

KUNA CITY COUNCIL MEETING MINUTES

NOVEMBER 16, 2010

KUNA CITY HALL COUNCIL CHAMBER, 763 W. AVALON

DRAFT

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 Deputy City Clerk Chris Engels.

2. INVOCATION: Pastor Marcus Omdahl, New Beginnings Christian Church

3. PLEDGE OF ALLEGIANCE: Boy Scout Troop 184

Moved by C/Lang, seconded by C/Hoiland to approve the Consent Agenda. Motion carried 4–0.

4. CONSENT AGENDA:

A. 1. APPROVED MINUTES OF REGULAR CITY COUNCIL MEETING OF OCTOBER 19, 2010.

2. APPROVED MINUTES OF REGULAR CITY COUNCIL MEETING OF NOVEMBER 8, 2010.

B. APPROVED ACCOUNTS PAYABLE DATED NOVEMBER 10, 2010 IN THE AMOUNT OF \$132,976.32.

5. OLD BUSINESS:

APPROVED RESOLUTION R48-2010. AUTHORIZING CHANGE ORDER NO. 1 FOR TEST WELL NO. 10 PROJECT.

CE/Law asked Council if they had any questions. It was a change order that took place for change of condition while the test well was being drilled. He said it is always appropriate for Council to review any changes when they arise.

C/Cardoza asked about the contract price being \$77,904 and the contractor being paid \$84,552 and why the difference.

CE/Law explained there are 2 major types of contracts. There is a lump sum contract where the bidder provides a single price for performing the entire work and the other is a unit price contract. That is used when there are unknowns. The price for the test well is a unit price contract. It was bid at 500 feet but a fault shift was found underground that suggested it wasn't deep enough and another 180 feet deeper was needed for acceptable water. The first pay request was \$84,000 and after additional work other pay requests will be submitted.

Moved by C/Bachman, seconded by C/Lang to approve Resolution R48-2010 authorizing change order No. 1 for Test Well No. 10 Project. Motion carried 4-0.

6. CITIZEN'S REPORTS OR REQUESTS:

DAVE SZPLETT REPRESENTING LOCAL SENIORS AND BUSINESS OWNERS ABOUT ON-STREET HANDICAP ACCESSIBLE PARKING SPACE.

David Szplett, 970 Ashwood Ct, presented he has developed a plan for accessible parking spaces and ACHD is agreeable if Council agrees. Mr. Szplett presented the needs of residents who use accessible parking spaces. He has previously discussed the analysis with P & Z D/Hasson.

He explained the graphics in Council's packets that show the key elements and number of private and public spaces. Only 2 usable public spaces were found. One by the post office and one by the park. A space in front of El Gallo Giro restaurant is a best location the second best one is next to the auto repair center. Both have the benefits of a protected bicycle lane and a curb. ACHD will sign and stripe as necessary and Mr. Szplett indicated he would monitor the implementation. He asked Council for approval.

C/Cardoza asked how many total public spaces are available.

David Szplett, 52 on the street.

C/Cardoza indicated 18% of the spaces will be only for accessible parking if all 9 locations were designated for handicap parking.

David Szplett said 1 is enough but would like 2.

C/Cardoza asked if Mr. Szplett's count was repeated drivers.

David Szplett stated it would have been repeated drivers. In response to C/Bachman that he had talked to some of the business but not all. El Gallo Giro sent an email to staff supporting having a space in front of their restaurant.

C/Lang thanked Mr. Szplett for his time.

Council directed P & Z D/Hasson to draft a letter from the Mayor and Council to ACHD in support.

7. NEW BUSINESS:**A. RESIGNATION OF KUNA P & Z COMMISSIONER DAVE CASE AND RECOMMENDATION OF RICHARD JARVIS AS REPLACEMENT COMMISSIONER.**

P & Z D/Hasson recognized Mr. Case's service to the City on the Planning and Zoning Commission. Richard Jarvis was suggested to take Mr. Case's place after Mr. Case's January 1, 2011 resignation. P & Z D/Hasson asked that Mr. Case return to a future meeting to be acknowledged for his years of service.

