

**KUNA CITY COUNCIL MEETING**  
**MINUTES**  
**APRIL 20, 2010**  
**KUNA CITY HALL COUNCIL CHAMBER, 763 W. AVALON**

**1. CALL TO ORDER AND ROLL CALL:**

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 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 Pastor Chris Bent, Calvary Chapel - Kuna.

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

MOVE TO AMEND AGENDA -

***PER IC 67-2343 EFFECTIVE JULY 1, 2009, THE COUNCIL MUST MOVE TO "AMEND THE AGENDA" - ADD AGENDA ITEM 4.K. APPROVE LICENSE FOR SALE OF ON PREMISE BEER FOR NPC INTERNATIONAL, "PIZZA HUT," 251 AVENUE D RECEIVED BY THE CITY CLERK AFTER THE AGENDA WAS CLOSED AND POSTED; ADD ITEM 4.L. APPROVE LICENSE FOR SALE OF LIQUOR BY THE DRINK AND ON PREMISE BEER FOR BRENT NYBORG, "LONGHORN, LLC," 458 W. MAIN ST. RECEIVED BY THE CITY CLERK AT 1:30 P.M. ON APRIL 20, 2010 and 4.M. APPROVE LICENSE FOR SALE OF LIQUOR BY THE DRINK AND ON PREMISE BEER FOR C.K. ENTRPRISES, "REDEYE," 414 MAIN ST. RECEIVED BY THE CITY CLERK AT 2:30 P.M. ON APRIL 20, 2010. FURTHER, ADD ITEM NO. 6.E. FOR A PRESENTATION BY BOB McQUADE, ADA COUNTY ASSESSOR WHICH WAS INADVERTENTLY OMITTED FROM THE ORIGINAL AGENDA POSTED APRIL 16, 2010 and 6.F. FOR A PRESENTATION BY STEVEN RICKS.***

Moved by C/Lang, seconded by C/Hoiland to amend the agenda per Idaho code 67-2343 effective July 1, 2009 adding to the agenda items 4K, 4L, 4M, 6E and 6F. Motion carried 4-0.

**4. CONSENT AGENDA:**

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

- A. APPROVED MINUTES OF REGULAR MEETING OF APRIL 6, 2010.
- B. APPROVED ACCOUNTS PAYABLE DATED APRIL 16, 2010 IN THE AMOUNT OF \$255, 645.85.
- C. APPROVED BUSINESS LICENSE FOR JASON AND JUSTIN NYE,"JJ COMPUTERS," 2535 N. DESTINY AVE.
- D. APPROVED BUSINESS LICENSE FOR DUSTIN STRICKLAND, "ABSOLUTE POWER, LLC" 968 W. NUGGET ST.
- E. APPROVED BUSINESS LICENSE FOR J. SCOTT DOWDY, "DOWDY LAW OFFICE, 1619 N. LINDER, SUITE B.
- F. APPROVED LICENSE RENEWAL FOR SALE OF OFF PREMISE BEER AND WINE FOR "PAUL'S MARKET," 700 E. AVALON.
- G. APPROVED LICENSE RENEWAL FOR SALE OF ON PREMISE BEER AND WINE FOR GREY BOBOLI II, LLC, "IDAHO PIZZA CO.," 331 AVENUE E.
- H. APPROVED LICENSE RENEWAL FOR SALE OF OFF PREMISE BEER AND WINE FOR SHIVA, LLC, "KUNA SUPER C STORE," 331 AVENUE D.
- I. APPROVED LICENSE RENEWAL FOR SALE OF LIQUOR BY THE DRINK AND ON PREMISE BEER FOR W.R. GODFREY "CREEKSIDE KUNA, INC." 751 W 4<sup>TH</sup> ST.
- J. PROCLAIMED MAY 21 AND 22, 2010 AS "TREASURE VALLEY FIREFIGHTERS' FILL THE BOOT DAYS."
- K. APPROVED LICENSE FOR SALE OF ON PREMISE BEER FOR NPC INTERNATIONAL, "PIZZA HUT," 251 AVENUE D.
- L. APPROVED LICENSE FOR SALE OF LIQUOR BY THE DRINK AND ON PREMISE BEER FOR BRENT NYBORG, "LONGHORN, LLC," 458 W. MAIN ST.
- M. APPROVED LICENSE FOR SALE OF LIQUOR BY THE DRINK AND ON PREMISE BEER FOR C.K. ENTRPRISES, "REDEYE," 414 MAIN ST.

