

**OFFICIALS**

Joe Stear, Mayor  
Greg McPherson, Council President  
Chris Bruce, Council Member  
Matt Biggs, Council Member  
John Laraway, Council Member



**CITY OF KUNA**  
**Kuna City Hall Council Chamber, 751 W 4th Street, Kuna, Idaho 83634**

**City Council Meeting**  
**MINUTES**  
**Tuesday, October 03, 2023**

**6:00 P.M. REGULAR CITY COUNCIL**

*For questions, please call the Kuna City Clerk's Office at (208) 387-7726.*

ALL ITEMS ON THE KUNA CITY COUNCIL AGENDA ARE CONSIDERED ACTION ITEMS UNLESS OTHERWISE INSTRUCTED BY THE CITY COUNCIL.

**1. Call to Order and Roll Call**

*(Timestamp 00:00:18)*

**COUNCIL MEMBERS PRESENT:**

Mayor Joe Stear -Present  
Council President McPherson -Present  
Council Member Chris Bruce -Present  
Council Member Matt Biggs -Present  
Council Member John Laraway -Absent

**CITY STAFF PRESENT:**

Marc Bybee, City Attorney  
Jared Empey, City Treasurer  
Mike Fratusco, Kuna Police Chief  
Doug Hanson, P & Z Director  
Bobby Withrow, Parks Director  
Economic Development Director, Morgan Treasure  
Nancy Stauffer, Human Resource Director  
Chris Engels, City Clerk  
Paul Stevens, City Engineer  
Troy Behunin, City Senior Planner

**2. Invocation**

**3. Pledge of Allegiance: Mayor Stear**

*(Timestamp 00:00:38)*

**4. Consent Agenda: ACTION ITEMS**

*All items listed under the Consent Agenda are considered to be routine and are acted on with one motion by the City Council. There will be no separate discussion on these items unless the Mayor, Council Member, or City Staff requests an item to be removed from the Consent Agenda for discussion. Items removed from the Consent Agenda will be placed on the Regular Agenda under Business or as instructed by the City Council.*

*(Timestamp 00:01:06)*

NOTICE: Copies of all agenda materials are available for public review in the Office of the City Clerk. Persons who have questions concerning any agenda item may call the City Clerk's Office at (208) 387-7726. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at 387-7726 at least forty-eight (48) hours prior to the meeting to allow the City to make reasonable arrangements to ensure accessibility to this meeting.

- A. Regular City Council Meeting Minutes Dated September 19, 2023
- B. Accounts Payable Dated September 26, 2023, in the amount of \$1,126,197.70
- C. Resolutions

- 1. Resolution R75-2023

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO ACCEPTING THE AGREEMENT FOR TEMPORARY EASEMENT FROM ARROYO CAP-II, LLC.

- 1. Resolution R76-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE “CORRECTION DEED AND CORRECTION QUITCLAIM DEED AND ACCEPTANCE FOR LOT 4, BLOCK 2 OF SHORTLINE PARK NO. 1 PLAT” WITH MRS PROPERTIES, LLC; AND AUTHORIZING THE MAYOR TO ACCEPT AND SIGN; AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

- 2. Resolution R61-2023A

A RESOLUTION AMENDING PORTIONS OF RESOLUTION R61-2022 THAT: SETS FORTH THE AUTHORITY FOR ADOPTING WATER CONNECTION FEES AND MONTHLY WATER SERVICE RATES; ESTABLISHES FEES FOR CONNECTING TO THE WATER SYSTEM; ESTABLISHES WATER USE FEES THAT ARE NOW AMENDED WITH WATER RATE CHANGES FOR ALL CUSTOMERS; PROVIDES FOR MISCELLANEOUS WATER CUSTOMER SERVICE POLICIES; SETS FORTH MINIMUM LINE SIZES; REPEALS FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETS AN EFFECTIVE DATE.

- 3. Resolution R62-2023A

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO SETTING FORTH FINDINGS; AND SUPERSEEDING, AMENDING, AND REFORMING CITY COUNCIL RESOLUTION R60-2022; AND ESTABLISHING FEES FOR CONNECTING TO SANITARY SEWER SYSTEM; AND ESTABLISHING MONTHLY SEWER USE FEES; AND ESTABLISHING MINIMUM SEWER LINE SIZES; AND ESTABLISHING OTHER CHARGES; AND ESTABLISHING AN EFFECTIVE DATE.

- 4. Resolution R77-2023

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING A NEW FEE SCHEDULE FOR TRASH COLLECTION SERVICES THAT REFLECTS A RATE INCREASE OF 4.48% FOR EACH SERVICE RELATED TO THE CITY’S COLLECTION, HAULING AND REMOVAL OF SOLID WASTE WITH ITS

CONTRACTOR J&M SANITATION, WITH AN EFFECTIVE DATE OF NOVEMBER 1, 2023.

**Mayor Stear** First item is the consent agenda, is there any questions or comments or anything you want pulled for discussion?

**Council Member Biggs** Not anymore, I have my question answered earlier.

**Council President McPherson** Good. I would move we approve the consent agenda as published.

**Council Member Biggs** Second.

**Mayor Stear** Motion is made and seconded. Is there any further discussion?

**Mayor Stear** Chris, would you poll the Council, please?

**City Clerk Chris Engels** Council Member Bruce.

**Council Member Bruce** Aye.

**City Clerk Chris Engels** Council Member Biggs.

**Council Member Biggs** Aye.

**City Clerk Chris Engels** Council President McPherson.

**Council President McPherson** Aye.

**Mayor Stear** And that motion carries.

**Motion To:** Approve the Consent Agenda

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Biggs

**Further Discussion:** None

**Approved by the Following Roll Call Vote:**

**Voting Aye:** Council Members, McPherson, Bruce, Biggs

**Voting No:** None

**Absent:** Laraway

**Motion Passed:** 3-0-1

#### 4.1.A Employee Appreciation

(Timestamp 00:01:31)

**Mayor Stear** We're going to start out tonight with employee appreciation. I'm going to start with Carol Merritt. She's retiring. Carol's been working in the utility billing department as an accounting specialist. She's dedicated over 24 years of her life to public service, first in Alaska with the City of Cordova for about 20 years. And then we were lucky enough to have her here for a little over 4 years. Carol was a great addition to our team, bringing her vast amount of knowledge and experience. She's been a pleasure to work with and we wish her all the best in her retirement. Carol's one of those that her smile made everybody's day, so she's certainly going to be missed.

And I enjoy this one because we get to watch Bobby all turn red. Bobby Withrow has been with us now for 20 years. He's dedicated 20 years of his life to serving the City of Kuna and its community. His unwavering commitment and exceptional service have been a tremendous asset to the City, and we are fortunate to have him on our team. We're never going to let Bobby retire. Bobby's dedication and hard work have not gone unnoticed, and his positive attitude has been infectious to those around him. Throughout his tenure, Bobby has demonstrated a deep understanding of the City's needs and has worked tirelessly to ensure that those needs are met. His passion for public service, combined with his extensive knowledge and experience, have made him invaluable as an asset to the City of Kuna. His contributions have been instrumental in shaping our community and ensuring its continued success. We're grateful for Bobby's contributions and look forward to many more years of his dedicated service. Congratulations, Bobby, on this remarkable milestone.

#### 5. Public Hearings:

*Public Hearing Process: Items begin with the presentation of the project by staff for up to 15 minutes. The applicant is then allowed 10 minutes to present their project. Members of the public are allowed up to 3 minutes each, to address City Council with testimony restricted to the matter at hand. After all public testimony, the applicant is allowed 5 minutes for rebuttal.*

*City Council members may ask questions throughout the public hearing process.*

*Once the public hearing is closed, no further testimony or comments are heard.*

*City Council may move to continue the application to a future meeting or approve or deny the application.*

(Timestamp 00:04:17)

- A. Consideration to approve Case Nos. 21-13-AN (Annexation), and 21-09-S (Preliminary Plat). – Applicant requests Annexation approval for approximately 76.02 acres and to zone the property R-6, R-12 and C-2; and requests Preliminary Plat approval in order to subdivide the site into 16 Commercial Lots, 132 single-family lots, 9 multi-family lots and 22 common lots. The site is located at the southwest corner of Meridian and Hubbard Roads. – Troy Behunin, Senior Planner **ACTION ITEM**

*Open Public Hearing*

*Receive evidence*

*Consideration to close evidence presentation and proceed to deliberation*

**Mayor Stear** Right. That takes us right to public hearings. Item A is consideration to approve case numbers 21-13-AN annexation and 21-09-S preliminary plat. The applicant requests annexation approval for approximately 76.02 acres. And to zone the property R6, R12, and C2 and request preliminary plat approval in order to subdivide the site into 16 commercial lots, 132 single family Lots, 9 multi-family lots and 22 common lots. This site is located at the southwest corner of Meridian and Hubbard Roads. I think this one I believe this is the one that has been on social media. Council and I are. It's the law that we can't look at these or have any conversations about these prior to a public hearing. So, the first Council or I get to hear about these when our packets come out on Fridays. And someone had actually tagged me into that post, and when I saw what it was, I tried to do a real quick answer. It was basically, I think it said something about asking if Council could deny this project and all. All I said was that. Council is not required to do annexations and I and then I got out of the post and didn't look at it anymore. So, I just wanted to declare that those are *ex-parte* communications that we have to make part of the record here tonight at the public hearing. And so, is there anybody else that needs to declare any?

**Council Member Bruce** I did comment on that as well about process on the same post.

**Mayor Stear** Okay. And I'm not certain that it was even about this one. I'm assuming it is, but anyway, I just wanted to make those declarations clear before we got started. Troy, you may have the floor, Sir.

**City Senior Planner, Troy Behunin** Good evening, Mr. Mayor, and members of the Council. Troy Behunin Senior Planner, 751 W 4th St. here in Kuna Planning Zoning department. So, the applications before you this evening request annexation approval in order to bring and to have joined the City of Kuna. Approximately 76.20 acres into the city and zone the property. In specific parts. Medium density R6, high density R12, and commercial C2. The applicant is also requesting preliminary plat approval in order to divide this 72.02 acres into 348 total residential units, 21 common lots and approximately 16 commercial lots. Public Works in exhibit 2.23, B. states that Public Works can support the Lee Country Subdivision development since the 18-inch Danskin Sewer Force main construction has recently been completed. If approved, a QLPE which is qualified licensed professional engineer, or a will serve letter. That's kind of the going term it can. It can support up to 40 EDU's or connections.

For the Lee Country subdivision, following resolution R90-2022. The Planning and Zoning staff agrees with Public Works assessment. Staff has reviewed the proposed annexation and the preliminary plat for compliance with Kuna city code, Kuna City comprehensive plan, the Kuna comprehensive plan map and finds that it does follow each of them. It also follows 50 Idaho State statutes, 50-222. 6765 the land 'Local Land Use Planning Act' and the If the Council does approve the annexation and the preliminary plat staff recommends that the applicant be subject to the proposed recommended conditions of approval that are outlined in Council's memo in the packet. There is a presentation by the applicant which has been attached to the PDF and the applicant is also here tonight to make that presentation. And I'll be standing by or sitting by whichever you want to say. If you have any questions and I'm available.

**Mayor Stear** Okay. Questions for Troy?

**Council Member Bruce and Council Member Biggs** Not yet, thank you, Troy.

**Mayor Stear** Would the applicant like to present?

**Patrick Connor** What's the best way for me to?

*[inaudible background noise]*

**Patrick Connor** Perfect. Good evening Mr. Mayor, Council. My name is Patrick Connor. Address is 701 S Allen St. in Meridian. I am very excited to stand in front of you all tonight. We've actually been working on this project since summer of 2020, and actually about three years ago. And October is kind of the first time we sat down with Doug, his team. Lisa Holland at the time, and Paul was sewer and talking about this particular site, which is on a very busy intersection, very visible intersection and want to talk with the city about kind of what their thought and their best land use practice would be for this particular site and I'm excited to present to you all Lee Country. So as Troy said, it's about 7276 acres R6 R12 and C2 zone all about evenly split 1/3 for each of those zones. We're proposing 132 single family lots, 16 commercial lots, 19 common lots, 9 apartment lots there and then almost 5 acres of open space. The vicinity map. It is on the southwest corner of Hubbard and Ardell. And here's some commercial things around us as well as schools. A little bit closer in the site there is an improved preliminary plot of Legito Plaza across the street that has similar zoning to our project and also a planned project by CBH on the north side of Hubbard. Future land use map shows business commercial along the highway corridor there and then mixed-use as you see in pink. So that was kind of whenever we first start talking to city about how do we blend single-family, multi-family, commercial kind of ended up in the land use plan that we have today. The current zoning, it is in the county. And then this is what we were proposing this evening with C2 R12 and R6. This is the site plan kind of turned or rotated 90 degrees to the left, but the blue is the single family. The red is the multi-family and the yellow is the commercial.

The way that we kind of visualize the site would be closer to the intersection would be kind of you know more retail, restaurants use and then the on the southern side of that Yellow C2 would be more kind of like an office or more kind of flexible space there to be determined. Also in addition, any sort of multi-family or commercial site will have to go through the design review process with the city. So, we are residential developers and so we would develop the whole site, but we would only build on the single-family portion of it. The rest of the site we would develop into lots, but then we would not actually build the structures or anything like that. That would be a separate build or a separate application for the design review. This kind of shows more the preliminary plat. Again it's 132 single-family lots. You can see the commercial and the multi-family there. And actually so, the open space is all almost 5 acres, about 3 1/2 of that open space is in the single-family area, which represents about 22% of the single-family portion of the site. Shows kind of how those single-family lots are split up, so the kind of orange ones are those smaller 40-foot lots is transitioned to the commercial, the blue are the 50-foot wide lots which are the same size as Gray Hawk, which is to our West which we developed about a decade ago and Gray Hawk West on the on the West side of that. And the purple, their larger 60-foot lots that would give us opportunities for 3rd car garages. Here's a showing of some of our elevations of the 40-foot, 50-foot-wide, and then larger 60-foot-wide lots there. And then this is again just draft

elevations. Again, we are not going to be the builders for the multi-family, but this is what we kind of envision and propose in that higher density multifamily area.

