

KUNA CITY COUNCIL MEETING MINUTES

OCTOBER 5, 2010

KUNA CITY HALL COUNCIL CHAMBER, 763 W. AVALON

1. 7:00 p.m. – REGULAR COUNCIL MEETING

M/Dowdy called the meeting to order at 7:00 p.m.

PRESENT: Mayor Dowdy, Council President Bachman, Councilmember Cardoza, Councilmember Hoiland and Councilmember Lang.

ALSO PRESENT: City Attorney Richard Roats; City Engineer Gordon Law; Planning & Zoning Director Steven Hasson; City Treasurer John Marsh; Senior Planner Troy Behunin and City Clerk Lynda Burgess.

2. INVOCATION: The Invocation was given by Marcus Omdahl, First Baptist Church

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

AMEND CONSENT AGENDA TO INCREASE ACCOUNTS PAYABLE BY \$2,079.30 FOR MAILING COSTS FOR THE NOVEMBER 2, 2010 GENERAL OBLIGATION ELECTION, BRINGING THE TOTAL ACCOUNTS PAYABLE TO \$171,632.79.

UNDER OLD BUSINESS, DISCUSS AMENDMENT TO THE NOTICE OF ELECTION, EXHIBIT A, GENERAL OBLIGATION BOND ORDINANCE 2010-29,

ADOPT ORDINANCE 2010-30A TO ADD PRECINCT 109 TO 117 AND PRECINCT 124 TO 123.

STAFF BECAME AWARE OF THE NEED TO AMEND THE AGENDA FOR THE ABOVE MATTERS TODAY, OCTOBER 5, 2010.

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

C/Cardoza stated the General Obligation Election is coming out of the General Fund, he asked what specific fund it comes out of.

CT/Marsh answered the expenditures will come out of the Contingency Fund by transferring it from one line item to another. In response to C/Bachman it wouldn't require an appropriations amendment because the overall total budget is not being changed.

M/Dowdy added it is similar to taking money from the contingency fund to pay for the Kuna Day's security costs.

CT/Marsh explained when the break off for expenditures between this fiscal year and next would occur and what is available as of the end of August.

4. CONSENT AGENDA:

Moved by C/Lang, seconded by C/Hoiland to approve the Consent Agenda and approving moving funds from the Contingency Fund into the Election Fund to cover the expenses requested in Accounts Payable, 4.B. Motion tied 2-2 (C/Bachman & C/Cardoza voted no). M/Dowdy broke the tie by voting yes. Motion passed.

- A. APPROVED MINUTES OF REGULAR CITY COUNCIL MEETING OF SEPTEMBER 7, 2010.
- B. APPROVED ACCOUNTS PAYABLE DATED SEPTEMBER 30, 2010 IN THE AMOUNT OF \$171,632.30.
- C. ADOPTED RESOLUTION R37-2010 TO AWARD A BID TO CESCO IN THE AMOUNT OF \$69,281 FOR A NEW 2010 JOHN DEERE 310 SJ BACKHOE LOADER.

5. OLD BUSINESS:

CORRECT NOTICE OF ELECTION, EXHIBIT A OF ORDINANCE 2010-29 AS FOLLOWS: RE-WORD FIRST LINE OF PARAGRAPH 3 ON PAGE A-3 TO READ: "IF, AT SAID ELECTION, ~~MAJORITY~~ TWO-THIRDS OF THE QUALIFIED ELECTORS VOTING AT SUCH ELECTION VOTE IN FAVOR..." AND CHANGE TITLE OF THE NOTICE TO "AMENDED NOTICE OF SPECIAL BOND ELECTION."

M/Dowdy asked if CC/Burgess or CA/Roats had any comments.

CA/Roats indicated Bond Counsel originally had Majority and the requirement is two-thirds so the language is being amended.

C/Bachman asked about the question mark on the second page in the proposition and if they were intended.

M/Dowdy clarified that the proposition is asking a question yes or no.