**5. OLD BUSINESS:**

A. FYE 2008 AUDITED FINANCIAL STATEMENTS PRESENTED BY JARED ZWYGART OF THE EXTERNAL AUDIT FIRM OF BAILEY & COMPANY, CPA'S (Continued from April 6, 2010).

Jared Zwygart, Bailey & Company CPA's apologized for being late to the last Council meeting. He reported that the 2008 audit has been completed and on pages 3 and 4 is the opinion of the audit. Page 5 shows the balance sheets of the governmental fund business activities with fixed assets. Page 7 provides where the city was on September 30. In the general fund there was \$532,000 in cash, \$63,000 in property tax and \$180,000 due by the state. All that has been receipted in. Accounts payable was \$145,000 that has been paid, deposits from others has been used. There was a carry over of \$536,000. Staying with the general fund and on page 30, it shows what the general fund did in 2008. The budget was for \$2,984,000 and receipted in \$3,088,000. At that time there was \$17,000 more in property taxes and the State of Idaho was \$62,000 more than anticipated. The city budgeted \$3,297,000 to spend but actually spent \$3,500,000. There was \$458,000 more spent than actually receipted in so the carry over was reduced to \$406,000. The problem was the month to months weren't in order so that's what took so long to do the audit since they had to be redone. On pages 32 and 33, it is broken down in more detail. He reviewed the details of the breakdown and some comparables to other cities. He continued on to pages 34 through 36 which covered latecomer's fees and juvenile justice along with other detailed revenue and expenditures for the various funds. He explained the LID fund and previous understanding of the LID on past audits. The water fund was doing well in FY 2008 and had a set aside \$205,000 for future expenses. The sewer fund was able to set aside \$2,000,000 because of the transfer back in of the LID money. The irrigation fund had a decrease because of capital assets. The sewer LID receipted in and spent all the cash. He reviewed the debt portion and required reserves.

C/Bachman asked CE/Law about the long term obligations that on the next budget were discussed to expedite paying off some of the obligations.

CE/Law answered that some had been paid off in 2009.

Mr. Zwygart indicated that they had some issues but with the change in Treasurers, they looked into 2009 and saw that necessary changes had been made. Some of the 2008 issues included not timely balanced bank statements and a lot of things undone. Since the Treasurer responsible for the issues was no longer here, they moved forward.

Mr. Zwygart responded to CE/Law there was a list of the issues and the biggest concern was if they were being corrected. In going into 2009 they saw that the issues were being corrected. One of the issues was that bank statements were not being reconciled and observed that the new Treasurer was doing the bank statement reconciliations and things were being properly accounted for. Also in response to CE/Law, after the current Treasurer fixed everything, the audit came clean but when it was started, it wasn't a clean audit.

C/Bachman asked if he foresaw it being better in the future and pointed out that a lot of this was under a previous Treasurer.

Mr. Zwycart indicated that C/Bachman was correct. There is a laundry list of things the current Treasurer corrected. There were a few things that they were concerned with because the Treasurer couldn't correct them so they went into the current year 2009.

In response to C/Cardoza, Mr. Zwycart assured Council that the money is protected; there just isn't an accounting policy that shows how it is being protected. It is protected because it is invested in low risk items.

C/Lang inquired of CT/Marsh if he is working on getting a policy in place.

CT/Marsh confirmed that he was.