Amenities we are proposing playground pavilion on the single-family side on the multi-family side, we would have a pool in the clubhouse and that could be written into this development agreement ensuring that they have their own dedicated amenities there. There's also a green buffer between the single-family and the commercial, as well as a wall there between the two land uses. This is kind of our pathway system outside of what is directly adjacent to the street. So, it's separated pathway system there. And there are well, we'll get into that. So, here's a shot of the amenities. Again, a pavilion, playground, park space and then the apartment and clubhouse. The pool house for the apartment complex. Potential businesses, this is actually a very sought after corner, we've had a lot of interest of folks over the years that we've been kind of walking this through this entitlement process. Big box retailers' potential, there's office users potential. There are no economic development department. There's folks that are interested in having office space here or having offices in Kuna and now that Kuna has had a has a lot of rooftops and a lot of people living here. There is more interest and a more mature kind of commercial use there as well as activity centers or daycares facilities is just some of the examples of what some of the space could be used for. Obviously, there's a lot of commercial benefits and a growing and maturing city, so I think. This is a quote from the Mayor at one point, but I'm saying that Kuna needs a stronger commercial tax base in order to take some of the proper tax burden off of the people that live in Kuna. About 90% of Kuna's property tax base comes from residential. Residential property as opposed to non-residential like commercial, just as a comparison, Boise and Meridian are about 68, 67% residential and the latter being commercial. So, 90% is a very high kind of burden that the property owners of Kuna are bearing. So as cities grow and as they change and mature more commercial property becomes more viable here most more folks look to locate businesses here and it's a direct benefit of services to the community. Less time on the Road driving to other cities, more tax dollars, staying in town, opportunities for employment, fostering local small businesses. It's just better overall for your economic health as well as keeping cars off the Road and leaving town and keeping those cars here and keeping the folks here and then more job opportunities potentially for office complexes there and retail and commercial opportunities. This is just a snapshot of commercial property tax revenue for every \$1,000,000 of commercial valuation. And then just want to touch on one item of school support. I've had a few meetings with members of the school district and their consultants and talking about kind of how we are prepared to support the school district. And we're obviously in strong support of the bonds we send out mailers and flyers to. Our communities, as bonds come up, putting signage on our properties asking to vote yes.

As you know, Kuna Schools are in kind of a crisis of facilities and lack of facilities just as just kind of talking about it. I know there's been a lot of chatter about this voluntary fee of impact fee of. Giving schools a voluntary fee and we kind of ran up the chain of our new ownership and our new kind of legal counsel and they are not on board with some sort of voluntary fee. In fact, they liken to it as a potential bribe situation or kind of an extortionary situation. So the idea that we're going to be paying money or committing to pay money directly to a school district in exchange for their, you know, voice of support at this podium tonight, they did not feel comfortable doing. And so again, there are corporate governance laws and accounts laws that we need to be following and that's not something that they are going to be that we are generally going to support

tonight. There's other ways that we'd like to support, as I said, through getting out the word for the bond election as well as working with the school district and finding property and finding pieces of land. There's other properties that we've worked with them on as far as doing utility instruction, infrastructure improvements that will extend to their sites. I know that the school district is looking particularly for a site on the southwest portion of town I've talked to Principal Robbie Reno about that and as we're looking at that side of town, we can work together and be partners on that level. But when it comes just for full disclosure, when it comes to paying a fee, we are we are not on board with that sort of action. The transportation investments there are quite a few areas that we are going to be continuing our proportional share to.

One thing I want to make clear is that I completely understand that this will affect the current traffic flow in the city of Kuna, but I also... I believe the ACHD staff report, which took about nine months for us to get out of ACHD, has a lot of thought and a lot of effort into how we're going to address certain traffic issues. So those are listed here. Just real quick the a route for a while there was concern about the our traffic cutting through the existing Gray Hawk subdivision. We now or we have a connection point to Hubbard within our subdivision as opposed to having a cold SAC there. So that'll take some relief on folks cutting through that area. Long Hubbard Lane up until Meridian Road. We will be doing some widening on that street as well as we are conditioned to have two left turn lanes. So, coming driving West down, Hubbard taking a left on Meridian, turning North there be requirement for two left turn lanes there at the point. That the commercial would come online and that's a condition of approval in the ACHD staff report. And then Ardell on the South ITD has said, that in the future, Ardell will most likely be a right in right out intersection. We will be doing some widening along Ardell up until that point, but again that's something that ITD and ACHD are going to be working through in the future. Right now, it's still a full access intersection, but in the future it will change. Also, for intersection improvement, the Hubbard letter intersection per the ACHD staff report will need to be improved to 3 R3 signal or a roundabout in the future. This is also a condition as you all may remember for our project Sabino's Rocky Ridge and also kind of the same sort of parameters as far as the number of peak trips during the afternoon.

*[Timer beeps in the background]*

**Patrick Connor** Can I just finish? A couple more thoughts, if that's okay. Can I get a couple more minutes? Just two more minutes if I can.

*[Inaudible background conversation]*

**Patrick Connor** Okay. Thank you.

*[Inaudible background conversation]*

**Patrick Connor** Are there any questions at this point or just wait for rebuttal?

**Mayor Stear** Any questions for the applicant?

**Council Member Bruce** Yeah, not at this point, Mr. Thank you. Thank you.

**Mayor Stear** All right, this is a public hearing. Is there anybody who's going to want to testify in this matter that didn't get a chance to sign in? Okay. Well, let me just go down this list here and then I'll just throw something at me if I forget about it, okay? All right. Testimony is limited to 3 minutes, but I usually don't hold tight to that because I want to hear what the public has to say, so just kind of stay close to that as you can. Cristin Sandu? If you would just state your name and address for the record.

**Cristin Sandu** Members of the Council, Mayor, and fellow community members for the record, my name is Cristin Sandu 3070 N Saratoga Way, Kuna. I'm here today to strongly voice my opposition to the approval of the Lee Country Subdivision. With a limited speaking time, I'll be concise, but I hope this point shed light on why we should deny or at the very least, to reevaluate the Lee Country Subdivision. We've repeatedly raised the same concerns.

Our schools are overcrowded, our sewage system is at capacity and our community infrastructure simply can't handle more growth. During the previous Council meeting, Mayor, you mentioned that the need for someone to step up and take action. Today I'm that person. I stand here not as an individual, but as a representative of many who share these concerns. Together, we advocate for the future of our community. It is my strong belief that this decision should be grounded in fact, not emotions. Allow me to present the following factual points concerning this project. While reviewing the documents submitted for consideration, I noticed that the Kuna Rural Fire District issued their support for the proposed subdivision on 12/28/2021. Since then, our city has experienced significant population growth. Therefore, it's crucial to conduct a fresh evaluation. Considering the changes our community has undergone since 2021.

Additionally, apart from the population growth, both the ACHD and ITD have recommended infrastructure changes from the developer. I have engaged in discussion with the Kuna Rural Fire District and have submitted a copy of the development proposal to them in the course of our conversation, I was informed that any modification made subsequent to their initial approval will necessitate submission to the Fire District for new review and new approval. Upon reviewing the ACHD report, it is clear that ADHD consistently emphasizes throughout the document that the project exceeds acceptable thresholds set by the ACHD for the 2030 conditions. Additionally, ACHD specify specifies that is imperative for the applicant to widen and improve Hubbard Road before any approval is granted.

I know that the gentleman before me showed some improvements. However, in the ACHD package, the applicant has failed to submit a proposal to the ACHD detailing the required improvements on Hubbard Road. The impact study found that this development is estimated to generate 15,391 additional vehicles per day. It is important to note that the average daily traffic counts are based on the ACHD's most current traffic counts at the time of the study being January 7th, 2021 and January 12, 2021. The ACHD and neighboring communities have raised concerns about the cut through traffic. It's worth noting that the northern residential portion of the site will not have direct access to Hubbard Rd. I know that the gentleman before me emphasized on that without this district, without this direct access, traffic will need to use local Roads such as Desi St. through Williams Ave. to enter and exit the development. The ACHD recommends that traffic should not exceed 2000 daily trips on local Road by district policy, and the study estimated that the total.

*[Timer beeps]*

**Mayor Stear** You can go ahead and finish your thoughts.

**Cristin Sandu** And the study estimated that the total will be 1215 daily trips, less than the 2000 daily trips recommended. However, I'd like to emphasize that this study was conducted in 2021 and we are now approaching the end of 2023. Much has changed since then, cut through traffic is not only disturbing, but also dangerous. And ACHD has repeatedly mentioned in the in their document that certain infrastructure and traffic measures such as signals or roundabouts, would be required sooner due to that, due to the rapid development happening in our area, which indicates that their estimate of the 1215 daily trips might not be that accurate. I also came across information on ACHD package that raises concern about the potential mixing of commercial and residential traffic within the development. This brings me to my next point, which is of great significance. We must take into account the nature of the commercial businesses that will incorporate into this Plaza in the development proposal there, if there was an image featuring an in and out food establishment, please note that I'm not making any claims about in and out coming to Kuna. But it serves as an illustrative example.

It is imperative that we consider the implication of hosting a widely popular fast-food chain, like In-and-Out. While such an establishment could potentially boost tax revenue, it also carries the risk of placing an overwhelming burden on our infrastructure, giving its immense popularity, if a chain of this caliber were to establish a presence in Kuna, we could anticipate a surge in traffic from all corners of the valley. This influx would undoubtedly have a substantial impact on our community and could significantly disrupt the findings of impact study. In regards to Public Works, it's worth noting that the Public Work department has shown its support for the approval of this application, citing the completion of the necessary 18 inch Danskin sewer force main. However, it's important to consider that sewer access operates on a first come, first serve basis. Given that we've already approved other projects, it raises a valid question. Why does this particular subdivision stand in queue for sewer access? Title Six, chapter 2623, D 17 Fair requirement for preliminary plants should specify the inclusion of up-to-date hydro and soil reports with a maximum age of 12 months from the submission date, it is essential that this reports have visible and visibly incorporated into the preliminary plat were submitted separately as a part of the package. In the event that this reports are available to the public, it would be beneficial to provide access to this critical information, if it exist.

This information should be at the core of our decision-making process, safeguarding the paramount interest of our community. It is our duty to ensure that the choices we make today reflect our commitment to the well-being and sustainable growth of our own town. By taking this update, updated facts, and emerging concerns into account, we can make informed decisions that align with the best interests of our residents. As we move forward in the discussion regarding the Lee County Subdivision. Let us remember that the choices we make today will have a lasting impact on our community. Responsible development is not only a matter of ensuring that our infrastructure can handle growth, but also of maintaining the quality of life that our residents cherish. We owe it to our citizens to prioritize their safety, comfort and prosperity. I thank you for your attention and consideration of these crucial factors.

**Mayor Stear** Thank you, anybody have any questions for Cristin?

*[Applause from background]*

**Mayor Stear Right** Let's just take a real quick pause. I want to get a couple more seats in here for...

*[Inaudible background noise]*

**Mayor Stear** All right, Jenny Turnbull.

**Jenny Turnbull** Thank you, Mayor, members of the City Council. If I'd known we were going to have possibly more than 3 minutes, I probably would have had a little longer presentation, but given that I'm bringing forward something that I think is very important regarding the actual processing of the subdivision.

**Mayor Stear** If you would just state your name.

**Jenny Turnbull** Oh, sorry, Jenny Turnbull. I live address also 2552 N Hose Gulch Ave. Kuna and I apologize for my voice. Hopefully I'm understandable.

**Mayor Stear** We won't hold that time against.

**Jenny Turnbull** You thank you. So, on page 8 of staff report, section 7 proposed finding a fact 7.1 reads as follows. Have the public notice requirements been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho. Code and city ordinances staff response reads that the applicant held a neighborhood meeting September 9th, 2021. 12 attendees attended the meeting in accordance with Idaho Code and Kuna City. What concerns me is that in Kuna city code Chapter 5, section 1A-2, subsection B5 states that the neighborhood meeting shall not be conducted more than two months prior to the acceptance of the application. Subsection D states a public hearing, if required shall be held no later than 60 days after the date of application acceptance. City Code Chapter 5, section 1-6-1, subsection C states that the word "shall" is a mandatory requirement. It is not a guideline in summary city code section 5-1A-2 requires an application for subdivision to be conducted in a timely manner that is consistent with Idaho statutes. Title 67, Chapter 65 and it allows no more than four months to transpire from neighborhood meeting to first public hearing. The neighborhood meeting to review this project was again held on September 9th, 2021. People who currently live in the neighboring subdivision. A number of them were not present within the subdivision at that time and have not had an opportunity to work with the developer on their concerns. The first public hearing for the proposed project was held on June 23rd, 2023, just shy of two years later. Based on this, it appears the application is not in compliance with Kuna city code Chapter 5, and that finding fact of fact 7.1 cannot be made, which would mean the application should not be considered further until the identified noncompliance has been remedied. Thank you.

