

MINUTES
DECEMBER 21, 2010
KUNA CITY HALL COUNCIL CHAMBER
763 W. AVALON

6:00 p.m. – PRE-COUNCIL MEETING

Present: Council President Bachman, Councilmember Cardoza,
 Councilmember Hoiland and Councilmember Lang.

Also Present: City Engineer Gordon Law, GIS Manager Mike Borzick and
 Sewer Supervisor Leola Vega.

WORKSHOP ON SCHOOL STREET SEWER.

7:00 p.m. – REGULAR COUNCIL MEETING

Mayor Dowdy called the meeting to order at 7:02 p.m.

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

Also Present: City Engineer Gordon Law, GIS Manager Mike Borzick, P & Z
 Director Steve Hasson, City Attorney Richard Roats, City
 Treasurer John Marsh and Deputy City Clerk Chris Engels.

2. INVOCATION: None

3. PLEDGE OF ALLEGIANCE: Mayor Dowdy

4. CONSENT AGENDA:

C/Cardoza asked about the Challenger Companies pump to waste 3 and 4 in the amount of \$8,023.70 on accounts payable.

CE/Law explained DEQ has directed that the City put the capability on the wells that when the wells start up they pump someplace the discharge for a short period of time before they actually pump to the public. This is the first pay request for Challenger Companies.

C/Cardoza asked about The Fire Extinguisher Co. The cost was \$641; he asked if it was to check out the fire extinguishers.

CT/Marsh explained that the fire extinguishers were recharged and noted there was a list of items done and described a portion of them.

C/Cardoza asked if the department heads review the invoices before they go to the Treasurers office.

CE/Law stated they are reviewed by the public works department heads and then are reviewed before going to the Treasurers office.

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

- A. 1. APPROVED MINUTES FROM REGULAR COUNCIL MEETING OF DECEMBER 7, 2010.
- 2. APPROVED MINUTES FROM SPECIAL COUNCIL MEETING OF DECEMBER 14, 2010.
- B. APPROVED ACCOUNTS PAYABLE DATED DECEMBER 16, 2010 IN THE AMOUNT OF \$238,416.43.
- C. APPROVED BUSINESS LICENSE FOR TROY AND VICKI TODD, "UPTOWN COFFEE AND THE SWEET SPOT" 762 E. WYTHE CREEK CT #103. NEW OWNERSHIP.
- D. APPROVED RESOLUTION R51-2010 AUTHORIZING EXECUTION OF CHANGE ORDER NO. 1 WITH HOLTON ENTERPRISES, INC.
- E. APPROVED RESOLUTION R52-2010 AUTHORIZING EXPENDITURES FOR CHEMICAL ROOM HEATING IMPROVEMENTS.

5. CITIZEN'S REPORTS OR REQUESTS:

MARCUS OMDAHL FROM NEW BEGINNINGS CHURCH TO GIVE AN UPDATE ON THE CHRISTMAS STORE EVENT AT THE SENIOR CENTER.

Marcus Omdahl thanked Council for waiving the fees for the Senior Center. He gave a summary of the number of people who were helped. Five churches were involved and 40 families were helped. A lady at Initial Point donated 50 handmade fleece blankets that her students had made. Several families stepped up and bought laptops for the high school students who were in need. This was the second year and he looks forward to future years.

Mayor Dowdy thanked Mr. Omdahl and appreciates the service provided. The Council looks forward to future years as well.

6. OLD BUSINESS:

A. SERVICE AWARD PLAQUE FOR DAVID CASE OUTGOING PLANNING AND ZONING COMMISSION CHAIRMAN.

Mayor Dowdy presented Mr. Case a plaque in appreciation for the last 3 years of service to the city. He noted Mr. Case served with distinguish and honor.

B. IT COMMITTEE UPDATE ON IT AND SERVER UPGRADES.

GISM/Borzick the IT Chairman updated Council that the server was repaired today because of a virus in the operating system. The committee recommends that a new server be purchased and the current server will serve as a Caselle server.

C/Bachman asked why Caselle was needed at the plant.

Mayor Dowdy explained utility billing will be moved to the plant under Public Works since utility billing is a Public Works function and CE/Law needs access to Caselle. He added the server was old and would be replaced next year.

C/Lang added there were some funds for upgrades budgeted but asked what the difference was in unbudgeted amounts.