Moved by C/Lang, seconded by C/Bachman to accept the 2008 FYE Financial Audit presented by Bailey and Co. Motion carried 4-0.

**B. DISCUSS PROPOSED ANIMAL CONTROL ORDINANCE, AS AMENDED.**

M/Dowdy indicated there were some issues to discuss before adopting this as there are some conflicting ordinances in the existing code. He asked CA/Roats what his thoughts were on the conflicting ordinances and how to tie all of it together.

CA/Roats explained that he intended to have this one encompass the other two current ordinances. Wild animals are discussed and the hope is instead of having 3 separate ordinances dealing with animals, there will just be 1. We have attempted to address some of the issues that came up in the last discussion and addressing it as the Kuna City Animal Control ordinance.

M/Dowdy stated in the new ordinance, non-domestic or wild animals are allowed if there is proper licensing. In the existing ordinance, they aren't allowed.

CA/Roats said that was one of the issues Council needed to address. In talking with P & Z D/Hasson, maybe it should be kept as it is and not allow those.

C/Bachman wondered if the existing code had been reviewed because it seemed like the minimum lot sizes were different from the current code. Also for the agricultural properties, make sure that it is indicated in that zone that there is some flexibility on how many animals they can have. If the new ordinance is going to be more restrictive for agricultural properties that recently annexed in, it should be looked at.

M/Dowdy said the current code doesn't prohibit farm animals, it just says you can't let them run at large. We don't want them running at large but in the new one it is restrictive as far as what you can have, how many you can have, how big the lot is which wipes out most of the lots in the city because the minimum lot size is 25,000 sq. ft. and up to a half acre. It is somewhat exclusive but it needs to be figured out how to mesh the two together and what we want to keep and what we don't.

C/Bachman thought it was a bit more flexible on the minimum size, she thought it was 30,000 sq. ft. minimum to have a horse and this one is a half acre which is a little bit less. She agreed the existing code needs to be reviewed.

M/Dowdy agreed and thought it would be more appropriate to bring it back at a time when the existing code can be pulled into this ordinance and show what we are striking and keeping and how the entire animal code is going to read. He asked CA/Roats if he would have this ready for the next Council meeting and would like it kept going at a rapid pace.

C/Bachman believed it is in a format that would change the code. She asked CC/Burgess if she brought it forward previously and it could be combined with this and highlight the changes.

CC/Burgess replied that this code section is completely different than what was brought before.

C/Hoiland asked if it is understood that the non-commercial kennel license concept will go away with this ordinance.

CA/Roats answered that was correct.

C/Hoiland referred to page 13 where it talks about the kennel license and he assumed it is for a professional kennel and if an animal is running at large more than 3 times in a 6 month period that would constitute revoking of the license. If it is a professional kennel, he felt that 1 strike should be enough for revocation. A professional kennel shouldn't be allowed to have dogs get loose. Would like to see it changed from 3 times to 1 time.

C/Bachman wanted to see what was proposed which is to not have the non-commercial kennel license.

CC/Burgess clarified that she doesn't believe there are any commercial kennel licenses in Kuna at this time. There haven't been any issued in 5 years.

C/Bachman suggested to strike the option for dogs at large or to indicate that there would be a citation or fee of some sort.

CA/Roats stated that the section is going beyond to say that if there are dogs at large we can revoke the license not just cite them. If it needs to be less, it can be changed.

C/Lang suggested changing it to 2 'dog at large' occurrences.  
C/Hoiland thinks 3 are too many and a professional shouldn't have any.

C/Lang agreed but thought 1 could be excusable.

CA/Roats clarified Council wanted it to read more than 1 time in a 6 month period.

M/Dowdy said the farm animal section needed reviewed for situations as someone having a rabbit as a pet but not to include cows and horses and such type large animals that require a pasture.

CA/Roats, in response to C/Bachman, the Humane Society has not reviewed it yet. He wanted it to be finalized first.

