

**KUNA CITY COUNCIL MEETING**  
**MINUTES**  
**APRIL 6, 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 Hoiland and Councilmember Lang.  
Councilmember Cardoza was excused.

**ALSO PRESENT:** City Attorney Richard Roats; City Engineer Gordon  
Law; Planning & Zoning Director Steven Hasson;  
City Treasurer John Marsh; Senior Planner Troy  
Behunin; Planner Maranda Obray 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

**4. CONSENT AGENDA:**

Moved by C/Bachman, seconded by C/Lang to move Item 4.M. to 10. Mayor/Council  
Discussion. Motion carried 3-0 (C/Cardoza absent).

Moved by C/Lang, seconded by C/Bachman to approve the Consent Agenda. Motion  
carried by the following Roll Call vote:

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

**A. APPROVED MINUTES:**

1. SPECIAL MEETING OF MARCH 8, 2010
2. REGULAR MEETING OF MARCH 16, 2010
3. SPECIAL MEETING OF MARCH 19, 2010

**B. APPROVED ACCOUNTS PAYABLE DATED APRIL 1, 2010 IN THE AMOUNT  
OF \$180,743.51.**

**C. APPROVED BUSINESS LICENSE FOR SCOTT MCKENDRICK “KOA FARMS,”  
2214 W. QUILCEDA ST.**

- D. APPROVED BUSINESS LICENSE FOR MICHELLE MCKENDRICK “THE FIT CHIK,” 2214 W. QUILCEDA ST.
- E. APPROVED BUSINESS LICENSE FOR TIMOTHY A. COX “T & J MOWING, ROTOTILLING AND WEEDING,” 585 W. RAMS HILL ST.
- F. APPROVED BUSINESS LICENSE FOR BARBARA JONES “THE WILLOW TREE HOME DÉCOR & GIFT SHOP,” 315 E. AVALON.
- G. APPROVED BUSINESS LICENSE FOR JEREMIAH BENKSTEIN “BENKSTEIN CONCRETE,” 2410 N. TANOAKS RD.
- H. APPROVED BUSINESS LICENSE FOR JOHN RYAN MILER “CENTERPOINT ORTHODONTICS,” 927 N. LINDER RD.
- I. APPROVED BUSINESS LICENSE FOR CHERIE & PATRICK BOCHNALE “3:16 ILLUSTRATION & DESIGN,” 205 E. WYTHBURN.
- J. APPROVED BUSINESS LICENSE FOR DIANE HOWARD “KNIT ONE – QUILT TOO,” 762 E WYTHE CREEK CT, #102.
- K. APPROVED BUSINESS LICENSE FOR ROBERT & NICHOLE MCCLURE “KUNA TAEKWONDO,” 368 E AVALON ST.
- L. ADOPTED RESOLUTION NO. R11-2010, TASK ORDER NO. 9 FOR MISCELLANEOUS ENGINEERING SERVICES – CEDAR AND BUTLER FACILITY IMPROVEMENTS WITH KELLER ASSOCIATES.
- N. APPROVED AGREEMENT WITH THE BUREAU OF RECLAMATION FOR PRESSURIZED IRRIGATION LINE CROSSING OF MORA DRAIN.
- O. APPROVED LICENSE RENEWAL FOR SALE OF LIQUOR BY THE DRINK AND ON PREMISE BEER FOR ENRIQUE CONTRERAS “EL GALLO GIRO,” 482 W. MAIN ST.
- P. APPROVED LICENSE RENEWAL FOR SALE OF OFF PREMISE BEER AND WINE FOR “BIG SMOKE LLC,” 1031 E. KUNA RD. STE. 150.
- Q. APPROVED LICENSE RENEWAL FOR SALE OF LIQUOR BY THE DRINK AND ON PREMISE BEER FOR SALVADOR SANCHEZ “FIESTA GUADALAJARA,” 780 E. AVALON.
- R. APPROVED LICENSE RENEWAL FOR SALE OF LIQUOR BY THE DRINK AND ON PREMISE BEER FOR LARRY O’LEARY “THE ARLENE,” 459 W. MAIN ST.
- S. APPROVED LICENSE RENEWAL FOR SALE OF OFF PREMISE BEER AND

WINE FOR TERRY & WANDA CRAWFORD “KUNA CHEVRON,” 150 W. DEER FLAT RD.

