Idaho Power Kv500 line alignment.

In response to C/Cardoza, P&Z D/Hasson stated that, to his knowledge, the alignment of the Kv500 line is not one of the nationally designated corridors where the Federal Government can come in and usurp local authorities.

Laura Hanson, CRSA, summarized the comp plan contents and discussed what was and wasn't required by Idaho Code. She reviewed the two appendixes to the document of planning indicators and a capital improvement plan. She went over population and growth history and how it affects the comp plan.

P&Z D/Hasson detailed the different areas on the comp plan map and what the population in the Treasure Valley is projected to be in 21 years.

M/Dowdy opened the Public Hearing

SUPPORT

Ashley Ford, 6223 N. Discovery #200 explained that she was the principal land use planner of Rose Law (unintelligible) in Boise. She expressed her appreciation to the city, the staff and the consultant. She stated that she represented several property owners and wanted to speak about the Kuna 830 LLC. Her client acreage was involved in the April annexation of 4000 acres. The comp plan includes what her client would like to see for their property in the future that includes the transmission corridor for the 500Kv line. The line goes through the middle of the property.

NEUTRAL

None

OPPOSED

Don Boyer, 4000 E. Kuna Mora stated that he had been a property owner since 1972 and didn't receive the information. He talked about the comp plan and that it was a good plan for the future if the future holds as it has in the past. He discussed his thoughts on the economy and tax base. He would like to see the council consider heavy industrial.

C/Bachman thanked staff and CRSA for all the hard work and felt the P & Z Commission had good suggestions. She indicated that she had sent an email to staff about the CIP in the appendix; she thought it needs more and items to be prioritized.

C/Lang stated that he was pleased with the progress and the input from the community.

P&Z D/Hasson and Ms. Hanson from CRSA answered questions from council about what the CIP entailed.

P & Z D/Hasson also responded to C/Bachman about the testimony suggestions from Mr. Boyer and an industrial area.

Council discussed several options about various industrial areas and recommendations.

Moved by C/Lang, seconded by C/Bachman to approve 08-02-CPA/Comprehensive Plan Amendment following recommendations from the P&Z Commission and approving change to the section south of Kuna Mora Rd. to mixed use and the other triangle at Locust Grove to the west and Eagle Rd north of the railroad tracks and north of the canal be low residential density including exclusion of the Idaho Power transmission lines. Motion carried 4-0.

9. ORDINANCES:

A. DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS
ORDINANCE NO. 2009-18: AN ORDINANCE OF THE CITY OF KUNA, IDAHO, REZONING CERTAIN LANDS IN THE CITY OF KUNA, ADA COUNTY, IDAHO, NOW KNOWN AS 350 S. SCHOOL AVENUE, PARCEL S1236120900 FROM A, AGRICULTURAL TO R-4 MEDIUM DENSITY RESIDENTIAL DISTRICT; AMENDING THE ZONING MAP OF THE CITY OF KUNA TO REFLECT SUCH CHANGE; AND PROVIDING AN EFFECTIVE DATE.

Moved by C/Lang, seconded by C/Stroebel to dispense with full reading and three consecutive readings of Ordinance 2009-18. Motion carried 4-0.

Moved by C/Lang, seconded by C/Stroebel to adopt Ordinance 2009-18. Motion carried by the following Roll Call vote:

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

ABSENT: None

Council and CA/Grove discussed the potential for the franchise fee agreement at 1% and the concerns of Idaho Power.

- B. DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS – AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010, APPROPRIATING THE SUM OF \$12,967,266.55 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 2009-19. Motion carried 4-0.

Moved by C/Lang, seconded by C/Stroebel to adopt Ordinance 2009-19. Motion carried by the following Roll Call vote:

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

10. MAYOR /COUNCIL DISCUSSION:

Mayor Dowdy indicated that he and the City Attorney met with the different bank representatives regarding closing out the LID. At the conclusion of the meeting, there is going to be a LID meeting with the property owners and bank representatives for September, 9 at 4:00 p.m.

C/Cardoza stated that he has received complaints about LID meetings being called on short notice. He asked that they be sent out tomorrow for the next meeting.

M/Dowdy announced that the WWTP open house will be held September 18 at 3:00 p.m.

11. ANNOUNCEMENTS:

12. EXECUTIVE SESSION:

- 13. ADJOURNMENT:** There being no further business to conduct, it was moved by C/Stroebel, seconded by C/Bachman to adjourn the meeting at 9:06 p.m.

JEFFERY T. LANG,
COUNCIL PRESIDENT

ATTEST:

LYNDA BURGESS, CITY CLERK

DATE APPROVED: OCTOBER 6, 2009