CC/Burgess added that they have reviewed this because they helped develop it for another city.

C/Hoiland stated he thought one of the biggest complaints by citizens is barking and noise making dogs. He thinks most residents don't know who or how to make a complaint when there is a dog barking.

M/Dowdy added that if the Humane Society isn't responsive, then the police can respond with these code changes as well as a neighbor can. They can get the police there and sign a citation against the neighbor which is what is different than what we have now.

CC/Burgess indicated she had a chance to talk with the animal control officer that services our area about the complaint from a citizen that had called the Humane Society several times about a barking dog and they did nothing. The response was that if the public is not willing to make a formal complaint, then the Humane Society can't do any thing about it. They have to come out and see the dog do that but it is up to the public to let them know formally. In response to C/Hoiland, the resident has to be willing to give their name. They don't take anonymous complaints.

CC/Burgess noted to Council that the fees are not in there. CA/Roats indicated it was preferable to put the fees in a resolution instead of an ordinance.

M/Dowdy asked for further information to be brought at the next Council meeting.

#### C. BALL FIELD PROJECT STATUS REPORT.

CE/Law apologized for having to bring the matter before Council again but it was an unbudgeted item and each expenditure is an area that Council has control over and not staff. Bobby Withrow, Parks Supervisor is in attendance to in part, publicly thank him for all the efforts and creativity and problems that he has solved. He wanted Bobby to know that he was appreciated for his efforts in getting the ball fields ready for this season. There are areas that need Council's direction.

CE/Law went on to discuss the number of bricks sold and pointed out that it would cost the city more money to proceed with the program rather than to refund the money to those who have already paid.

CE/Law stated that the number of advertising signs sold was analyzed as the same as the bricks but it would cost the city more to refund the money for signs than to proceed with creation and displaying the signs. He indicated his memorandum has the associated costs listed.

CE/Law asked for direction on the unfinished handicap ramp that was paid for from the grant funds from Home Depot. He thought there would be a significant cost to move forward. There were plans to install a flagpole and a proposal and permission obtained to install a swinging gate to close off 2<sup>nd</sup> street during games to protect pedestrians. He asked how to proceed on all of these things.

In response to C/Lang, CE/Law explained that in order to finish the handicap ramp, it needs the floor and handrails as well as dressing up and landing pads at the bottom. He believed ACHD also requested or required a landing on the other side of the street to match.

C/Bachman asked if there was an estimate of the cost.

CE/Law answered that it wasn't high on his priority list but if it was on Council's, he would get the information together. In response to C/Cardoza, there is concrete poured for the walls but not the floor and it appears the handrails have been fabricated. He wasn't sure if it had to be concrete or if it could be asphalt. There is a budgeting process coming up and some of things can be addressed in a more deliberate manner.

C/Bachman shared that when she has driven by; the handicap ramp seems very random. The parking lot is dirt and gravel. How does a person in a wheelchair get through the parking lot to the ramp to get across the street to more dirt? She thought it should be revisited and wait on the handicap ramp, move forward with the signs and wait on the street gate, flag pole and brick plaza.

M/Dowdy asked if the idea was to refund the costs of the bricks.

Council agreed that was the right thing to do.

CE/Law confirmed with Council that if that was their decisions, he had the information he needed for his questions.

C/Hoiland felt that it was owed to the business' that donated to press ahead with their advertising because we have already spent that money.

CE/Law advised that he asked the Douglas' to pay off remaining costs for sod in the infield from the remaining balance in checking account.

M/Dowdy verified that Council agreed to finishing off the sod in the manner in which CE/Law proposed and moving forward with the signs while waiting on the rest of it for the budget cycle.

C/Bachman noticed in the expenditures that a lot of the sprinkler supplies have already been purchased; she asked if we were able to use those or if the city had more.

CE/Law explained that the sprinklers in the expenditure list were put into the infields so they were already used.