Moved by C/Lang, seconded by C/Hoiland to approve the Corrected Notice of Special Bond Election Ordinance 2010-29 exhibit A. Motion tied 2-2 (C/Bachman & C/Cardoza voted no). M/Dowdy broke the tie by voting yes. Motion passed.

6. CITIZEN'S REPORTS OR REQUESTS:

MARCUS OMDAHL - REQUESTING A WAIVER OF FEES FOR USE OF THE SENIOR CENTER ON DECEMBER 11, 2010 FOR LOCAL CHURCHES SPONSORING A GIFT EXCHANGE FOR FAMILIES IN NEED.

Marcus Omdahl, 880 Pasture Ave, Kuna – He told Council this was a project last year between 3 churches and this year it’s the same and he is taking over the lead role this year. He asked for the fee to be waived because it is a community project and if Council had any questions.

C/Lang commented the Mr. Omdahl should check with the School District because they have Operation School Bell that helps needy children with school supplies and clothes. There could be a list available at the school of families in need.

Moved by C/Lang, seconded by C/Bachman to waive the fees for Senior Center on December 11, 2010 for the Christmas Exchange for families in need. Motion carried 4-0.

7. NEW BUSINESS:

A. 10-09-TE TIME EXTENSION FOR THE TIMBERMIST SUBDIVISION PRELIMINARY PLAT.

SP/Behunin stood in for P/Rushlow. He explained Timbermist has asked for the time extension because of the economy. This was originally approved on September 26, 2006 and the first time extension was granted on August 1, 2007, the second was September 19, 2008. Staff has no new conditions and supports the time extension but noted this would be the last time extension Timbermist is eligible for and would expire September 29, 2011. The applicant was unable to attend the Council meeting but is in agreement with the staff report.

Moved by C/Bachman, seconded by C/Lang to approve 10-09-TE Time Extension for the Timbermist Subdivision Preliminary Plat expiring on September 29, 2011. Motion carried 4-0.

B. FYE SEPT. 30, 2010 BUDGET VS ACTUAL REPORT OF OPERATIONS THROUGH AUGUST MONTH END.

CT/Marsh reviewed the budget vs. actual report through the end of August. There is one additional month left in this fiscal year.

Fund	Compared to budget
General Fund	\$149,239 better than budget
Latecomers Fee Fund	\$54,384 worse than budget
Juvenile Justice Fund	\$1.36 better than budget
Well Mitigation Fund	\$6,932 worse than budget
Water Fund	\$334,471 better than budget
Sewer Fund	\$432,102 better than budget
LID Fund	\$66,765 worse than budget
Irrigation Fund	\$258,645 better than budget

CE/Law – Unintelligible comments

CC/Burgess updated Council there are 889 accounts are in arrears. The total amount of money due to the city is \$72,978.53.

Solid Waste Fund \$9,373 better than budget

C/Cardoza asked how the total was arrived at.

CT/Marsh explained the revenues were \$60,779 over budget to date and the expenditures were \$51,405.47 over projections. Expenditures are higher than projections but revenue is also higher than projections.

City Wide Net \$1,055,750 better than budget

C. SET WORKSHOP FOR SIDEWALKS.

CE/Law stated he called Al Bush, ACHD Design Engineer who is willing to work with Council. The suggested meeting dates are October 6, October 11, October 13 and October 15.

C/Bachman asked who the designer was.

CE/Law indicated it was Al Bush and he is handling the current projects involving Kuna.

Greg Halverson, Manager, Capital Projects Dept, ACHD clarified that Al Bush is the Project manager in charge of the sidewalk projects for 4th St. and Avalon. Mr. Bush has a design squad working for him. He indicated that he will be present at the meeting with the City and is aware of the Councils alternative suggestions.

Council agreed to meet at City Hall on October 13 at 4 p.m.

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

9. **ORDINANCES:**

DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS OF ORDINANCE 2010-30A: AN ORDINANCE OF THE CITY OF KUNA, IDAHO, AMENDING ORDINANCE 2010-30, ESTABLISHING THE BOUNDARIES OF THE ELECTION PRECINCTS WITHIN THE CITY OF KUNA; PARTICULARLY DESCRIBING SAID BOUNDARIES; REPEALNG ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE.