**Council Member Bruce** Thank you.

**Mayor Stear** Thank you.

**Mayor Stear** Rene Houston. Renee Houston. I probably said it wrong.

**Renne Houston** I don't know why I put my maiden name. Renee Houston, 2208 N Hose Golf Ave. Kuna. Unlike the two people before me who had lots of code and statue ready to present, I do not. I am just speaking from the heart and the fact that I moved to Kuna with the goal of raising my family here and keeping the small-town vibes. I don't feel that that's the direction that Kuna is continuing and I'm sad for that, I chose Kuna and there's a lot of places to choose from and. The schools are suffering and the EMS infrastructure is suffering. I'm really proud of the new police station. It's beautiful and I'm excited for that but not even looking at the structure of what this will bring, I think that the community has been speaking on social media, the neighbors. Nobody is excited for this. Nobody's asked for this. Nobody wants this to happen. And so what I ask is that if you guys choose to pass this tonight to give us a reason why the community needs it and why we should have it.

*[Applause from background]*

**Renne Houston** That's all I have to say. Thank you.

**Mayor Stear** Very nice. Thank you.

**Council Member Bruce** Just as good.

**Mayor Stear** Beverly Wolf

**Beverly Wolf** Good evening, Beverly Wolfe, 3420 W Commemoration Ave. Thank you for hearing me. So, I don't live adjacent to this division, but I echo what the previous speaker said about the density that's going on in the city and the fast building. I had a question about the Sewer, I thought it said that the Mason Creek trunk line needed to be operational isn't that different from the lift station. Anybody can answer that? I don't know. Somebody already spoke about traffic, so it won't be repetitive. The schools, however, are a hot button and here's why I moved here only less than two years ago. I am paying all my taxes for a bill that was passed in 2017. To build a high school, Swan falls, it only built 1/3 of the school. Well, if I'm lucky, I'll live to pay off the interest of just that bond. Every bond we get imposed with it puts us in bondage. I mean, we're literally a slave to the debt of this forever. And you guys want more and more and more. The last one didn't pass. But when's the next one? The developer will encourage the passage of the bond or the levy that comes up for vote, and that's lovely. Except he's not paying it, we are. And I don't know about anybody else, it's getting more and more expensive to live here. Our utility bills are going up at alarming rates every year, they're jumping at exponential rates. I don't get it. The traffic, the sewage, the schools, I mean, how much more do you want? There's a there's a note. I think it's on the last page of your 'Envision Plan'. It says nothing in the United States Constitution's Fifth Amendment requires a government entity to promote the maximum development of a site at the expense of the public purse or to the detriment of the public interest. Taxpayers need not subsidize unwise development. This is a beautiful plan. It's really nice that you want to add all this, but what

do we want? You know, what do the people want? Is it time to look at the map again? Because, coming in clean, cold from out of state and didn't know it was. There I might not have bought where I bought. If I'd known what the map was gonna do to me. I just don't understand why you're moving so fast. Let's get all the 5th graders together and see if they could redraw a better plan. Why can't we mix agriculture and development? I'm just saying.

*[Applause from background]*

**Beverly Wolf.** It could be side by side. The traffic doesn't have to be hellacious. I don't see you guys putting in the freeways. I came from California. Where are you going to put all these cars. How are people going to get out safely if there's that much density of high development in the middle? If there's a fire, if there's a flood, if there's a school emergency, everybody has to get out and pick up their kids. How are they going to get out?

**Council Member Bruce** Thank you, Mrs. Wolf.

**Mayor Stear** Thank you, Beverly. Jeremy Hamilton, did you wish to testify? Okay. Didn't that... Left your options open because you didn't mark it either way, so that's good.

**Jeremy Hamilton** Jeremy Hamilton, 2617 N Hose Gulch Ave. here in Kuna. As I was listening to the past couple individuals stand up. I could think of hardly anything else more to say than "amen" especially this this last lady. She's up here shaking and everything, and she hit the nail right on the head. When we were presented this plan. We told the person presenting us and I'm trying. I don't remember when it was. It was probably... the ...September 2021. We told them about Hubbard Road, great. We want to widen Hubbard Road, great. That that that's all going to happen. Problem is in the previous picture that was there was option A. It goes right in front of our house. And we told the person "take this subdivision, divide it in half". On the left-hand side. Right, this this graphic goes up and, the, if you divide that right in half, you've got two Roads. That empty into the Gray Hawk. I can guarantee you. If I'm in anyone of those houses, I am not going to turn onto Harvard Rd. I'm going to go through the subdivision and go out Hubbard. One thing I don't know has been stated, we were told. We will do a traffic study. Okay, fine. Do I trust it? No, I don't. Reason being, there are a few of us in this in this room. That have witnessed the traffic currently on Hubbard Rd. Widening it to four lanes is not going to do much because the distance between the light and Meridian Rd. and where they're going to put this entrance. Regularly, traffic backs up beyond that. So, you're going to have to go through Gray Hawk subdivision or you can't get out. And I love what she said because it's something I've been thinking about. If we have to evacuate this area, what is this going to do to the people that live in Gray Hawk. Because even if. Even if everyone goes out the planned way, they're going to. Go out the. They're going to go out. On to shut down. The Hubbard, or straight onto our Dell. It's not going to happen when that traffic backs up. They're going to find the fastest route out and it's going to be going through Gray Hawk and it's just going to be too much of a burden on us. That's all I have to say, Thank you very much. Thank you.

**Mayor Stear** Thank you. Danielle Horrace.

**Danielle Horrace** Good evening, Mr. Mayor, Council Members. Danielle Horace Kuna School District Director of Strategic Partners, and I am at 711 E Porter. I have a clarity question. Is it possible for more people to testify if they haven't signed in? There are questions around here.

**Mayor Stear** I think we can we can do that.

**Danielle Horrace** So yes. Okay. Thank you. Well, I want to start with a legal definition of extortion because I think we need to define that word so that word is the use of force or threat of force to obtain money or another item of value from another person. Many jurisdictions classify extortion as a crime against property, but the threat of harm to a person is an essential element of the offense. So, I'm here saying that I do not extort on behalf of Kuna School District. And I resent the implication. What I will do is support the heck out of our kids, and I will do so loudly and proudly with them. So, I want to share with you this new school, this or this new development is going to directly impact Silver Trail Elementary, Kuna Middle School, and Kuna Swan Falls. Okay, let me share with you a little bit of the numbers. They're not great. Silver Trail currently has 583 littlest students there. We're at a capacity of 616. That's 95% capacity right now, today, that's not accounting for the already the other developments approved, right? So, we already know that even if we go to our voters and ask for a bond Silver Trail is going to be full. It's going to be full 110, 140 and 170 percent capacity? That's really up to us today, but we already know it's going to be full. Kuna Middle School capacity of 810, current students, 739 of those awkward little people running around middle school, that's 91% capacity. Are we going to go for 100 and 130? What's our goal here? How do we want to serve our kids? Swan Falls High School Kuna 1900 students' capacity.

We did, we built what we could with the money that our residents could afford. We have 1904 kids there. These are our future. This is our, these are our residents and our workers, and we're at 101 capacity today. So, this is not me pressing the red button and saying, hey, I think there might be a problem. I'm telling you, loudly, it's a problem today. I also want to share with you something I did meet with, Mr. Connors. We had a great conversation. He was very different today. I'll tell you that. In that conversation, it was brought up that in June. Locally owned Hubble by a gentleman that is known in the community, sold Hubble to a Japanese based. They call themselves a regional power builder. They're called "Sekisui", and if I say that wrong, I'm sorry, but that's what I looked up and how to say it. Hubble's annual revenue has \$300 million. They just acquired another Houston based Texas and they like to call them power builders. Their annual revenue is 514 million. I'm telling you these folks have some money. And we need it. We need it for our kids. We need it for our schools. And frankly, we should stop going to our residents and asking them to pay for the cost of growth. Kuna has grown faster than the systems we have to support adding new residents, period. Thank you.

**Multiple Speakers** Thank You.

*[Applause in background]*

**Mayor Stear** Sandra Allen. And then before you start, excuse me, did we have other people that wanted to testify? I'm going to pass this around. You can sign in on that, if you would please. Need a pen?

**Unknown Speaker** We've got a stash of them.

*[Background noise]*

**Mayor Stear** Alright, yes, you may have the floor. Thank you.

**Sandra Allen**

*[inaudible]*... name is Sandra Allen, 1589 N Harem way, Kuna. At risk of putting balls on my back, I'm a former California resident originally started in Washington. Lived in California for a number of years, worked for the State there. One of the largest water departments. Retired and moved to Idaho. Went back to work for the State here in the Department of Lands. I understand how Idaho's constitution works, that basically hamstring any people that live in this community that want to impose these impact fees, which are should rightfully be imposed, get that isn't going to happen. Unfortunately, not enough Mayors, cities, people will speak up and say change this, we cannot afford this. I moved to Kuna about nine years ago, when I adopted my four young grandchildren, because I wanted to live in a rural agricultural community and give these kids a chance to grow up in smaller schools. Big plans, bad idea. The growth I have seen here has been appalling. And everybody you talked to says we don't want this. We don't want this. It keeps getting approved and getting approved and getting approved. Very happy you're willing to put up some signs on people's yards or on your property. They pass this bond. It ain't gonna happen. The people cannot afford it, so if you truly work for the people of the City of Kuna, listen to what these people are saying and do not approve this. We cannot afford this: physically, mentally, financially, period.

*[Applause in background]*

**Mayor Stear** Yeah. If you signed in, then go ahead and. Just state your name and the address.

**Zach Wilson** I'm Zach Wilson. I live at 1122 E Jack Creek St. so I live in the Gray Hawk community. My family and I moved here back in 2018, so way before well, there was still growth happening. But way before what I would consider the boom of growth. So, we watched Ardell developed from nothing. Having that extension go all the way and hook up with Meridian Road, which was needed because we first moved there wasn't any access out like people have been talking about. that was very neat, very awesome. But even since then. Like I have seen more accidents on Meridian Rd. than I've seen in my entire life. Since I've been driving since I was 16. And I'm just, like, appalled by what I'm hearing today from the developer like they think it's going to be something like where they're strong armed into making things work. You could call it a tithe. You could call it a donation.

**Mayor Stear** If you would just talk to us please.

**Zach Wilson** Sorry. Sorry, I'm just irritated.

**Mayor Stear** No, you're fine. That's fine.

**Zach Wilson** You could call it an offering. You know, if you want you could. You could call it anything you want. If you're going to do marketing for the bond, you could even make yourselves look like the hero and go Hey, we were going to do this, but because we love the community and want to see it grow or however you want to word it, you could say we're going to donate X amount of dollars. To a fund. That gets determined by the city where it gets allocated, whether it's the school, the fire department that need money like crazy, the Police Department, infrastructure stuff. You could even say the fund could go to, you know, building the water sewer system that probably needs updating too. But it irritates me that, like, my family and I moved here due to the small town community stuff. My grandpa was a farmer. I love farmer people. We don't need more residential here, man. Make it all industrial or pick another plot piece of land. I mean, isn't, wasn't there something saying that at some point there was? A certain part of Kuna that was zoned for industrial. So can't we find a spot away from the main corridor that can be more zoned for commercial and just leave that section alone until we figure out a better use for it? Because unless you guys decide to put a light at Ardell and Meridian which most people don't want another light. I don't think a roundabout is going to pull it off. Yeah, it's a mess that's going to get worse if that goes in. I'm neutral. I mean, because I like it. I like what I see, but I don't like the density of it. There is, there is no way that there's good like they've said before, it exits out. And so, yeah, I think it should be nothing but commercial, because we need the jobs, we need the tax dollars, but get rid of all that housing and include maybe a little bit of the play stuff like the greenery we don't we don't need more housing man. And who's going to buy it, right? Didn't we just break into 8% on mortgages and stuff? I've got a graduated senior. I'm going to... I'm forcing her to see wisdom, to stay home and make money so she can have a deposit for a house at some point. Nobody's going to be able to buy that.

**Mayor Stear** Thank you. And I'm sorry, your name was Zach?

**Zach Wilson** Yes

**Mayor Stear** Okay, Navania Hamilton.

**Navania Hamilton** Thank you for listening to me today and I'm sitting up just I'm on behalf of these students, the kids in our community. Yes, you do notice an accent. I'm from Brazil and I am an educator, a founder, a scholar. And I had experience with overcrowded classes, overcrowded school. And kids suffering communities suffering and Teachers underpaid. And the company open up and say they will not support it they're bringing all of this to the community, and they will not donate to the community because I don't even remember the reason because that is such a thing. A lot of business at the end of the year, they do, they look for donations. I think just the fact that if I build a stand up and say we will not contribute to education. This is just putting down the community. They are not here to help our community, our little ones. Our kindergartener, first grader, middle schoolers, our high schoolers. They need a place to be see it, to have a good education. Yes, we have an amazing teacher. We have an amazing. The Kuna School District is amazing and it's not just this specific. Community cutting, but all the others, but mainly we're talking about this. There is a lot of kids 136 if you every family they only have one kid, two kids. We have more 200 what right 136 times 2 everybody? So it doesn't. Yeah, that's it's only every household only have two kids. So anyway, I think the education sometimes. Is forgotten by our little ones deserve to be noticed and. Heard they are not here today, but I want to speak for them.