C/Cardoza told CE/Law that he agreed with his statements about Parks Supervisor Bobby Withrow and his crew. They have done an excellent job and he C/Cardoza was impressed with the outcome.

C/Bachman added that the community volunteers helping with the project also deserved recognition for their efforts.

M/Dowdy agreed about Bobby and city staff but appreciated all the volunteers and organizations in the community that stepped up and tried to help and make this a successful project and get the fields back playable condition.

C/Cardoza asked CE/Law about the collectables still due on the signs. He felt that there should be a deadline on the payments and if the money hasn't been paid to refund the money.

Council agreed.

## 6. CITIZEN'S REPORTS OR REQUESTS:

### A. PRESENTATION BY EAGLE SCOUT CHAD KADEL AND REQUEST FOR PERMISSION TO INSTALL RAISED FLOWER BEDS AT THE SENIOR CENTER FOR HIS EAGLE SCOUT PROJECT.

Chad Kadel wasn't present.

C/Bachman and C/Hoiland stated they don't have a problem with the project. C/Hoiland asked about some specifics of watering and maintenance.

C/Lang asked if he had spoken to the seniors about the project.

C/Hoiland replied that the documents indicated Chad had spoken to Martha Eberhard.

CC/Burgess suggested he speak to the board instead of Martha since she is not the current President.

M/Dowdy indicated it could be approved contingent on a response from the president of the seniors group.

Moved by C/Bachman, seconded by C/Lang to approve the project contingent upon approval of the Senior Citizen president. Motion carried 4-0.

**B. REQUEST BY SKIP HOSELEY, REPRESENTING THE KUNA LION'S CLUB, FOR USE OF THE CITY PARKING LOT ON AVENUE B ON JULY 17, 2010 FOR LOCATION OF A CIRCUS.**

Skip Hoseley announced that the Lion's Club has opted to bring back the circus again this year on Saturday, July 17. There will be a show at 2:00 p.m., 4:00 p.m. and possibly a 7:30 p.m. show. It was very effective 2 years ago. He requested use of the gravel parking lot behind Bernie Fisher Park and waiver of all permits and fees. It will be the same as they have done previously including the insurances. This is a large fund raiser and last time they raised around \$2,400. Mr. Hoseley invited the Mayor to act as guest ringmaster again this year.

M/Dowdy said he would be honored.

Moved by C/Cardoza, seconded by C/Hoiland to approve the Kuna Lion's Club's use of the city parking lot on Avenue B on July 17 for the circus and waiving all fees. Motion carried 4-0.

**C. REQUEST BY J & M SANITATION FOR MATCH OF DONATION FOR ANNUAL CLEAN-UP PROGRAM ON APRIL 24, 2010.**

Chad Gordon announced it is the 27th Annual Kuna Clean-Up Day on Saturday, April 24. As in the past, there will be rolloff boxes for scrap metal, trash and the haz-waste unit to take all household hazardous items. There will be a trailer for tires. The Ada County SILD program will be available and going through the city for curbside pick up and have the drop site available.

In regard to the ball fields, Mr. Gordon spoke with Bobby Withrow and J&M will clean up the waste material left by the handicap ramp.

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He told Council they would not be asking for matching donations for the groups because of the city's financial constraints. He invited the Council to come out and participate.

D. INTRODUCTION OF 2010 KUNA CENSUS COMMITTEE AND ZEE QUINTANA, PARTNER SPECIALIST. PRESENTATION OF GIFTS TO THE COMMITTEE BY THE CITY AND BY MS. QUINTANA.

Joe Luppens of the Kuna Census Committee introduced Zee Quintana, a Specialist from the US Census Bureau. He gave a tally; the current response level by Kuna residents is 81% which exceeded the 2000 level of 73%. The National level is 71% and Idaho is at 73%. Mr. Luppens thanked the committee and shared how much he enjoyed being involved. He asked Ms. Quintana to help him present the certificates to the committee members from the Regional census office.