- T. APPROVED LICENSE RENEWAL FOR SALE OF LIQUOR BY THE DRINK AND ON PREMISE BEER FOR PSL INC “COWGIRLS” AND “TANNINS,” 353 AND 347 AVENUE E. “
- U. APPROVED LICENSE RENEWAL FOR SALE OF OFF PREMISE BEER AND WINE FOR “JACKSONS FOOD STORES” 330 W 3<sup>RD</sup> ST.
- V. APPROVED FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR 09-02-CPF, DANSKIN RIDGE NO. 6 SUBDIVISION.

5. **OLD BUSINESS:**

6. **CITIZEN’S REPORTS OR REQUESTS:**

7. **NEW BUSINESS:**

- A. 10-03-TE (TIME EXTENSION) – PROFILE RIDGE SUBDIVISION.
- B. 10-01-LLA (LOT LINE ADJUSTMENT) – PROFILE RIDGE SUBDIVISION PARCEL BOUNDARY CONFIGURATION.

P/Obray reported on both items requested to be heard regarding the Profile Ridge Subdivision which was approved on March 18, 2008. She explained that this would be their first extension request under the new code and recommended that the company controller keep City staff apprised of all ownership changes and points of contact for each party with interest in the real property. The applicant also requested a lot line adjustment. In 2008, Redcliff Development, the previous owner, recorded a record of survey to adjust the parcels to accommodate for a property for the Idaho Central Credit Union. There was confusion between staff and the representative as to whether there needed to be a lot line adjustment at the time. It has now been decided that a lot line adjustment is necessary. The applicant is not adding or reducing any parcels; they are reconfiguring parcels originally a part of Profile Ridge.

Bob Unger, ULC Management, 6104 N. Gary Ln, Boise, representing Syringa Bank and the additional owners on the project, concurred with staff’s recommendations.

C/Lang stated he was glad that the project was being kept alive.

Mr. Unger replied that they have contracted with Conger Management to do the offsite improvements and the site improvements for Phase 1.

Moved by C/Bachman, seconded by C/Lang to approve 7A and 7B 10-03-TE (Time Extension) – Profile Ridge Subdivision and 10-01-LLA (Lot Line Adjustment) – Profile

Ridge Subdivision Parcel Boundary Configuration with staff's recommendations.  
Motion carried 3-0 (C/Cardoza absent).

C. FYE 2008 AUDITED FINANCIAL STATEMENTS PRESENTED BY JARED ZWYGART OF THE EXTERNAL AUDIT FIRM OF BAILEY & COMPANY, CPAS.

CT/Marsh explained that Mr. Zwygart of Bailey & Company had another engagement earlier and would be trying to make it to this meeting. Since Mr. Zwygart had not yet arrived, CT/Marsh suggested rescheduling the presentation until the April 20, 2010 meeting.

Moved by C/Lang, seconded by C/Hoiland to continue the audit to April 20, 2010.  
Motion carried 3-0 (C/Cardoza absent).

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

9. **ORDINANCES:**

10. **MAYOR / COUNCIL DISCUSSION:**

REMOVED FROM CONSENT AGENDA:

4.M. ADOPT RESOLUTION NO. R12-2010 AUTHORIZING THE LAKE HAZEL EAST FARM LEASE AGREEMENT TITLED "FARM SERVICES AMENDMENT TO AGREEMENT" WITH BIG "D" RANCH, INC.

CE/Law updated council that the plant acreage is 164.4 and the farmable acres are 64.4. The lease amount has already been paid for the farmable acres for this year.

Moved by C/Lang, seconded by C/Hoiland to adopt Resolution R12-2010. Motion carried 3-0 (C/Cardoza absent).

M/Dowdy initiated a conversation in reference to CE/Law's memo about the ball fields and that the memo indicates that Walt Douglas has provided an accounting. He asked if it was a new document or an older one that had been reviewed several weeks prior.