GISM/Borzick noted there was \$7,500 for new PC's and to assist in the expense there is a savings in \$10,000 from cancelled phone and internet contracts by switching services. He confirmed to C/Bachman is \$20,541.04 which includes the amount budgeted for the 5 new PC's.

Mayor Dowdy stated this money wouldn't come from contingency and asked CT/Marsh to detail where the funds would come from.

CT/Marsh clarified there was some money allotted in the budget under small tools as well as a savings on contracts. It is an allocation between all the funds. \$10,270.52 comes from the general fund; \$4519.03 would come from the water fund, \$4519.03 from the sewer fund and \$1,232.00 from the P.I. fund.

C/Bachman feels the \$20,000 is extravagant for a server and clarified it will provide for the computers, Caselle at the Treatment plant and upgrade the server.

GISM/Borzick confirmed she was correct and gave a brief over view of the costs. There have been some deficiencies in the IT system. He explained that funds need to be allotted each year instead of big lumps every several years.

C/Bachman asked if each year would be \$20,000.

GISM/Borzick said it wouldn't. It would be limited to replacing several PC's each year.

Moved by C/Lang, seconded by C/Hoiland to approve the IT upgrades not to exceed \$20,541.04. Motion carried 4-0.

C. SENIOR CENTER FLOORING MEMO AND BIDS.

CT/Roats reminded Council that the senior center was before Council previously requesting funds for the flooring. He explained the long and short term options. The bi-fold doors are a problem and replacing the flooring with carpet will not correct the problem and it will occur again. Polishing the concrete or other type of flooring would remedy that. In addition, he explained there is an opportunity to apply for a block grant that could match City funds. The cost redoing the floor is approximately \$11,000. He asked Council for direction.

C/Hoiland asked if polished floor was a hazard to the senior citizens.

DCC/Engels added that upon speaking with the Department of Aging, there isn't a mandate of flooring type but hard floors are easier for apparatuses.

C/Bachman asked who would fill out the grant application.

DCC/Engels stated she had spoken to the Department about the grant and explained some of the criteria to be met including the scoring of matching funds.

CT/Roats, in response to C/Cardoza the seniors don't have any funds to contribute that he is aware of.

C/Bachman stated the city should commit to a 50% match.

DCC/Engels confirmed that was correct but there isn't a guarantee the city would receive the grant but this grant is targeted toward senior centers and community centers.

CA/Roats indicated the bid for polishing the concrete is the last bid.

DCC/Engels updated that the city inspector looked at the senior center even if the floor is retiled, because it is on concrete slabs through hot and cold have shifted somewhat and the bi-fold doors is what is causing the cracks in floor. The current cracks run where the pads have shifted. If it is re-tiled there would still be the same problem. In response to Council the decision on the grant would be after the March 4 cutoff date. P/Rushlow and DCC/Engels planned to work together on applying for the grant. She will check into the date the grant will be awarded.

C/Bachman thought the total of the original estimate was \$6,000.

C/Roats clarified that was for replacing carpet but it will still be the same situation with the bi-fold doors tearing up the carpet.

Council requested CA/Roats and DCC/Engels meet with the seniors to discuss the floor option.

CA/Roats explained there was an option for utilizing community service to help reduce the cost.

C/Bachman and C/Hoiland were supportive of volunteers and perhaps utilizing scout volunteers.

DCC/Engels indicated there is 2 fold to the bid. At \$11,210 it includes the contractor removing the tiles. If the City removed the tiles through whatever means, the cost would be reduced from \$2.95 a square foot to \$2.25 per square foot based on 3,800 square feet.

C/Cardoza asked if the patching and repair would be billed at \$75 an hour.

DCC/Engels confirmed that would be relevant if during the removal of the tiles gouges or breakage occurs. In addition it has been checked that there is no asbestos tile.

Mayor Dowdy indicated that if the city did the tile removal, the cost of the bid would reduce to \$8,550.

C/Bachman checked that the money would come from the contingency fund.

CT/Marsh confirmed it would.

C/Cardoza asked if the seniors have been talked to.

DCC/Engels replied the Council's direction first was being requested.

C/Bachman and C/Lang support pursuing a grant to reduce the costs to the city and fix the problem. She wanted to encourage volunteers to remove the tiles. She suggested a 50% match of in kind and cash.

C/Cardoza wanted the maintenance of the building costs reviewed, get the input from the seniors and if the polished floors would be slick.