**Multiple Speakers** Thank you.

**Mayor Stear** Erika. I can't read the last name here. 2296 N Malvern. I'm sorry.

**Erika Curtiss** Hi, thank you, Mayor and City Council. I'm a parent. I live here in the community 2296 N Malvern. I live in the Sterling Ranch neighborhood and I can speak to the traffic issue because I can tell you right now that there are folks from the Gray Hawk neighborhood. That currently cut through our neighborhood to get over to Deer Flat, we see an excess of traffic through there and they're speeding through there. I see it all the time and it's a newer development. I'm one of the newer buyers in that neighborhood. But I also relocated here two years ago due to a job change. I am a single parent. I chose this community because of the small community, and I wanted my daughter to be in a smaller school system in a smaller environment. And I came from Oregon, and I can tell you right now, I have seen fast growth. I have seen what fast growth does to the schools, what it does to the community. It's not always fantastic. I have seen the detriment it has also done to the population and what it does to students. My daughter comes home from school now and speaking to the schools and how they are my daughter does not have time for a lunch break. She's a freshman and granted, she's trying to balance everything out, but she goes into school. She's got days where she's bussed over to the swan falls and for her other elective classes, and she does not have time to eat. So every day I can make her lunch. I send her off to school with snacks and stuff. But she does not have that time blocked, and it's a very short period and the students, there's full classrooms. Kids are squished, kids are rushed. And you know, my daughter has even said it would be great to see Kuna come up with more family friendly things. I support growth, but I would like to see it be more thoughtful, more purposeful things, like maybe movie theaters, bowling parks, rec centers for the kids. Give the kids an outlet to do things and not get into mischief like give them purpose, give them something to do and be involved with in our community and not have just you know what we have today? I think having all this residential is a mistake. As a parent, somebody who lives here, we have clearly grown way too fast and I would just like to see it pause and slow down. And if we could just be more thoughtful in the purpose of what we want to do in this community and listen to the people of this community, is all I ask that you guys do is please just pause. And I do thank everybody who's done their research and the statistics and everything that they have pulled because that says a lot. And I think that speaks volumes as to what where we're at today. So thank you.

**Mayor Stear** Well said. Thank you. Linda Kuhn, Kane. You'll have to straighten me out on that one. I almost could have got Linda Kuna out of that.

**Linda Kane** Yeah, you almost could have. My name is Linda Kane, and I moved into Kuna about a year and a half ago. I feel like I live on 1278 sweet Pearl East Sweet Pearl, so I too am in the Sterling Ranch Subdivision, which I chided Cristin Sandu because it's not the Kuna Ridge or the where the Sterling Ridge at Sterling Ranch, I guess is what we call it. It's what's on our sign. But anyway, my home is literally my backyard is Ardell, so this troubles me because what I see every day. I've never lived in a community in an area where there is a tragic accident every single day. I mean, there's tragic accidents every single day. We had horses that were killed. We had people just right here by Jackson's. This just this week. I mean, it's just horrible people fly down that Road and I feel like if we're just putting the businesses there. I don't think that the businesses are bad,

but I think we have to just be mindful about what we put there. I've been disappointed in Kuna because I don't feel like we need 15 dentists. I don't think that we need 15 pizza shops. I don't think that we need those kinds of things. I think we need things like Erica was saying that we can bring things here that will support our kids and help our kids and help our community. I'd like to keep the Kuna people in Kuna. Why can't we have a good sit down restaurant to go to if we're going to put in a thought out subdivision, nothing against you developer, let's bring in something that's going to support our community, not flood it with a bunch more houses. I mean everybody here that has children in the schools, they I don't have kids in the schools anymore. My kids are raised, but I think that we need to do things to take care of our people here in Kuna better and provide better opportunities for them so they don't have to drive all the way into Boise to do something that's really cool. You know, there's no reason we can't have some developments here that could be good for them and that's all I have to say. Thank you.

**Council Member Bruce** Thank You.

**Mayor Stear** Thank you.

*[Applause in the background]*

**Mayor Stear** Carrera Atkinson.

**Carrera Atkinson** Hi Carrera Atkinson, 1225 E Whitbeck Dr. I'm here tonight speaking on behalf of the Gray Hawk HOA board; we have seen huge concern from our community. Many members who cannot be here tonight about the potential traffic burden that we are going to see with this addition. With our streets that have been dead end since the beginning of the development being opened up because there are communities to the West of us on Kay, it's called Gray Hawk West, even though it's part of Gray Hawk South. That with development, you know there will be easier ways for them to get out if they pass through our streets that are right now dead ended. We are concerned about just the impact that it's going to bring to our community as a whole with more people and less resources. There are a lot of people that have moved here that have a problem with the way of life that they came here for being gone. I'm a fourth generation Idahoan and this place looks nothing like what I grew up with, and I'm welcoming and inclusive of everyone that wants to come; but we need to you know, continue to support what they're moving here for also, while keeping what we all love about this place. And I think that continuing to promote Kuna as a bedroom community, essentially, is not sustainable. We need to do business with people that want to enrich our community, not just take the profits and pass it on to homeowners. And it doesn't seem like that's what this builder wants to do. They want to put in more houses that are going to burden our system. Encourage us all to pass bonds or levies so we pay more out of pocket for them to take the money and run. And that's not what Kuna should be about. So, I mean, I'm all for bringing bring the commercial we need it. We need taxes. My kids are going to be in school in a few years, and I don't want them to be overcrowded. I'm sure no one else here does. But we also can't afford, you know, we can't afford to keep paying for more Schools from... give more money to the public schools, when there's just not enough already in in several areas, so that's. All I had, thank you very much for your time.

**Mayor Stear and Council Member Bruce** Very good. Thank you.

**Mayor Stear** Let's see okay. Stephanie Paul. Oh, you have not testified. Do you want to?

**Stephanie Paul** Yeah.

**Mayor Stear** Okay. All right. Sorry about that. Stephanie Allen, did I call that one yet?

**Council Member Biggs** She went already.

*[Unintelligible]*

*[Laughter]*

**Mayor Stear** All right, that's all I have. I believe. Is there anybody else who wishes to testify? Oh what's your name? Okay. Yeah, go ahead and come on up and.

**Susan Peterson** Thank you that last man said so far, there's a couple of issues that I have Susan Peterson, 1320 E Sweet Pearl. I live in Sterling Ranch and my house backs right up and I look at that lot every single day. And please I as much as everybody wants commercial. I have to look at it. So, but I think it's over. I think it's way overdone up here. Beautiful layout though. However, I've got a couple of other issues that that bother me. First off was the public posting and on the city website it did not occur on Friday the 29th. It didn't occur until Sunday, October 1st after 12:00 PM. I think there's some sort of a legal issue in there. It wasn't available also today until after 12:00 PM. Another piece is evidence in your evidence in the packet that on the evidence list item 2.36 is called proof of property posting. And what it is the picture is to prove that they put up the white signs and the one that came up that I'm looking at is dated, was notarized for May 3rd. The problem is that the notary signed it four months before that date they signed it in February to notarize the following May, and I think that's a little bit illegal. So, I wanted to bring that up. As far as the development, I think that's a beautiful layout and I commend you for putting that pool in with those apartments. Thank you. However, on those apartments, nobody's asked how many. There's 9 units, how many apartments per unit. If those are standing at three story, you have to accommodate both the elderly and the disabled, which means you either put in elevators or you lower it to two and put ramps. Ramps are doable. Same way with any three-story building you have to accommodate the, the, the disability, the disabled and the elderly, which means either an elevator or ramps and ramps are doable on a two story. House is my house is actually sits right where that outlet is onto Ardell and it's like right there and that that outlet really bothers me because when all that traffic and if you look all that traffic's on this half comes out onto there that noise and the pollution level will increase to the point where it really infiltrates my houseman, my neighbors. Another point is if you put a two-story house back along Ardell back up there, we're elevated so that two-story house literally the second story windows looks straight into my house because I'm only a single story, but all my windows are up along the backside, so that would be an issue. Also, anything else you see.

**Mayor Stear** You're doing good. Keep going.

**Susan Peterson** I know I you know what I've been practicing. I think I've hit it all, and if I have and everybody else has. I one thing I was thinking this morning, what makes Kuna really unique

and the uniqueness is going down we have camels here. I mean, who else I walk out on my back patio when that farmer before he plants his corn. He's got a herd of llamas. That comes into his backyard, the [Spinst?] yard. They eat the weeds and I go out there and I watch those animals every day and it makes that's what makes Kuna, that's what makes us unique. And to take those camels away and put industrial, you know, no, we need to maintain that uniqueness and if you meld the two, you're going to bring all of that, all of Sterling Ranch into all of you know and we become a community. If you think that look like. You know little L.A. or little California. You're never going to get that unity. Thank You.

**Mayor Stear** Thank you. We need to have lunch sometime; I like listening to you speak.

*[Laughter in background]*  
*[Inaudible]*

**Mayor Stear** Is there anybody else who wishes to testify in this matter? Yes.

**Unknown Speaker** I was on there.

*[Inaudible]*

**Mayor Stear** Oh, I'm sorry. Okay. Yes, come on up. I. And actually I enjoy the background noise. So that's cool.

**Unknown Speaker** He he's usually really quiet. He's doing good tonight. This is second meeting on this?

**Mayor Stear** He's doing awesome.

**Kenneth Houston** Kenneth Houston, I was up there 2208 North Hose Gulch. I literally just wanted to reiterate a couple things and had one question, I was outside and didn't get to hear. So, what are the plans with Ardell? Was that supposed to be a right in right out only situation? Just throwing this out there I take Ardell every day to head into my shop. My question is, I'd say about 35, 40% of us take that route to go out. If you push us all heading towards Hubbard Rd. To go out that way because, if you push this up Ardell right in right out only that's going to funnel us to the busiest intersection we have in Kuna and everyone knows that. So you force us there, I can guarantee you they're either going to turn left or right. They're going to do a U-turn and D&B and head back the other way, or they're going to cut up. They're going to try to cut into KJ's which if you've ever tried to come out of KJ's parking lot or come out from Ridley's and turn there, good luck. You're better off just shutting your truck off, saving half a tank of fuel and wait. That's exactly what's going to happen. So now you're taking something that if I were to take Hubbard to go out and head to work that already, by the time I leave, I'm very fortunate. I own my own business. I could leave whenever between 6:00 to 7:30 It's not happening. That thing backs clear up I've seen it back up past the stop sign before that and head down a little bit. People can't even go. I mean, so. Where are you going to put all those people? and then you add this subdivision, which brings in more people. Where are they going to? You're just compacting the problem. The other concern I had is I'm pretty sure

my wife touched base on it. We have a new son. A lot of people around here. Law enforcement, Fire department, EMS. I know for a fact that I don't think our EMS is, can handle basically what we have now. How are you going to support more? And this isn't the only community. There's multiple other communities coming in. We don't have it. We've got to do something. So approve, deny, is what it is I'd love to see it denied. There's nothing I loved more than literally watching that corn be harvested with my son. Whatever you do, we've got to be able to support our first responders to be able to have the resources to deal with what we have. So that's all I will say.

**Mayor Stear** All right. Anyone else? Okay, rebuttal.

**Patrick Connor** Thank you. And I know I'm. I'm not the most popular person in the room right now, but I want to thank the folks that did come up here and speak. I know that it's not a comfortable place to be and it's not it's not easy to speak publicly and especially something you really care about. I completely identify with that and I just want to thank you for coming and I it's really great to see the turnout tonight. You know, I feel like I'm on the opposite side of it. I've been involved with Kuna for quite a few years, It's definitely largest turn out, and most folks that have come and spoke their heart and I just want to acknowledge that. So thank you. If it's all right, I don't do I have a time limit on my response to these? 5 minutes. Okay, when does my time start? Has started yet? Not yet. Okay.

**Unknown Speaker** Speak like an auctioneer.

**Patrick Connor** Well, there's a common theme and I just acknowledge one that's kind of standing out most and that's the support of schools. And Danielle, I know we've had multiple conversations and I feel like I may have said, I did say potentially extortionary and potentially illegal. And so when I when I say that, the idea is when we were talking about paying a fee or paying something that it doesn't have to be a direct fee. It can be or something similar to that. When we brought it up as a company and yes, we are owned by, we're not owned by a local group now we're owned by Woodside Homes, and it is a subsidiary of a Japanese company. Any dollar we spend or anything we do, as you all know, if you work for any sort of corporation, they need to make sure that it's legal and it's not going in someone else's pocket or whatever and they're and we're highly scrutinized as a developer on where money goes and everything like that, and so when I brought. It up as "Hey, you know, if we can pay a fee if we can pay for a consultant to pass help pass these bonds, you know, it's different ways we can support it". So we cannot directly pay for anything that' going to do this in exchange for a positive vote of support and so saying tonight and telling you tonight that I can write you a check for \$50,000 tomorrow if you come up with this former project. They were not comfortable with that said, there are ongoing conversations that I'm having with the builders and contractors' association in the state, in the city we're talking to, legislators working to get legal or not legal, but required impact fees for school districts. As many of you all know, in Idaho cities can't or school districts can't impose impact fees like a lot of times you see in Texas or in California, a lot of us come from other states that's we're accustomed to. In Idaho, all those fees are all those the money for facilities either comes directly from the state or it comes from bonds. And so that's something we're advocating for and that I am in very strong support of so. I just want to get that out of the way.