CE/Law indicated that additional information had been provided. A copy of the bank statement has been provided showing the account balance at \$450. There hasn't been an invoice provided for the \$750 for sod which has not been paid. Mr. Douglas has given the city a number of things related to advertising signs and bricks that have been sold. CE/Law reported that he is planning on meeting with Mr. Douglas tomorrow at 1:00 p.m. He further stated that a total of 11 signs have been sold. Of the 11, only 3 have been completely paid for, the rest are partially paid and have money that needs to be collected. Parks Supervisor Bobby Withrow checked on the costs to do the sign placard and painting and it will cost approximately \$250 a piece for a total of \$2,750. The other project was a stenciled brick project with names. 18 bricks have

been sold but there isn't a cost yet for the stenciling nor is there a place to set the brick and display them.

C/Lang asked CE/Law what the bricks were sold for.

CE/Law answered that a 4 x 8 brick was sold for \$40, 8 x 8 brick was \$65. There are 10 of the 8 x 8 bricks and 8 of the 4 x 8 bricks. It aren't a lot of bricks, but to display them, they need to be mingled with the un-stenciled bricks along with a pad and set with a border.

M/Dowdy indicated that according to his calculations, Mr. Douglas should have collected for the bricks which would exceed the amount in the bank account.

CE/Law agreed.

C/Lang asked the amount the signs were sold for.

CE/Law believed the costs for a 4 x 8 sign sold for \$780 for a 3 year display and the sign placard. The other size was \$480. There is an 8 x 8 sign but CE/Law couldn't find the documentation of what it was sold for but the buyer said the price was \$5,000. The money is gone except for \$450 in the bank account.

In response to C/Bachman, CE/Law explained that there are 11 signs involved; only 3 of which have been completely paid with the remaining being partially paid. He gave an example of a company who purchased a sign and how much was paid. The money was deposited into the account but it has been spent.

M/Dowdy asked if Walt Douglas has shown what he spent the money on.

CE/Law has a list of the transactions of the checks coming out of the account but he hasn't received anything more detailed that justifies or explains each expenditure.

M/Dowdy stated that he was hopeful that more information would be provided at the meeting with Mr. Douglas. He then asked CT/Marsh about a motivational seminar coming to the area.

CT/Marsh explained that the city had received an offer for a motivational speaking event at the Idaho Center. Part of the offer is that the entire staff could attend for \$19. He felt it would be a great opportunity for staff and City Council to attend. The conference starts at 8 a.m. and the doors open at the doors open at 6 a.m. on April 20, 2010. It lasts until 4:45 p.m. There is a 1 hour lunch break and 2 half hour breaks.

C/Bachman verified that there was a Council meeting that night and asked if City Hall would need to be closed.

CT/Marsh thought that supervisors would have to decide how to best staff positions so services don't fall below a satisfactory level. They would decide who would go

and who would stay.

C/Hoiland asked if part of it that could be attended in the afternoon.

CT/Marsh answered that anyone could leave at anytime.

M/Dowdy stated that the Census is complete with a 73% response from Kuna residents. He thought it would be appropriate for the City to thank the volunteers who spent nearly a year working hard to get out the information. He asked Council to consider gift certificates for a restaurant in town to say thanks for the time they dedicated to the City.

CT/Marsh said there were 13 members on the committee and he thought the best way would be to give the committee a gift certificate to use at their leisure as a group and perhaps recognize the individuals at the next council meeting. The cost of the certificate would be approximately \$260.

Council agreed to spend the \$260 to honor the Kuna census committee members.

**11. ANNOUNCEMENTS:**

**12. EXECUTIVE SESSION**

Moved by C/Lang, seconded by C/Hoiland to add to the Executive Session Potential Property Acquisition, I.C. 67-2345(c), explaining that the late addition to the agenda was due to the fact that information was not available until earlier today. Motion carried 3-0 (C/Cardoza absent).

Moved by C/Lang, seconded by C/Hoiland to adjourn to Executive Session pursuant to I.C. 67-2345(c), Potential Property Acquisition and (f) Litigation at 7:30 p.m. Motion carried by the following Roll Call vote:

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

Adjourned Executive Session at 8:08 p.m.

**13. ADJOURNMENT:** There being no further business to conduct, it was moved by C/Lang, seconded by C/Bachman to adjourn at 8:11 p.m. Motion carried 3-0 (C/Cardoza absent)

ATTEST:

\_\_\_\_\_  
LYNDA BURGESS, CITY CLERK

DATE APPROVED: APRIL 20, 2010