DCC/Engels spoke with the contractor and there would not be an increased slip factor and staining the concrete can be looked at also if the seniors wanted that.

Mayor Dowdy confirmed Council was supportive of pursuing the grant with a 50% match.

7. NEW BUSINESS:

A. 10-05-LLA LOT LINE ADJUSTMENT, OXNAM.

P/Rushlow presented that the applicant was requesting a lot line adjustment for 1882 E. King Rd. There are 2 lots and the upper lot is land locked and would like to change it to

obtain street frontage. It is zoned agricultural but is in the industrial zone. The smaller has a house and barn which is nonconforming and can not be enlarged or expanded. The applicants are willing to comply and the property is in the LID. In response to C/Bachman all the property is zoned agricultural and the five acres comply with our zoning.

C/Cardoza asked the applicant what he was going to do with the house.

Mr. Oxnam, the applicant explained the house has been cleaned up and refurbished. The old barn burned down years ago as far as he knew.

C/Rushlow replied to C/Bachman that this would allow the applicant to sell a portion and adjust the property from being land locked.

Moved by C/Lang, seconded by C/Bachman to approve 10-05-LLA Lot Line adjustment for Oxnam. Motion carried 4-0.

B. INFORMATIONAL MEMO ON TEMPORARY DISCHARGER TO NWWTP.

CE/Law didn't have any additional comments on the memo.

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

A. ORDINANCE 2010-31 REPEALING ORDINANCE 691 AND ORDINANCE 2006-105 AND ORDINANCE 2006-105A; ADOPTING THE 2009 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE AND INTERNATIONAL ENERGY CONSERVATION CODE.

CA/Roats explained that there is a 30 day notice required and requests for comments was sent out with building code changes.

Mayor Dowdy opened the Public Hearing:

Support: None

Oppose: None

Neutral: None

With there being no testimony Mayor Dowdy closed the Public Hearing.

CA/Roats explained that several Ordinances are being repealed in a clean up and the new one is in compliance with state laws.

B. DESERTHAWK 10-03-S, SUBDIVISION PHASES 1-3/ 10-08-DR-DESIGN REVIEW.

P/Rushlow presented the request for Deserthawk. The subdivision was originally approved in 2003. A portion of phase 1 infrastructure has been installed. The development has been returned to the lender. Hopkins Growth Funds is the developer and wants to reactivate the preliminary plat with a few minor changes. The changes are associated with phases 2 and 3. The modifications include 17 additional buildable lots with 2 additional community lots. They have gone through design review and the city forester. This is an LID property. Planning and Zoning reviewed the size of the homes and has agreed to 10 lots at 850 square feet or larger of buildable lots spread equally through the subdivision. The remaining amount of homes will be 1,100 square feet or larger depending on the market. These homes are energy star homes. There are 9 housing styles required. Staff supports the smaller home sizes based on the market.

Applicant Kent Brown, 4242 Brookside, Boise and works for Bailey Engineers and Hopkins Financial. The developments details have been worked out. Phase 1 has curb and gutter and improvements installed. The clients would like to move forward in the upcoming year. Silvertip is an example of a local project. They have projects in Boise as well. A home building company has been implemented to deal with the foreclosures. He agrees with Planning and Zonings recommendations.

C/Bachman said the submittal letter said 2 lots but is now asking for 17 lots.

Kent Brown indicated ACHD asked for a stub street to the east. That would be 16 total lots.

P/Rushlow explained the ACHD letter was just received and the request for the stub street.

C/Bachman would like to see the home styles.

Randy Hopkins, developer explained the first picture is a home in Silvertip. The other photos are of cottage homes on a golf course. The other picture is from a Rivendale in Boise. There are a lot of subdivisions being foreclosed on and developing a construction company was established as a solution to regaining the investments. He would like Council to agree with the P & Z recommendations. In response to C/Bachman they are amenable to 12 inch eaves.

Mayor Dowdy opened the Public Hearing:

Support:

Mike Smith, 140 N. E. 8th St, Fruitland. As the builder of this project some of the good things they do are energy star homes. Small energy star homes are what people want currently. He stood for questions. In response to C/Bachman they have built 850 square foot homes in Silvertip and 2 car garages will be built even with a smaller home.