Also just talking about the transportation issues, so, we did have a neighborhood meeting couple years ago with our neighbors. We submitted our application soon after that neighborhood meeting. I think we actually had two on this one, but at that point in time, the comment we got was we don't want you all to cut through Gray Hawk and I understood that comment at the time ACHD was requiring us to connect or not connect to a roundabout along Hubbard Lane. We worked with the city and we're going against ACHD's recommendations to not have a cul-de-sac there, which would effectively force the traffic through Gray Hawk, and we are directing connected to Hubbard. I asked for the City's support on this and they are going to help support this and modify the Master Street map for ACHD, so we have the direct access to have her to keep the folks out of Gray Hawk to, to get that traffic to have as quick as possible. The comment about, well, you have all these, all these people now dumping out to Hubbard because Ardell and the future is gonna be right and right out. I completely understand that in a ACHD staff report they said with this increased traffic on to Hubbard, you'll need to have a right turn lane and two left turn lanes off of Hubbard and a straight lane. So you have almost four lanes of traffic now getting rid of the traffic off of Hubbard to get it off of Hubbard and to Meridian Road as quickly as possible and that those improvements are going to be required at a certain point of traffic impact to the point that the commercial comes online.

Just want to quickly show the preliminary phasing plan. The project will move pretty slowly because and Paul can speak about this if you'd like to, we are only allowed to have 40 dwelling units at a time for each phase. And so, it forces the projects to move pretty slowly and the sewer on the water and infrastructure will move through the single family, through our company side of things and it won't get into the commercial until the 3rd and 4th or for the 4th and 5th. phase. So, you're looking at, you know, a year of design. Another year of the first phase of construction and then five years after that of this commercial actually coming online. So there's a little bit of a delay. There's time for infrastructure to keep up for improvements to be done to these intersections in the future. So, it's not all coming on day one. It's all moving as quickly as possible or as we move through the project. As far as this is coming too fast and things need to pause, I've heard that quite a few times over the past five years and in this project more than any other project. When we submitted this thing back in 2021, ACHD took nine months to get a staff report because they're reviewing the traffic, then we had it slated for P&Z and Council last summer and then public works. No offense to Paul, put a pause on it for another nine months for them to look more at it to figure out their sewer planning situation. So, it wasn't until the spring time that they said okay, we can start looking at this project now. We can start evaluating the impact of it and that's when they kind of came to the 40 units per phase, again, Paul can share more information if you all want more information on that. You can get to it, so this project has kind of been to the ringer as far as too much, too soon, and we've been working through it and increments with ACHD for the traffic and to the Public Works department.

For the folks that have our direct neighbors to our site, we are we're trying to do a transition because on the future land use map, it shows this whole area as mixed-use and commercial. So, there really wasn't any residential on there. Mixed-use usually means that people live there, work there, shop there, et cetera. So, we're trying to have this transition. We put not that much residential housing adjacent to the existing Gray Hawk and we did connect there at two points because we're two existing sub streets and by city code where there is a sub street you have to connect to it, which is why we have those two easterly point on this south part of this map. On the bottom part of this

map, there's two connection points to Grey Hawk. And in fact, I honestly think with the new connection of our street to Hubbard, it now gives Gray Hawk more than one exit on to Hubbard as it is. So most likely we're talking about cut through traffic through our site. I think there's actually going to be maybe more cut through traffic through our site from Gray Hawk to get to Hubbard or Ardell quicker. So, I don't think I touched everything that everyone talked about. If there's any clarifying questions or maybe if I didn't touch on something I can try to answer the best I can and in any direct questions about the actual application or the sign post anything like that. I think Troy can probably best answer. The whole notary date mix up, I honestly don't have it in front of me but. That's I promise, there's no negligence to the site posting the affidavit of site posting. I don't know if it's just a clerical error on the date, but I can assure you, every, the site this site's been posted, like five or six times because of all the times we've been delayed, so I don't know, maybe it was an old affidavit from the other times we posted on the site. I don't, I don't exactly know. So anyway, I stand for any questions you all have. Thank you.

**Mayor Stear** Questions?

**Council Member Biggs** Not yet.

**Council Member Bruce** I do. So, when we when you mentioned the 90-10 right? 90 residential to 10, how does this change that ratio? Because we're still putting in commercial and adding more if not. It doesn't change it, right? So, it doesn't. We need the commercial but I don't see how that changes the ratio for you.

**Patrick Connor** Do you want me to? Is that a comment or question?

**Council Member Bruce** Just you put it out there like that, but this doesn't necessarily change that ratio. Secondly, I can appreciate you helping with the bonds or whatnot, but the continued tax burden on our Community, I mean, I live here, I pay the taxes, but the problem is have you been to the schools? Have you driven around Hubbard during those times? Are you satisfied with it?

**Patrick Connor** No, it's like, like most schools, the parent loop and everything is a little bit chaotic place for about 30 minutes.

**Council Member Bruce** And understand too, with impact fee bills, because three of them ran and failed this year. So as many people as here reach out to your legislators, tell them how you feel for all of your districts because it's important to do that as well. That's all. I just had a couple of statements.

**Mayor Stear** Okay.

**Patrick Connor** Is there... can I? Was there a question on the share of the 90%?

**Council Member Bruce** No, I just. I was curious how it all set. You said this, you know it's 20% ten because.

**Patrick Connor** I can tell you the eventual commercial value of the commercial property if that would be helpful.

**Council Member Bruce** It's okay.

**Patrick Connor** Okay.

**Council Member Bruce** Thank you.

**Mayor Stear** Anything further? All right. Thank you.

**Unknown Speaker** *[inaudible]*

**Mayor Stear** Go ahead and answer; actually, repeat the question.

**Patrick Connor** Yeah, I'm trying to get your Susan right. So, the way that we drew it out is there's nine apartment lots. So, and also with this application we had 24 unit buildings. So, it's think it's 216 total units there. Again, we're not the apartment developer. So, someone could come in and they could choose to put less than that, that would be the maximum. So, when we submit this application, a typical apartment complex is about 24 units in the building of this size and this nature and this.

**Unknown Speaker** *[inaudible]*

**Patrick Connor** So, right, yeah. We're just developing the locks and then the design review. So, if we sold the property to a commercial developer, they couldn't ask for more than 24 units on each building because that's what would be part of the approval. They could come in and do 12 units per lot, but they cannot go above that. So typically, with this, we asked for the highest number to give the most flexibility, within reason. Obviously we want to stay within that parameter of that high density apartment zone there.

**Mayor Stear** Alright, thank you very much, appreciate it.

**Council Member Bruce** Thank You.

**Mayor Stear** The question is rightfully before Council.

**Council Member Biggs** I did want to ask Troy about those concerns brought up about the city code. If we get any clarifications.

**Mayor Stear** He's been studying.

**Troy Behunin** Always. For the record, Troy Behunin, Senior Planner, so that's a great question. Council Member Biggs. There is two different versions of the code on when something needs to be noticed and when a meeting needs to be held. As the Council is aware, we have an effort underway to consolidate city code and to remove some of these contradictory terms. One section

of code does say that, another section says that it just needs to be scheduled for the first public hearing within 60 days and or within 60 days of acceptance and 60 days of acceptance means that we've reviewed the application and it appears to be correct, or at least it appears to be complete. And then we spend the next few weeks ripping it apart, making sure that things are intact and that they are correct. So, with the effort that we have to combine titles five and title six, we have removed the contradictory portions of code. So, and this is this is one of them that it's something from yesteryear that's been around and so if we were to go with the narrow point of view there's not a single application in the last eight years that would ever make it to City Council. Not one. Because...

**Mayor Stear** Takes too long.

**Troy Behunin** We give at as a city we give partner agencies: ACHD, Kuna School District, Idaho Power, Police, Fire, Garbage, Idaho Power all of them. And there's a list we can give you if you really want to know who it is. Well, actually you can see it on the agency's comment request form. But we give them 15 business days to review it. It used to be that we would mail all the packets out. We've jumped into the 21st century and now we e-mail everything out. That's 15 business days. That's the better part of a month. That's just for them, for those partner agencies to receive, digest, and in the case of ACHD, I don't know if the school district does it or if any other districts or any other partner agencies do it. But I know ACHD on big projects like this, they take it to their board. Which is a 30-day process or sometimes longer before they can even get it on their, on their docket. That's in addition to the TIS, the traffic impact study, being completed, which that normally is a seven-month process. So, as you heard Patrick testify, in this particular instance from the time staff sent out the first, and there were two, the very first time we sent out for public agency comments. It took them nearly nine months to produce a final report. There's no way we would make the 60-day mark.

**Mayor Stear** So what you're saying is we're fixing that code.

**Troy Behunin** We're fixing that code. That's exactly what we're doing.

**Unknown Speaker** *[inaudible]*

**Mayor Stear** Okay, did that clarify? All right. If I start doing that then I *gotta* give him time for a rebuttal and we're going to go in circles, is it really really really important?

*[inaudible]*

**Troy Behunin** There is a, there is a contradictory code.

**Mayor Stear** So let's if you would like further clarification on that. We can get together with that. We want to make sure we get it right, I appreciate that. Okay, question for Troy?

**Council Member Bruce** Thank you, Troy.

**Council Member Biggs** I'd like to ask Morgan a question too.

**Mayor Stear** Okay.

**Council Member Biggs** So, commercial development in this area going by the phasing plan, we're five years at least away. How much interest do you have in this area? This, I mean this is along the prime corridor, I guess we're saying for between Meridian and Kuna, so it just seems to me a little offsetting that we're going to be putting in a whole bunch of residential before all of this prime commercial goes you know goes in several years down the Road. So just wanted to get your thoughts.

**Economic Development Director Morgan Treasure** Mayor, Councilman Biggs, I think part of the overarching thing when we talk about this plan and this subdivision is understanding how the parcels of land that we have available to come into the city, how those work with the market driven forces, so this property was purchased when a lot of property was purchased in a way, a lot of property is purchased directly from a farmer who had been farming it. These are agricultural 40s, you know, this is essentially two 40s. When we look at it right. When property comes in that way, we don't get a...we have to take it the way it comes, so it's two 40s. We want the commercial frontage, the rest of it is going to be developed residential fading back into the existing neighborhood per development. Those commercial lots will be, as Patrick talked about, will be divided and sold off to the builders ...there... This developer is not a commercial developer. We need to get the commercial property annexed into the city and available to be sold. I would imagine as soon as this is platted and recorded, I will have phone calls about it. That's just how it works. But until this property is annexed and subdivided into lots that are actually ready to be built on and developed by commercial users, there really isn't that interest. So it's one of those where we have to take it as we can get it. Because we are looking at large agricultural parcels. Does that make sense? We're waiting, this is preparing it for the market.

**Council Member Biggs** I'm just trying to think of examples of commercial that runs up against residential and there is, right? Kuna, but that's probably not in the spirit of the future land use map is that what you're saying? For the mixed-use versus the versus the frontage commercial that you were talking about?

**Economic Development Director Morgan Treasure** So this is actually from a mixed-use perspective, exactly what we want to see on that kind of design where we have a multi-family commercial user a fading back into that single family residential that butts up the next set of agricultural parcels so. On this plan, you see an anchor user and then the commercial frontage lot so. I mean generally you'd have an anchor user, hard corner retail that's going to be like your restaurant, a sit down restaurant, that type of user, and then going back more towards the mid mile on the Ardell side is where you would see more of your Class A office. So those, when you look at those lots that green that wraps around, I think it's important to look at those. Those are commercial lots as well. They just don't have a concept site plan on them the same way.

**Council Member Biggs** Thank You.

**Mayor Stear** Okay, further questions?

**Council Member Bruce** And, I have a question for Paul.

**Mayor Stear** Okay

**Council Member Bruce** The 40 EDU's that are allocated per phase. It looks like phase one is more than 40 units.

**Council Member Biggs** Seven on my count, 47 by my count. *[Clearing throat]* Excuse me.

**City Engineer Paul Simons** City Engineer Paul Simons. City Engineering, Public Works Director of City of Kuna. That's easily told to you. When we did the Danskin force main project, we had a certain amount of EDU's left over at the end so I wrote a resolution to the Council to see how we would divvy this up. So it's fair so people would have a chance to not one developer could take all of it right, so the resolution says that we will give it out at 40 EDU's per application, based on a first come first serve basis so that it would be fair and we could spread out as many EDU's as possible to keep people working. And that's in a resolution that you guys passed.

**Council Member Bruce** I remember.

**City Engineer Paul Simons** Does that answer your question, or do you need more? I can give you lots more information.

**Council Member Bruce** Yes, Sir. Thank you. I'm good. Thank you.

**Council Member Biggs** And, to confirm Paul, that Danskin upgrade is complete?

**City Engineer Paul Simons** Yes, and functioning. Thank you.

**Council Member Bruce** I have no more questions. I'm ready to deliberate.

*[Inaudible]*

**Council President McPherson** Okay, Mayor, I would move we close the evidence presentation and proceed to deliberation.

**Council Member Bruce** I'll second it.

**Mayor Stear** Motion's made and seconded, any further motion discussion on that motion? All those in favor say aye.

**Multiple Speakers** Aye.

**Mayor Stear** Any opposed? That motion carries.

**Motion To:** Close evidence presentation and to close the public hearing and proceed to deliberation.

**Motion By:** Council Member McPherson  
**Motion Seconded:** Council Member Bruce  
**Voting Aye:** Council Members McPherson, Bruce, Biggs  
**Voting No:** None  
**Absent:** Laraway  
**Motion Passed:** 3-0-1

**Mayor Stear** Well, inability to serve with the school district is certainly a huge issue. Overlook that the last several years I've tried to, tried to get some legislation through to where we can impose impact fees for school districts. It just doesn't seem equitable that we can charge impact fees for parks, but not schools. This last year I was just hopeful that with all the bills that ended up going that we would actually get a hearing on one and that didn't happen, so. The last several years and not even being able to get a hearing with the legislature tells me that that's not happening so I think we can quit hanging our hat on hopefulness. Impact fees are going to come for schools, and I don't completely fault the legislature on that because impact fees are based on assets, and schools have a lot of assets. So, I think the, I think from what I remember with the school district, they did kind of a study and if you went with a full blown impact fee for school districts on a residential dwelling, it's like \$33,000. So, the legislature required some sideboards on there. We tried to write legislation this year that put sideboards on there and I don't know that we'll ever get anywhere with that. So we're going to figure out different routes for that but. It's certainly not fair for the citizens that live here to have to foot the entire bill when it comes to additions of schools. It costs a lot of money, so anyway.