Moved by C/Lang, seconded by C/Hoiland Moved by C/Lang, seconded by C/Hoiland to dispense with first reading and three consecutive readings of No. Ordinance 2010-30A. Motion carried 4-0.

Moved by C/Lang, seconded by C/Hoiland to adopt Ordinance 2010-30A. Motion carried by the following Roll Call vote:

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

10. MAYOR / COUNCIL DISCUSSION:

Mayor Dowdy briefed Council that the General Election is on November 2 which is also a night scheduled for a Council meeting.

CC/Burgess reminded Council State Code requires Council to approve the Canvass of the votes 6 days after the Election. A meeting will be needed on November 8.

Council agreed to meet on November 8.

C/Bachman asked if anyone knew who Dorothy is.

CC/Burgess replied she is the Chairperson of a committee supporting the Bond Election. Her name is Dorothy Cravens.

C/Bachman stated she received a phone call from a resident letting her know they are part of the group advocating for the bond. C/Bachman didn't know what affiliation the City has with that group.

CC/Burgess answered that Ms. Cravens has taken out paperwork to be a committee to support the bond measure and has other members. It is a political action committee.

C/Bachman clarified Ms. Cravens came to the City and filed the paperwork in interest of supporting the bond.

CC/Burgess confirmed that was accurate.

C/Bachman added that there were other rumblings going around and she wanted to bring it up.

M/Dowdy told Council that Ms. Craven has met with P & Z D/Hasson a number of times to get general information regarding the Bond Election.

P & Z D/Hasson addressed to Council that he had received a question about the annual cost for the proposed swimming. Staff has not discussed the cost of an annual pass and he was advised the Kuna Melba News was broadcasting a fee of \$240 and the implication was that amount must have come from the City. P & Z D/Hasson wanted to clarify that no one from the City has had any contact with the Kuna Melba News about the \$240. It is a fictitious number since it is still unknown what the annual fee will be for a family for the swimming pool. He stated that he wanted to clear it up to do some damage control. He gave a

presentation with exhibits of the article in the Kuna Melba News and the average costs of various family activities and recreation.

11. **ANNOUNCEMENTS:**

C/Bachman asked for an update on Ten Mile.

CE/Law – Unintelligible comments.

M/Dowdy asked if the contractors were paying liquidated damages.

CE/Law said they had been put on notice they were subject to liquidated damages and also subject to damages from ACHD. Some Unintelligible comments.

C/Lang wanted CE/Law to know he was getting a lot of feedback from the school districts, especially the bus drivers that it is causing a delay in getting students to and from school.

CE/Law – Unintelligible comments.

C/Cardoza asked what is slowing down the project.

CE/Law – Unintelligible comments.

C/Hoiland made an observation about the beautification of Deer Flat to Meridian Rd that it looks nice but he noticed but it only provided 2' of sidewalk for children to walk on the north side of Deer Flat. The south side has plenty of room.

C/Lang was also concerned and there is a large bush that blocks the view of the children.

CE/Law – Unintelligible comments. He indicated he would make a call to see what can be done.

C/Cardoza asked CE/Law to elaborate on number 11.

CE/Law – Unintelligible comments.

C/Hoiland added he could detect the odor when he drove past.

C/Cardoza pointed out the corner of Mendi & School St sometimes has a horrible smell coming from that area—between Deer Flat and Boise.

C/Lang agreed it was an awful smell.

CE/Law indicated a week ago he arranged to have a TV camera run through pipes. It appears to be some type of obstruction in the lines and may be a collapsing line. He will look with a camera again on Thursday and establish some possible remedies. Some *comments unintelligible*.

Tim Gordon – *Unintelligible comments.*

12. **EXECUTIVE SESSION:**

13. **ADJOURNMENT:** There being no further business to discuss, it was moved by C/Lang, seconded by C/Bachman to adjourn the meeting at 8:02 p.m. Motion carried 4-0.

ATTEST:

Mayor, J. Scott Dowdy

Clerk

DATE APPROVED: November 8, 2010