M/Dowdy expressed appreciation for Joe Luppens' participation and heading up the committee and thanked everyone who participated. He presented certificates of appreciation on behalf of the City to the committee members with gift certificates for El Gallo Giro.

E. PRESENTATION BY BOB McQUADE, ADA COUNTY ASSESSOR.

Bob McQuade distributed a breakdown of the numbers. It is about 2 weeks early in the normal time line of assessments. Last year, there was a big decrease in assessed values. The State Tax Commission judges the assessors' work by a ratio analysis. Single family ratio is 97%, which is a little less than the sales price. Land is 95% and is dropping like crazy. Decreased value does not mean decreased taxes. Single family residential is off by 9% since January 2010 and could be lowered by the Board of Equalization in June. Values will be decreased again this year by approximately 15%. The total taxable value is \$458 million which is down 13%. The residential market value is \$644 million, down 10%. MLS medium decrease is 20%. The area with the least amount of decrease in the county is NW Boise, they had a 12% decrease. Last year it was Garden City with a 2% decrease. The highest decrease is SW Meridian with a 30% decrease in values. That is a benchmark to compare. Market value on commercial is \$72 million and shows an increase of 10% but that isn't accurate. They are still working on the commercial valuation. He estimates it will be 10% less than last year. New construction values are important and currently shows \$24 million but it could be less than that. The legislature changed how new construction is calculated and he isn't sure how it will turn out until the assessments go out. They have to take into consideration decreases. For example, if agricultural land was subdivided and it went up in value. The difference between the two values is added to the new construction roll. With the new legislation, if the agricultural land was subdivided and then back to agricultural, that decrease of value will come off the new construction roll. It is possible some areas will see a negative new construction roll. New construction in 2007 was \$90 million compared to

\$24 million. It is forecasted that 2010 is going to be another bad year. He did a comparison on the values for 2006 and now and based on a 3% yearly increase, it will take 10 years for current values to reach the values set in 2006. Last year, residential was 88% of the taxes paid; today it is 85% which is an encouraging shift from residential to commercial.

F. **PRESENTATION BY STEVE RICKS RE CHAMBER OF COMMERCE'S KUNA BUSINESS BUZZ ABOUT ON JUNE 5<sup>TH</sup>. PROCEEDS WILL BENEFIT THE BOYS & GIRLS CLUB.**

Steve Ricks announced that the Chamber is planning for a Kuna Business Buzz About on June 5<sup>th</sup>. They are seeking ways to expand community awareness of the local businesses. There will be 3 locations in the city where there will be displays, events, activities and games. Businesses will be sending out announcements to the residents. They will be raising money for the Boys and Girls Club. There will be a dunk tank and he is looking for 7 prominent citizens in Kuna to occupy the dunk tank chair for about an hour. Tim Gordon, Richard Cardoza, Steve Hasson and Mayor Dowdy volunteered.

7. **NEW BUSINESS:**

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 2010-4A: AN ORDINANCE AMENDING ORDINANCE NO. 2010-4 TO CORRECT THE FINAL ASSESSMENT ROLL FOR SAID LID RELATED TO TWO PARCELS OF LAND AND LEVYING THE ASSESSMENTS CONTAINED THEREIN; PROVIDING FOR THE PAYMENT AND NOTICE OF SAID ASSESSMENTS; PROVIDING FOR THE FINALITY OF THE DETERMINATION OF THE REGULARITY, VALIDITY AND CORRECTNESS OF SAID AMENDED ASSESSMENT ROLL, AND PROVIDING AN EFFECTIVE DATE.

Moved by C/Lang, seconded by C/Bachman to dispense with full reading and three consecutive readings of Ordinance No. 2010-04A. Motion carried 4-0.