**Council President McPherson** Go ahead, big dog. You're ready to talk well.

**Council Member Bruce** So obviously the schools right, we deal with it time and time again and with as many residential houses that have already been approved here, once the rates come down and people do start buying houses again, I think it's and they start building again it's *gonna* be, It's going to happen fast and it's going to be kind of overwhelming. I do have concerns about the traffic there. I don't go down that road anymore because I've been stuck there for a long time. I do have concerns about the extra trips during the day. Also, the in and out of that area, I'd like the commercial. I think we need some more commercial tax base to offset the residential but adding the residential in at the same time just doesn't fit for me.

*[Applause in the background]*

**Council Member Biggs** So I have concerned about the commercial as well that we're kind of a long way away from that by the phasing plan. And then that 90 to 10 it's a rough number, but just doing my bad math. It's about another 3%. If you add the 1100-ish residents that would be potentially new before this commercial would go in. So that's going to be again offset the tax burden to taxpayer. So, I have I have some concerns about that. I did also some of my bad math, the calculation for the between Meridian, Highway 69 and the first entry egress point, I guess from the subdivision is about 1180 feet. I'm not as concerned, I guess about going out with the double lane turn as coming in. Because, if you go down to deer flat and you try to make it the left turn into the Ridleys street that's roughly, it's actually a little bit further than where this one would be and I have some serious concerns about that, even if even with the left turn lane being put into

there. So that's another point of concern for me, Ardell. Just like the gentleman was speaking earlier, I think it was Kenneth was speaking about the Ardell the right in, right out. That's going to cause a mess at deer flat. No two ways about it. Going to the schools I've been to Kuna High School going in there during a normal school time. And if you haven't been in there it is it is an eye-opening experience and I can appreciate Danielle's, her explanation earlier. I think extortion is a strong word for this, but there is a precedent almost with several other developments have worked with the school district to donate land or donate a bus. I think we've had in the past, a house. We've had several things not seeing it that's mandatory. So that's where the I guess the disconnect with extortion would be for me is that it's not mandatory yet to do anything, but it's a good faith gesture that I think that should be appreciated, not to say that what Hubble is offering is bad by any means because Hubble has worked in the past, but it does, there's no mitigating factor, I guess for the schools and when I think of mitigation, think of tangible things that's going to help with the overcrowding.

**Council Member Bruce** They're at capacity.

**Council Member Biggs** Exactly. We are, as we said at Kuna High School in Swan falls, 101% Kuna Middle School at 91 and I'm sure that's growing and Silver Trail at 95 and that's one of the lower ones because I think Hubbard and Crimson Point, I think are over at or over 100%. So that's another concern that I have and the sewage part I'm not as not as worried about, but, and the water, but those other things to me just gives me significant pause, mostly the traffic in the schools. But I agree with you that we definitely need commercial to offset the tax burden on the on the taxpayer it's... We need that that entire Meridian Road area would be nice to develop commercially so.

*[Applause in background]*

**Mayor Stear** Right. Well, the sewer is not generally concerned. Sewers not generally concerned because we don't issue building permits unless there is sewer capacity available so.

**Council President McPherson** A few things, just to clarify. I know it was brought up several times about people cutting through neighborhoods, and I lived in a subdivision where that happened frequently, and unfortunately there's really not much you can do about it. I'm not in favor of it by any means, but it it's and it goes both ways. We thought there was people that testified about living in Sterling Ranch and, you know, people cutting through that way, vice versa. That's just going to come with development. Another statement that was made about, you know keeping it Ag, it's dangerous for the farmers to be on the Road. I can attest to that. Six years ago, I was hit in a tractor on a Sunday morning. It's already dangerous for the farmers in that area. I still farm in that area and adding however many more trips I heard way too many different numbers about what it would add to trips per day I can't even imagine. But the flip side of that is, you know a retiring farmer wants to sell his land and farming around here is a dying breed. I know we'd all like to keep it small or, you know, small rural. We have to manage it because it's not going to stay that way forever. We have to embrace that, but I don't, I don't support this project because I don't think it's going to add too much, too fast at that intersection in that area and it. Yeah, I don't think. I don't think it's right the school district, of course that's always a big concern, and it's the numbers that they that Danielle gave, you know, overcrowded, overcrowded, right on the verge. And that's not counting stuff that hasn't built out that's already approved in that area, so. I'm. I'm not a big fan of

this. I like the commercial, of course, but. With commercial comes to residential and so what are... What do you want here, you know?

**Council Member Biggs** It's hard to say, you know, with what you know, people have a right to sell, right? exactly. You're exactly right. And because all of us have moved here at some point pretty much, except for Joe, I think you. The Mayor, you've been here before?

**Council Member Bruce** We're probably born here.

**Council Member Biggs** And you've been here your whole life. I've been here since '96 and Kuna has changed a lot. So, when we say that, you know, we all came in here, moved here and then let's stop now. I can appreciate that, but again this is a very difficult one to swallow with so many different things like we've all been saying. That it's hard to support.

**Mayor Stear** Well, we can go back in time. I'll go back to when I was in high school because it was really cool, man.

**Council Member Bruce** There anything else?

**Council Member McPherson** No, I think I've talked enough. No one wants to hear me anymore.

**Council Member Bruce** I make a motion that we deny case number 21-13AN and 21-O9S.

**Mayor Stear** May I make a suggestion? We are not required to do annexations and so we really don't need that that makes the preliminary plat.

**Council Member Bruce** So where do we send it?

**Mayor Stear** Otherwise, we would have to go back and give explanation.

**Council Member Biggs** Just the first one.

**Council Member Bruce** Oh, nice.

**City Attorney Marc Bybee** Mark the city attorney. The advice I give on that is your if you don't annex, you don't have jurisdiction to decide the plat application, so you just would be rendered moot and we can prepare that and ultimate written determination; and so if it's just a determination on the annexation, that's all we need.

**Council Member Bruce** The annexation, thank you. So, I make a motion that we deny case number 21-13(A)(N).

**Council Member Biggs** Second

**Mayor Stear** Motion is made and seconded. Any further discussion? All those in favor say aye.

**Multiple Speakers Aye.**

**Mayor Stear** Any opposed? That motion carries.

**Motion To:** Deny Case Nos. 21-13-AN

**Motion By:** Council Member Bruce

**Motion Seconded:** Council Member Biggs

**Voting Aye:** Council Members, McPherson, Bruce, Biggs

**Voting No:** None

**Absent:** Council Member Laraway

**Motion Passed:** 3-0-1

**B.** Consideration Case Nos. 23-01-CPF (Combination Plat) and 23-03-ZC (Rezone) for Hagler Subdivision – Jessica Hall, Associate Planner **ACTION ITEM**

*Staff requests this item be tabled to a date certain of October 17, 2023, due to a noticing error.*

*(Timestamp: 01:56:24)*

Applicant requests Combination Plat approval to re-subdivide Lot 2, Block 1 of the Fay Subdivision into three (3) total lots, and Rezone from A (Agriculture) to an R-2 (Low Density Residential) Zone.

*Open Public Hearing*

*Receive evidence*

*Consideration to close evidence presentation and proceed to deliberation*

**Mayor Stear** Alright, thank you. Sorry about that. Next item is consideration case number 23-01 CPF and 23-03 (Z)(C). Staff has requested this item be tabled, to a date certain of October 17, due to a noticing error.

**Council Member McPherson** I would assume if we. Try that again. I would move we table item 5B case #23-1C PF 23-03 (Z)(C) until the date certain of October 17th, 2023.

**Council Member Bruce** Seconded.

**Mayor Stear** Motion is made and seconded. Any discussion on the motion? All those in favor say aye.

**Multiple Speakers Aye.**

**Mayor Stear** Any opposed? And that motion carries.

**Motion To:** Table Case 23-01-CPF (Combination Plat) and 23-03-ZC (Rezone) to a date Certain October 17 2023.

**Motion By:** Council Member McPherson

**Motion Seconded:** Council Member Bruce  
**Voting Aye:** Council Members, McPherson, Bruce, Biggs  
**Voting No:** None  
**Absent:** Council Member Laraway  
**Motion Passed:** 3-0-1

C. Consideration to approve Resolution No. R74-2023 Approving City of Kuna Combined Fee Schedule. City Clerk Chris Engels ACTION ITEM  
(Timestamp 01:57:15)

A RESOLUTION OF THE CITY OF KUNA, IDAHO, ESTABLISHING FEES FOR THE CITY OF KUNA COMBINED FEE SCHEDULE FOR CITY CLERK, BUILDING DEPARTMENT, PARKS, PLANNING AND ZONING AND PUBLIC WORKS, AND PROVIDING AN EFFECTIVE DATE.

*Open Public Hearing*

*Receive evidence*

*Consideration to close evidence presentation and proceed to deliberation*

**Mayor Stear** Consideration of approved Resolution R74-2023 approving city of Kuna combined fee schedule. Chris.

**City Clerk Chris Engels** Thank you, Mayor. For the record, Chris Engels, Kuna City Clerk, 751 W 4th St. Kuna, Idaho. So, we, all the departments, have worked diligently to try and get all of our fees on one fee schedule so that we can publish those. They're also designed to be broken apart, so each individual department can have them. We did issue out a notice that was properly post published with September 20th and 27th for this public hearing, you will see that there have been some fee changes in it. The fees were evaluated based on the cost of living, the annual cost of living and so our city fees are only allowed to cover the administration costs of actually performing the duty that's assigning that administrative cost. Some are regulated by State code, which we have no authority to change those. Administrative costs are the cost that an individual needs to pay for the use of individual services of city funded or taxpayer funded employees. The, all the departments have looked through their fees and they have they sent them over and so everybody is has approved what has come forward to you and I will stand for any questions.

**Mayor Stear** Okay, questions for Chris?

**Council Member Bruce** No, Sir.

**Council Member Biggs** No, Sir.

**Mayor Stear** All right, this is a public hearing. And is there anybody who wishes to testify who did not get a chance to sign in? All right. Cindy, did you wish to testify?

**Cindy Geeson** Yeah

**Mayor Stear** Okay.

**Cindy Geeson** Hello, Mayor and City Council members, thank you for what you do. My name is Cindy Geeson. And my address is 1363 S Ash Ave. And I just had a couple questions about the fees. As I was looking through the list of them and what was being charged, number one was, there was no more fees for the property behind City Hall. And I think that used to bring in some funds because of the Renaissance, you know, a lot of activities. So, I'm just wondering is that no longer going to be an income, number one? And then my second question was as I looked through it. I see, like we've, we've got a lot of stuff happening with our economic development that seems to really tie up their time, especially with META, you know, and all of its alias LLC's, you know, with power, water, et cetera, et cetera. And I haven't seen the economic development meeting or hearing since Lisa passed. And so, I really don't know what's going on, but to me, when I come here, most every other meeting, something's happening to change with them. So, I see a flat fee and I'm wondering and then there's layer fees. I'm wondering, have you ever considered hourly rates for Morgan's time? Because it seems like there's a lot of put into her time just because I don't have any data to say otherwise towards that and they're redoing things and they're changing things, and it doesn't seem very beneficial to our growth like this commercial development. We just looked at who's even thought to go after that, you know and maybe. Work alongside our house developer and figure out how we could get those things happening at the same time. So that was just my question. Is there ever a thought of an hourly fee when things consume your time like that?

**Mayor Stear** Then Morgan would probably want paid more.

**Cindy Geeson** Excellent. Because we will get more commercial and good jobs.

**Mayor Stear** Yeah, and like fees for the like out back here that basically the only reason we would charge a fee is if somebody wants to reserve it for their sole purpose and so that's the only reason there would be a fee for that otherwise everybody's free to use it.

**Cindy Geeson** Okay, because I did see you're planning to do some more development around here around the City Hall that used to be the area that you're going to build a pool and a recreation hall for the kids. When the Mayor Nelson was in charge. So, I'm sad to see that that's not even a consideration anymore.

**Mayor Stear** Yeah. We haven't had, any, anything that, things like that are going to require a bond.

**Cindy Geeson** But the main thing was, you know, the time the, the amount of time that that's being consumed and then the lawyer fees. I'm just wondering who's paying those lawyer fees? Like it was our, it was our idea that we need a new water, wastewater deal with META. So, did we have to pay those lawyer fees or was it paid by META? Just wondering how these expenses are.

**Mayor Stear** We. Yeah, and, and so we've negotiated those things with them. So, they're covering most all the costs.

**Cindy Geeson** Of all these changes they're making already, but she still should be paid hourly, or we should have another person to work on the other issues in our in our community for more economic development to help cover META.

**Mayor Stear** Good. Thank you. Thank you. And I believe I found the missing sign in for that last hearing. Is Susan Peterson? Oh, yes. She's signed in on this one, so she's not here. Is there anybody else who wishes to testify who didn't get a chance to sign in? All right. Thank you very much.

**Council Member Biggs** I have a question for Chris. What is a sexually oriented business license?

**Mayor Stear** Oh you had to go there?

**Council Member Biggs** And, it's expensive too.

**City Clerk Chris Engels** Yes, Sir, it is. That has been in place for a very long time. And the reason that it is expensive is because it requires a great deal of analysis, but it would be topless dancing, strippers, a store that sells related items.