David Case thanked Council and stated he enjoyed his term on the Planning and Zoning Commission. He acknowledged staffs assistance and knowledge was an asset to him. He looks forward to serving the City as he takes on the position at ACHD as a Commissioner.

Mayor Dowdy thanked Mr. Case and the City appreciates all he had done.

C/Cardoza asked if the position should be advertised to the general public.

P & Z D/Hasson stated he would do as Council directs.

Mayor Dowdy explained it is the Mayor's responsibility to nominate a candidate and Council to confirm. The Mayor put Mr. Jarvis' name up but was agreeable to putting the position on the website for a couple of weeks.

Staff was directed to open the P & Z Commission position for applications.

B. APPROVED 10-11-TE (TIME EXTENSION) GREYHAWK SUBDIVISION PHASES TWO (2) AND THREE (3) – PRELIMINARY PLAT.

P/Behunin presented the Greyhawk Time Extension on behalf of Planner Rushlow. The location of the subdivision is at E. Hubbard and S. Kay Ave. The subdivision was originally approved in December 2006. During the interim they have received time extensions or moved forward with home production and final platting process with phase 1.

In November 2009 they received their first extension and this is their second extension. Because of the new amendment to the City code ordinance in 2008, there is a limit of 2. Staff agrees with the extension. There is one site specific condition, there are 7 signs across Hubbard Rd. and the signage will need to come into compliance which will be 2 signs. As of close of business today it is believed that they will come into compliance with the 2 sign limit.

Moved by C/Lang, seconded by C/Bachman to approve 10-11-TE Time Extension Greyhawk Subdivision Phases Two (2) and Three (3) – Preliminary Plat with the condition of limiting signage to 2 signs. Motion carried 4-0.

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

9. **ORDINANCES:**

10. **MAYOR / COUNCIL DISCUSSION:**

DRAFT

Pressurized Irrigation Arrearages:

C/Hoiland asked CE/Law about the intent to shut off the drinking water for unpaid pressurized irrigation assessments and if the city has that authority.

CE/Law replied that a portion of the irrigation water is drinking water. He believes the connection is there because of that. It hasn't been done in the last 2 years.

Mayor Dowdy doesn't believe the City has the authority to shut of potable water for unpaid tax assessments but deferred to the City Attorney.

CE/Law will look at other options. He confirmed to C/Hoiland that some of these delinquencies are from undeveloped land.

CA/Roats stated the remedy with developers may be to go through the property itself. With residents the pressurized irrigation should be shut off until they pay their assessments.

CE/Law stated it is such a large amount that Council has to take into account that the budget has to be accountable with the funds not being received.

ACHD:

C/Cardoza asked CE/Law if ACHD has agreed to the schematic of the intersection on 4th St.

CE/Law wanted Council to review it first before he took it to ACHD.

C/Cardoza likes to see the right turn lane on Linder and the sidewalk on the schematic.

C/Bachman asked if it brought the turn lane closer to the existing structures on the north.

CE/Law said ACHD may have to buy more property but this design doesn't require more property. The lanes are 13 feet and 12 feet.

C/Hoiland asked about the sidewalk on the Avalon bend across from the park.

CE/Law still needs to look at that with the 2 options. He thought curb and sidewalk was possible.

C/Bachman asked the ACHD representative if he had received an email about talking with the schools transportation person and coordinating with Linda Braswell.

Greg Alderson, the ACHD representative indicated he had not seen the email but will follow up.

CE/Law reiterated that he understood that Council supported curb and gutter when ever possible for protection of the pedestrians.

Council discussed the gutter and curb extending from the Church of Jesus Christ Latter Day Saints toward Paul's Grocery.

11. ANNOUNCEMENTS:

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 7:55 p.m. Motion carried 4-0.

J. Scott Dowdy, Mayor

ATTEST:

Chris Engels, Deputy City Clerk

DATE APPROVED: December 7, 2010