Moved by C/Lang, seconded by C/Hoiland to adopt Ordinance No. 2010-04A. Motion carried by the following Roll Call vote:

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

**10. MAYOR / COUNCIL DISCUSSION:****WATER PROJECTS MASTER PLAN REPORT SUBMITTED BY CE/LAW.**

CE/Law prepared a memorandum partly related to water projects but also because the city will be constructing some water trunk lines toward a major loop to provide more than one way to get water to all points throughout the city. It will include all well supplies within the loop. Wells currently only serve within their vicinity because there aren't major connecting lines to help them deliver farther points in their consumption area. This year's budget request will include funds for along Ten Mile Rd. to fill in the western side of the loop. Next year will be the eastern side from the new LDS church on Linder south to the intersection of Hubbard Rd. and Linder. The other effect is there is a need to add one more reservoir in the water system to take care of the instant demands as they occur.

C/Hoiland asked that on Linder, will it be a problem to go through or under the irrigation ditches. He asked how that would be done.

CE/Law responded that when canals cross roads, they cut through and place a casing with a pipe inside for a double wall.

CE/Law explained that he also included in the memorandum a recitation of items in the most recent master plan that have been completed. There is another memorandum entitled Oxygen Rich Water. The city has 7 wells, 2 of them are high in oxygen content which results in cloudy water. He explained what causes the effect. He is searching for ways to eliminate the oxygen in the water but found that other cities do not treat their water for the oxygen. He has developed a memorandum to be included in the next billing to explain to residents that the water is safe.

M/Dowdy thinks that education is the cheapest. There is nothing wrong with the water.

C/Bachman inquired if there was a website that could help educate the public.

CE/Law said he used "Cloudy Tap Water" in his research on the internet.

CE/Law reported that he received a call from C/Cardoza earlier today transmitting a complaint about the water being cloudy and dirty. The sample collected on the north side of town within 30 minutes of the call from C/Cardoza was clean. Whenever a well is turned on, there is always a small amount of fine soil particles making the water look dusty. He explained in detail why that can happen but the water is safe.

**11. ANNOUNCEMENTS:**

M/Dowdy announced that ACHD sent a letter asking to schedule a pre-Council meeting for a presentation regarding their roundabout policy. The meeting is to be set up for next Council meeting in May.

M/Dowdy stated that Cheryl McCord from the Farmer's Market contacted him to see if the city would approve moving the Market to the city park. He pointed out that Council has always been reluctant to tie up public space for private use. He asked Ms. McCord to come back to a future meeting with a proposal.

He was also contacted by someone wanting to build a concession stand in the greenbelt in the park to rent rafts to float Indian Creek and offer transportation and concessions. He told them the city was reluctant to allow that on public property. Boise Kuna Irrigation District doesn't stop persons from floating the creek but certainly doesn't want to promote it.

C/Bachman stated that code is not currently supportive of private usages on public property. She felt that moving the market downtown in a good idea but was concerned that the park is already pretty crowded. This could open discussion as to how to do it in the future. Boise closes down a few streets for their farmer's market but she wasn't sure how they work that with ACHD. She asked staff to look into future options.

P&Z Dir/Hasson pointed out that Union Pacific owns the greenbelt and they do not allow any permanent structures on their property.

C/Bachman is not very supportive of the concession stand idea.

C/Cardoza reminded Council they have already turned down the emission testing station on public property.

C/Cardoza explained he had been in touch with a professional grant writer willing to donate time to the city.

**12. EXECUTIVE SESSION:**

Moved by C/Lang, seconded by C/Bachman to adjourn to Executive Session pursuant to I.C. 67-2345 (f) Litigation at 9:25 p.m. Motion carried by the following Roll Call vote:

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

Adjourned Executive Session at 10:05 p.m.

- 13. ADJOURNMENT:** There being no further business to conduct, it was moved by C/Lang, seconded by C/Bachman to adjourn at 10:05 p.m. Motion carried 4-0.

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J. SCOTT DOWDY, MAYOR

ATTEST:

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LYNDA BURGESS, CITY CLERK

DATE APPROVED: MAY 4, 2010