**Council Member Biggs** Okay.

**City Clerk Chris Engels** Is that enough?

**Council Member Biggs** Yes.

**Council Member Bruce** Thank you.

**Mayor Stear** Please, please let that be enough.

**Council President McPherson** Thank you. Yeah, you're painting pictures. Please stop.

**Council Member Biggs** And I think I need to go to law school on these attorney fees.

**Council Member McPherson** This is where you can start saying Chris, "stop doing that." like make it sound like on the record she's doing something totally inappropriate.

**Mayor Stear** All right. Anything further?

**Council Member Bruce** No.

**Council President McPherson** Okay, then I would move, we close the evidence presentation and proceed to deliberation.

**Council Member Biggs** Second.

**Mayor Stear** Motion is made and seconded, any further discussion on that motion? All those in favor say aye.

**Multiple Speakes Aye.**

**Mayor Stear** Any opposed? And the motion carries.

**Motion To:** Close Evidence presentation and to close the public hearing and proceed to deliberation

**Motion By:** Council Member McPherson

**Motion Seconded:** Council Member Bruce

**Voting Aye:** Council Members McPherson, Bruce, Biggs

**Voting No:** None

**Absent:** Council Member Laraway

**Motion Passed:** 3-0-1

**Council President McPherson** I would move we approve resolution R74-2023.

**Council Member Bruce** I'll second it.

**Mayor Stear** A motion and a second to approve resolution R74-2023. Any further discussion on that motion?

**Council Member Biggs** I did have...

**Mayor Stear** Okay.

**Council Member Biggs** I was just going to...just asking that first time with this. I assume this is normal every year that we do something like this so. We can't. We're not. We're not a profit. We're not-for-profit. Obviously, the city is not for profits. We can't charge anything above the what it would cost to operate. So, I just didn't know who normally reviews that and checks check kind of so we all [is] that's ours?

**Mayor Stear** So we all, like if it's a building permit building permit they, you know, they know about what time it takes them and staff time and the amount of research and things so and they kind of figure out what theirs are. Same with clerk's office and everybody kind of figures out what time it takes and what it costs to do that. Pretty much accurate, right?

**Chris Engels City Clerk** It's exactly accurate.

**Mayor Stear** Okay.

**Mayor Stear** All right, any further discussion? All those in favor?

**Multiple Speakers Aye.**

**Mayor Stear** Any opposed? Motion carries.

**Motion To:** Approve R74-2023  
**Motion By:** Council Member McPherson  
**Motion Seconded:** Council Member Bruce  
**Voting Aye:** Council Members McPherson, Bruce, Biggs  
**Voting No:** None  
**Absent:** Council Member Laraway  
**Motion Passed:** 3-0-1

## **6. Business Items:**

*(Timestamp 02:06:50)*

A. Consideration to re – establish the Youth Council. Council Member Matt Biggs.

### ACTION ITEM

**Mayor Stear** All right, business items consideration to reestablish the Youth Council from Council member, Matt Biggs.

**Council Member Biggs** Thank you, Mr. Mayor. I met Council Member Bruce and I, both met with Superintendent Johnson from the Kuna School District, and we had a great conversation. One of the things that I've been wanting to get going again, once I heard about it when we were at the City Council state meeting with the Governor and everything, was the Youth Council because I heard Pocatello had one and I said, well, "what about Kuna"? So, I went and started Googling and I found our page. It was a little older. I saw it and I was telling you about the picture earlier. But anyway, I think this is a great way to engage our kids and have them be part of the community and tell us what's going on from their point of view. Something to bring up and what we came to the conclusion of with Superintendent Johnson was we would do this as a collaborative. And the desire from the school district side was that we had each class from the 6th grade and up represented. So, we're talking, we would have 4 one from each class at Kuna High School and then one additional from Kuna High School who is the leader would be the spokesperson for the Council or the Mayor if you will. I guess two at the Kuna Middle School, two at Fremont Middle School and then 1 at 1 or maybe 2 depending on interest at Initial Point High School. So, my request for staff would be should we establish this again? It's to update any necessary bylaws and the website and a press release. Which the school district already has done today. Actually, Wendy Johnson's newsletter went out that this was being talked about. So. If everyone concurs that this, this is what I'd like to kind of spearhead and we can take this forward and I wouldn't mind being the point person or I'm not going to speak for Councilman Bruce, but I know he's very interested in this as well.

**Mayor Stear** Okay, so I actually was talking to, so the other Youth Councils around Nampa has one, Caldwell has one. They tried to get those kids at the AIC 'Association of Idaho Cities' conference every year. The issue that I had when we had one before was gaining support to... most of those cities give their Youth Council's a budget. So that they can do some kind of project, whether it's in the parks or whatever, we ended up getting some funding so they could put in some park benches and things like that. But the problem I had was getting Council to approve for funding for them to have a budget so that they could move forward and then the first year I had a couple of really superstar girls that really led things and got things going and kept them all in high spirits. The second year I had one young man that was kind of that way. And then it. Just there wasn't

really anybody to step up and take that leadership role because we didn't. Have a budget for them. So that's why that one kind of went away and then other things occurred. So, I like your idea of doing it in conjunction with the schools. I can get you in contact with the folks I spoke to in Nampa and Caldwell, and you can kind of see what they do. But I think that Youth Council is a great idea and I think that. You know we don't have to set ours up like other people there's, so, whatever you have in mind for that. I'm in full support.

**Council Member Biggs** Thank you, Mr. Mayor so and it just dawned on me. So, I'm trying to remember from our conversation, but the Superintendent did say that the intention would be to have a meeting with the, with the, whoever the Council members are, they would, they could submit applications. Between now and probably the end of October. They would get together and then they would have a presentation for us of how they want to run things. Basically, they bring it, they're going to be somewhat autonomous. They'll come and make a presentation on November. November the 7th is a target, and, I think the vision was every two weeks having a meeting where it would be hosted by the school district where they would pay for lunch for them to come in and then they would invite if they wanted to invite, for example, they wanted invite Jared to come in and talk about city treasury or they wanted invite Morgan to talk about economic development or they would always try to have at least one of the Council members there. Mayor would be invited different, different people throughout the *chief [word unclear]*. So I think it was a great that was a great idea and I would be I would definitely be in support of a budget for them as a as a show of good faith into this since the school is going to be putting forth money to feed the kids and then also get them get a bus to pick them up to bring them over to the high school to do their meetings.

**Mayor Stear** My goal was always to have the kids be an actual Council. So that they could have meetings and discuss and the kids in the audience could actually be the ones that help do the public hearing, so to speak, and they could decide how to spend the funds, what kind of projects they will work on and then move forward like that. So, but however you guys want to do it is, I'm all on board we had...

**Council Member Biggs** We had one young lady, Emily Wright is her name, and she was a sophomore, and she's been part of...

**Council Member Bruce** The State Superintendent Council.

**Council Member Biggs** The State Superintendent Council and so she was really excited about it. I think she's kind of 1 to kind of spearhead this and lead this thing. But you have to try to have a Council where they make decisions and then they come to us to make a report. But also, they would have their meetings and we would we could be there to help advise.

**Council Member Bruce** And, their own bodies of constituents, I guess.

**Council Member Biggs** Definitely, yeah. And they and that's up to them if they, you know, if they would have one represented the senior class of junior class, but they also have the people, their pool of people that they can pull ideas from and such.

**Mayor Stear** Well that'd be a good idea and then they can get ideas of what it is they want to do and with some guidance then they could come to Council and request the budget of what they want to use it for.

**Council Member Bruce** I think it'll be, you know, be good just to have the, these are going to be our leaders of the future; so to help with their leadership abilities and just the structure and navigating government. I think a lot of the younger generation have written it off, but it'd be good to maybe get more buy in.

**Council Member Biggs** And, I like the idea of them requesting the budget that would be tell us what you want rather than us just saying here's money.

**Mayor Stear** Okay. Yeah, if you want to take charge it up, that'd be good. Just let me know what you need from me and I'm more than happy.

**Council Member Biggs** Thank you, Sir.

**Mayor Stear** Good. Anything further on that?

**Council Member Biggs** No, Sir.

**Mayor Stear** All right. Good job.

*Re-establish the Kuna City Youth Council*

- B. Discussion and direction for staff to pursue changes to the City's Future Land Use Map (FLUM) Council Member Chris Bruce. ACTION ITEM

**Mayor Stear** Discussion and direction for staff to pursue changes to the city's future land use map. Council Member Bruce.

**Council Member Bruce** So this, you know the way that we've gone about it and approved development commercial over the last few years, I think it's time that we maybe just take a look at it as a whole, maybe a 10,000 foot view I'd like to, let's see, I'd like to request that the staff provide input or explore changes to the land use map. Possibly a task force with community members, members of partner agencies, and the School District. That way we can all look at it as a whole and kind of gauge where we want to be within the next decade or so. I think there's a lot of opportunity for discussion with our community and our partner agencies as well as the school district. And our Council as well, so.

**Mayor Stear** Okay. Yeah. And we can do that. That's. The last time we had pretty good community participation in or open houses on that so.

**Council Member Bruce** And Doug's been great too, with just kind of bouncing ideas around, you know, looking at a higher level view of where we're at so.

**Council Member Biggs** Yeah, I remember the last one was at Kuna High School at a big open house. It was nice. Yeah, I think things have definitely changed a lot since the last time the map, the last major revision I think in 2018, a lot of farming areas probably sold.

**Mayor Stear** Well, I've got some, Doug's got some great ideas on how to make things look a little different, but gives Council a little more leeway and doesn't tie you down necessarily to zoning and...

**Council Member Bruce** And I think we're seeing a lot of community members who want to have input on it too. And I think that would be good to get their opinions and thoughts and also our agency partners.

**Mayor Stear** Yeah, I think it's certainly time to do that again so. Okay.

**Council Member Bruce** And thank you, Doug.

**Mayor Stear** Do you need any further direction than that, Doug, or is?

**Doug Hanson** *[inaudible]*

**Mayor Stear** Okay I've seen him run. He's not, he used to play football.

**Multiple Speakers**

*[Speaking simultaneously]* Yeah, He's... He's good for a lineman...He's a...

**Mayor Stear**

He's not terrible. I wouldn't get in his way.

Council directed staff to pursue changes to the city's future land use map.

C. Consideration No. 23-07-TE (Time Extension) Fossil Creek Subdivision No. 2 Final Plat – Jessica Hall, Associate Planner **ACTION ITEM**

Applicant requests Time Extension approval for the Fossil Creek Subdivision No. 2 Final Plat due to unforeseen construction delays during Phase No. 1

**Mayor Stear** All right. Consideration on #23-07-TE time extension. Imagine that's Doug.

**Doug Hanson, Planning and Zoning Good** Evening, Mayor and Council. For the record, Doug Hanson, Kuna Planning and Zoning, 751 W 4th St. due to unforeseen delays with the development of Fossil Creek #1 regarding excessive rock and additional infrastructure redesign, the applicant requests time extension approval for the Fossil Creek #2. Final plat which they have... to which they plan to have completed by the fall of 2024, per Kuna city code 623J21 "A preliminary plat is approved with phases. The first final plot shall be submitted within two years of preliminary plot approval which with each successive phases final plat being recorded within one year of the previous." The Fossil Creek number one final plat was recorded

August 23 2023 resulting in this final plat requiring a recordation date of August 23rd, 2024. However, by requesting a time extension the new recordation date would be one year from the signing of the findings of fact, conclusions of law or October 17 2024. Upon review, staff has determined this time extension request to be compliant with Kuna city Code 63 and Idaho Code 6765. With that, I will answer any additional questions you may have.

**Mayor Stear** Which certainly helps with our pause with growth.

**Council Member Biggs** So two months. Is what it is, essentially?

**Doug Hanson** For the record, Doug Hanson, Kuna Planning and Zoning. Yes. So, they anticipate being completed in Fall of 2024, but they don't believe they can hit the August 23rd deadline. They need a couple additional months.

**Council Member Biggs** That's much different than the most recent extensions we've had. For excessive rock. We got a little bit of rock underneath.

**Council Member Bruce** Little couple lava tubes.

**Council President McPherson** Okay. I would move we approve #23-07-TE.

**Council Member Biggs** Second

**Mayor Stear** Motion is made and seconded any further discussion. All those in favor say aye.

**Multiple Speakers** Aye.

**Mayor Stear** Any opposed? Motion carries.

**Motion To:** Approve Time Extension for Case No. 23-07-TE

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Biggs

**Voting Aye:** Council Members McPherson, Bruce, Biggs

**Voting No:** None

**Absent:** Laraway

**Motion Passed:** 3-0-1

**D.** Consideration to approve Resolution R71-2023. Economic Development Director Morgan Treasure Director ACTION ITEM

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA:

- SETTING FORTH CERTAIN PURPOSES;
- AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDED AND REFORMED INFRASTRUCTURE AGREEMENT BETWEEN THE CITY OF KUNA AND BRISBIE, LLC
- DIRECTING THE CITY CLERK; AND

## SETTING AN EFFECTIVE DATE

**Mayor Stear** Consideration to approve resolution R71-2023. Morgan Treasure.

**Economic Development Director Morgan Treasure** Good evening, Mayor and Council, Morgan Treasure, Economic Development Director for the City of Kuna. I'm bringing forward a pair of agreements, so I think I'll talk about them from a historical level that kind of applies to both. These are the Brisbie, LLC agreements that were brought forward with the project agreement when we put together the original negotiation with META for the design and construction of the water and wastewater facility that was part of that total package. As you all know and heard multiple times, there was a design pivot and one of the key things that happened when that design pivot occurred was a change that made the data centers themselves much more water efficient, so moving away from that evaporative cooling system to a closed loop system that doesn't have nearly the amount of water consumption that the original design had. So. You know, being a data center and hearing the concerns of the community, water was one of the bigger ones and this is definitely a move in the right direction. So, we're really excited about that. So, this big positive move in the design, but with that came the need to update the agreement so that they actually reflect, more realistically, the usages that are going to occur now with that infrastructure so. The infrastructure agreement is the agreement that covers the construction of the facility and how it will be dedicated to the city the major changes in that one just have to deal with the utility installations themselves and design changes made to the lagoon parcel that fit the reduced water needs an upside to that is that the 160 acres that was designated for that had already been conveyed to the city and now there is quite a balance of property that's going to be available for immediate use for the addition of other users coming into the industrial park so, a win for the city there on that side. The water and wastewater agreement, the biggest change really is just adjusting those capacity as though. Taking the water capacity reservation from 56 gallons or 56, 560 thousand gallons per day. Wow, I need to put on my glasses.