Oppose: None

Neutral:

Earnest Lombard stated he is the developer of Sutters Mill. The subdivision stopped half way through construction and didn't understand why. In the past he had to bond at 150% or a letter of credit to get a building permit. He thinks the city should be requiring a bond or a letter of credit to get a building permit. He also doesn't see any public space in the subdivision. He mentioned he is being billed for pressurized irrigation on empty lots and doesn't think he should be since he installed the system. Mr. Lombard asked if the developers had to pay latecomers fees.

With there being no further testimony Mayor Dowdy closed the Public Hearing.

Kent Brown rebutted that when Sutters Mill was done and still the bonding is done when the plat signature is done. The plat signature wasn't done except from the Health Department which doesn't require bonding. Bonding with ACHD wasn't done but they have changed their policies and now require bonding because of the number of foreclosed properties. Mr. Brown discussed the open spaces in Sutters Mill but with the configuration of this subdivision there isn't space with 4 homes per acre vs. 6 as in Sutters Mill.

C/Bachman asked about the platting. Phases 1, 2 and 3 will still be followed through on the plat application and the revised construction plans at which time bonding will be required if a building permit is required prior to improvements being constructed.

Kent Brown replied that bonding is requested by cities when signature is requested. Prior to coming to staff for signature, ACHD's signature would be obtained and the Health Department. If the improvements are done and accepted then they would need to be bonded for. That hasn't been done and permits haven't been requested.

C/Bachman asked CE/Law about the late comer's fees in this area. Also the number of LID connections, how will it work with the 16 more lots.

CE/Law answered that *unintelligible comments*. The additional 16 lots would *unintelligible comments*.

C/Bachman confirmed there were no new lots in phase 1. She confirmed the number of lots and square footage is correct.

Mr. Kent clarified there are 17 lots but one on the eastern boundary is where the stub street would be. The first lot in phase 3 is 50 feet wide which is the amount of the right of way.

P/Rushlow explained P & Z Council allowed 10 homes at 850 square feet with the remainder no less than 1,100 sq feet.

C/Bachman felt fine with P & Z Commissions recommendation and the agreement on the eaves and gables.

Moved by C/Bachman, seconded by C/Lang to approve Deserthawk 10-03-S Subdivision Phases 1-3/10-08-DR-Design Review with Planning and Zoning Commission recommendation to meet all site specific and standard conditions and staff and agency requirements. Reduce the 850 square foot homes to 9 homes instead of 10 and minimum of 1,100 square feet or larger for the remainder of the 105 homes in the 3 phases of the subdivision and an additional requirement of a minimum of 16 inch eaves and 12 inch gables in all homes in the subdivision. Motion carried 4-0.

- C. COMP PLAN AMENDMENT 10-01-CPA.
Continued-to be re-noticed for future date.

P & Z D/Hasson updated Council that Ada County has advised the City they would like to see some boundary modifications in the area of city impact, legend changes and other changes in general. Staff has decided to make amendments.

9. ORDINANCES:

DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS OF ORDINANCE 2010-31: AN ORDINANCE OF THE CITY OF KUNA, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, REPEALING ORDINANCE 691 AND ORDINANCE 2006-105 AND ORDINANCE 2006-105A; ADOPTING THE 2009 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE AND INTERNATIONAL ENERGY CONSERVATION CODE; AND PROVIDING AN EFFECTIVE DATE.

Moved by C/Lang, seconded by C/Bachman to dispense with a full reading and three consecutive readings of Ordinance 2010-31. Motion carried 4-0

Moved by C/Lang, seconded by C/Bachman to approve Ordinance 2010-31. Motion carried by roll call vote:

Ayes:	Bachman, Cardoza, Hoiland, Lang
Noes:	None
Absent:	None

10. MAYOR / COUNCIL DISCUSSION:

Mayor Dowdy updated Council on the city's request of Jim Jewett but Mr. Jewett has contacted the City to discuss it further. It is still in ongoing negotiations.

C/Bachman asked CA/Roats for an update on the LID.

CA/Roats said he would like to discuss it at the next meeting in executive session.

C/Cardoza told P & Z D/Hasson that coming in on the highway and there is a house and a barn that is dilapidated. He would like to know what can be done about it.

P & Z D/Hasson thought it was in the county but will check if it has been annexed into the city. He will look into it.

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 at 8:39 p.m. Motion carried 4-0.

J. Scott Dowdy, Mayor

ATTEST:

Chris Engels, Deputy City Clerk

DATE APPROVED: January 4, 2011