*[Laughter]*

**Council Member Bruce** Pick a number. Just pick a number.

**Council Member Biggs** 560,000.

**Economic Development Director Morgan Treasure** I know I have notes in front of me and I was like, what's going on, right?

**Council Member Bruce** Thank you.

**Economic Development Director Morgan Treasure** And then taking the wastewater down from 250,000 down to 25,000 gallons, so huge savings there. There's other little minor edits just to clean things up, but beyond that, it's really the substantial pieces. I'm happy to answer any questions. We also have Doug Nelson from Brisbie here. If you have any questions on the legal side on that.

**Council Member Bruce** Thank you.

**Council Member Biggs** I wanted to ask Morgan about the water, so. Water, it's industrial grade water, right? Basically, it's going to be staying within the that urban renewal district that's they can't be tied in with the rest of the potable water in housing and stuff like that, right?

**Economic Development Director Morgan Treasure** So Mayor, Councilman Biggs, the system out there is designed just for that industrial area. They now, with that reduced water capacity, there actually isn't any industrial process water. The only water flows that will be handled are the domestic flows. So, like the regular bathroom, kitchen type, water that you would see coming out of any other commercial project. We don't. This project doesn't have any industrial wastewater because that closed loop system. That's where the major reduction in capacity comes from.

**Council Member Biggs** And so, the additional industry that's going to come out there, they can still use this?

**Economic Development Director Morgan Treasure** Yes.

**Council Member Biggs** Okay. Thank you.

**Mayor Stear** Okay.

**Council President McPherson** Anything, Chris?

**Council Member Bruce** No, thank you. I was just reading it.

**Council Member Biggs** Cutting things down.

**Council Member Bruce** A lot, yeah.

**Council Member Biggs** More than half right? It's more than half from the original.

**Economic Development Director Morgan Treasure** Yes. So, it's 10% while maintaining our, maintaining the capacity, so as far as from the city's perspective, it's making it a lot more flexible, much quicker, which is especially a boon considering we lost that revenue on the urban renewal side. This actually ended up being incredibly helpful to allow us to keep moving forward.

**Council Member Biggs** And not being evaporated also helps quite a bit too, because that's a lot of water loss. That's where I had the problem with the water going back and, you know, resupplying the aquifer, if it evaporates, how does that we wait for the rain or something to soak into the? I was still. That's what. When we talked to META of, like, how does that work? I'm not, I'm not exactly, you know, a science major, but.

**Council President McPherson** Okay. I would move we approve resolution R71-2023.

**Council Member Bruce** Second.

**Mayor Stear** Motion is made for approval on resolution R71-2023. Is there any further discussion on that motion? All those in favor say aye.

**Multiple Speakers** Aye.

**Mayor Stear** Any opposed? motion carries.

**Motion To:** Approve Resolution R71-2023

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Bruce

**Voting Aye:** Council Members McPherson, Bruce, Biggs

**Voting No:** None

**Absent:** Council Member Laraway

**Motion Passed:** 3-0-1

E. Consideration to approve Resolution R73-2023. Economic Development Director Morgan Treasure Director **ACTION ITEM** – *Tabled from 09.19.2023 Meeting*

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA:

- SETTING FORTH CERTAIN PURPOSES;
- AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDED AND REFORMED WATER AND WASTEWATER AGREEMENT BETWEEN THE CITY OF KUNA AND BRISBIE, LLC
- DIRECTING THE CITY CLERK; AND
- SETTING AN EFFECTIVE DATE

**Council Member Bruce** Thank you, Morgan, for all your work on it.

**Mayor Stear** And then you will kind of also covered our resolution R73-2023, correct? Did you have any further questions on that one? They kind of tie together there.

**Council Member Biggs** You have a motion?

**Council President McPherson** Yeah, I would move we approve resolution R73-2023.

**Mayor Stear** Motion is made and seconded any further discussion on that motion? All in favor, say aye.

**Multiple Speakers** Aye

**Mayor Stear** Any opposed? Motion carries.

**Motion To:** Approve Resolution R73-2023

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Biggs

**Voting Aye:** Council Members, McPherson, Bruce, Biggs

**Voting No:** None

**Absent:** Laraway

**Motion Passed:** 3-0-1

F. Consideration to approve Resolution No. R78-2023. City Clerk Chris Engels **ACTION**  
**ITEM**

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND DIRECTING THE ASSET MANAGEMENT AND AUCTION OF SAID PROPERTY.

**Mayor Stear** Consideration to approve resolution or R78-2023. Chris Engels.

**City Clerk Chris Engels** Thank you Mayor, City Clerk Chris Engels for the record. What I have before you is surplus and so the surplus came from the Fleet Department and out at Public Works and there's a detailed list and photos for your review. These will be done in a sealed bid, so we will publish it and post it. We are talking to the Fleet Department about being able to make a time for people to actually come and look at the items that they may want to purchase and they will submit the bid. The minimum bid was established by the Fleet Department and Public Works based on the value of taking it in for, you know junk, trade, or Metal trade on the vehicle. And then as far as the Sewer Department, blowers are expensive I guess, and so they've established what those costs are. I would stand for any questions.

**Mayor Stear** Okay, questions?

**Council Member Bruce** No, Ma'am. No, Sir.

**Council Member Biggs** No.

**Council President McPherson** I would move we approve resolution R78-2023.

**Council Member Bruce** I'll second it.

**Mayor Stear** Motion is made and seconded, any further discussion on that motion? All those in favor say aye.

**Multiple Speakers** Aye

**Mayor Stear** Any opposed? Motion carries.

**Motion To:** Approve Resolution R78-2023

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Bruce

**Voting Aye:** Council Members McPherson, Bruce, Biggs

**Voting No:** None

**Absent:** Council Member Laraway

**Motion Passed:** 3-0-1

**G.** Consideration to approve Resolution No. R79-2023. City Clerk Chris Engels **ACTION ITEM**

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO SIGN; AND AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSAL FOR PROJECT ALIGNMENT ASSISTANCE AND THE CITY OF KUNA RELATING TO THE CITY OF KUNA HALL AND DMV EXPANSION AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

**Mayor Stear** Consideration to approve resolution R79-2023. Chris Engels again.

**City Clerk Chris Engels** Mayor, Council, Chris Engels, for the, City Clerk for the record. What is before you is an agreement with Prusik. Prusik is also the ones that built the Kuna Police Department. This is for concept, inasmuch to tell us what can be done or what can't be done to gather up all the stakeholders. What the potential cost may be. We didn't do that perse when we did the Police Department and over that process we found that it may have been easier to be at the table with a qualified general contractor before we went to any kind of design so that we had a better idea of what it may or may cost to be able to talk with Council about that budget, and I would stand for any questions.

**Mayor Stear** Okay, questions?

**Council Member Bruce** DMV.

**Mayor Stear** DMV.

**Council President McPherson** Getting serious now. I would move we approve resolution R79-2023.

**Council Member Biggs** Second.

**Mayor Stear** Motion been seconded to approve resolution R79-2023. Any further discussion?

**Council Member Bruce** It would be. It would be nice to have a DMV or at least hear what it's going to take to put one here.

**Mayor Stear** Well, we've had quite a few discussions and we've gained quite a bit of traction so.

**Council Member Biggs** Can we get a hot tub in the new Council chamber?

*[Laughter]*

**Council Member Bruce** In the DMV.

**Mayor Stear** That goes back to that other ordinance you were talking about that fee, yeah.

**Council Member Bruce** Which I now can't unsee.

**Mayor Stear** All right. Any real further discussion?

**Multiple Speakers** No.

**Mayor Stear** All in favor? Aye.

**Multiple Speakers** Aye.

**Mayor Stear** Any opposed? And that motion carries.

**Motion To:** Approve Resolution R79-2023

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Biggs

**Voting Aye:** Council Members, McPherson, Bruce, Biggs

**Voting No:** None

**Absent:** Council Member Laraway

**Motion Passed:** 3-0-1

## **7. Ordinances:**

## **8. Executive Session:**

*(Timestamp (02:30:10))*

A. Enter into Executive Session under Idaho Code 74-206 (1)(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student.

**Mayor Stear** That leaves the last item on the agenda in executive session.

**Council Member Bruce** What do we need?

**Council Member Biggs** A motion to...

**Council Member Bruce** Do you know who we need?

**Council Member Bruce** So the motion.

**Mayor Stear** Oh, we'll. I guess Nancy and...

**Council President McPherson** Marc.

**Council Member Biggs** Marc.

**Council President McPherson** Marc, that guy.

**Council Member Biggs** \$100 million an hour.

*[Laughter]*

**Council Member Biggs** He does charge, yeah.

**Mayor Stear** Nancy and Marc.

**Council President McPherson** Okay. I would move we adjourn to executive session under Idaho Code 74-261 and B and include the Council, Mayor and Human Resources Director and the City Attorney.

**Council Member Bruce** I'll second it.

**Mayor Stear** Motion is made and seconded. Chris, would you call the Council?

**City Clerk Chris Engels** Council Member Bruce.

**Council Member Bruce** Aye.

**City Clerk Chris Engels** Council Member Biggs.

**Council Member Biggs** Aye.

**City Clerk Chris Engels** Council President McPherson.

**Council President McPherson** Aye.

**Mayor Stear** And that motion carries.

**Council Member Bruce** Thank you.

**Move to:** Enter Executive Session

**Motion by:** Council President McPherson

**Seconded by:** Council Member Bruce

**Voting Aye:** Council Members McPherson, Bruce, Biggs

**Voting No:** None

**Absent:** Laraway

**Motion Passed:** 3-0-1

*Entering of Executive Session 8:30 PM*

*Information received; no action taken.*

*Exiting of Executive Session 9:25 PM*

**9. Mayor/Council Announcements:**

**10. Adjournment:**

Adjourn 9:27 PM



Joe L. Stear, Mayor

ATTEST:

  
Chris Engels, City Clerk

*Minutes prepared by Garrett Michaelson, Customer Service Specialist  
Date Approved: CCM 10.17.2023*



# CITY OF KUNA

751 W 4<sup>th</sup> Street • Kuna, ID 83634  
 (208) 922-5274 • www.kunacity.id.gov

## SIGN-UP SHEET

**October 3, 2023 – Council, Public Hearing**

Case Name: City of Kuna Combined Fee Schedule

Case Type: Establishing Fees for the City of Kuna

Res No.: R74-2023

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Council.

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Name	Name <i>Cristin Senby</i>	Name <i>Susan Peterson</i>
Address	Address <i>3070 N Sorrelou</i>	Address <i>1320 E Sweet Pearl</i>
City, State, ZIP	City, State, ZIP	City, State, ZIP <i>KUNA ID 83634</i>
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Name	Name <i>Cindy Giesen</i>	Name
Address	Address <i>1363 S. Ash Ave</i>	Address
City, State, ZIP	City, State, ZIP <i>Kuna ID 83602</i>	City, State, ZIP
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CITY OF KUNA

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Fax: (208) 922-5989 • www.Kunacity.Id.gov

SIGN-UP SHEET

OCTOBER 3, 2023 – Council, Public Hearing

Case Name: Lee Country Subdivision

Case Type: Annexation & Preliminary Plat Request.

Case Nos.: 21-13-AN and 21-09-S.

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Commission / **Council**.

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Print Address		Print Address		3070 W Solaloe	
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Print Name		Print Name		Jenny Turnbull	
Print Address		Print Address		2552 N. Horse Gulch Ave	
City	State, Zip	City	State, Zip	Kuna	ID 83634
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Print Name		Print Name		Renee Houston	
Print Address		Print Address		2208 W Horse Gulch	
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Print Name		Print Name		Beverly Wolf	
Print Address		Print Address		3420 W. Comm	
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Anthony Grannell  
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697 E Taper St.  
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Jeremy & Niwon Hamilton  
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2617 W Hose Gulch Ave  
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DANIELE HORRAS  
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1827 MONTRO  
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ENIKA CURTIS  
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2296 N MALVERN AVE  
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Christine Schmick  
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1122 E Jack Creek St  
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Print Address  
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Linda Kane  
\_\_\_\_\_  
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1278 E. Sweet Pearl St.  
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2617 N Hose Gulch Dr  
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2200 N. MALVERN  
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Scott Paul  
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✓ Linda Kane  
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1278 Sweet Pearl  
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SANDRA ALLEN  
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1589 N. HARBOR WAY  
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Print Address  
Kuna 83634  
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✓ Carrera Atkinson  
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1225 E Whitbeck Dr  
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