



OFFICIALS

Joe Stear, Mayor
Chris Bruce, Council President
Greg McPherson, Council Member
Matt Biggs, Council Member
Michael Rocco, Council Member

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

City Council Meeting
AGENDA
Tuesday, February 17, 2026

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 00:00:09)

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear - Present
Council President Chris Bruce - Present
Council Member Michael Rocco - Present
Council Member Matt Biggs - Absent
Council Member Greg McPherson - Present

CITY STAFF PRESENT:

Marc Bybee, City Attorney
Jared Empey, City Treasurer
Mike Fratusco, Kuna Police Chief
Adam Wenger, Public Works Director
Chris Regli, Parks & Recreation, Fleet & Facilities Director
Doug Hanson, Planning & Zoning Director
Michelle Covert, Economic Development Administrator
Troy Behunin, Senior Planner
Marina Lundy, Planner
Morgan Webb, Deputy Parks & Recreation Director
Nancy Stauffer, Human Resources Director
Nathan Stanley, City Clerk

Mayor Stear Okay, we'll call this meeting to order, Nathan would you take the roll please?

City Clerk Nathan Stanley Council President Bruce.

Council President Bruce Here.

City Clerk Nathan Stanley Council Member Rocco.

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.

Council Member Rocco Here.

City Clerk Nathan Stanley Council Member McPherson.

Council Member McPherson Here.

City Clerk Nathan Stanley Mayor Stear.

Mayor Stear Here.

2. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:24)

Mayor Stear And if you'll join me for the Pledge of Allegiance.

Multiple Speakers I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Mayor Stear Thank you.

3. 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 00:00:46)

- A. Regular City Council Meeting Minutes Dated February 03, 2026
- B. Accounts Payable Dated February 11, 2026, in the amount of \$5,033,772.68
- C. Decision and Reasoned Statements
 - 1. Case No. 25-02-OA (Ordinance Amendment) Pole Signs
 - 2. Case No. 25-02-CPA (Comprehensive Plan Amendment) Area of Impact Reduction
- D. Final Plats
 - 1. Case No. 25-28-FP (Final Plat) Silver Trail Sub No. 10
- E. Resolutions
 - 1. Resolution R26-2026

A RESOLUTION OF CITY COUNCIL OF KUNA, IDAHO ADOPTING A REDUCTION OF THE KUNA AREA OF CITY IMPACT BOUNDARY AS

REPRESENTED ON THE FUTURE LAND USE MAP FOR THE CITY OF KUNA, IDAHO; AFFIRMING THAT THE PRESCRIBED NOTICE AND HEARING REQUIREMENTS WERE MET IN ACCORDANCE WITH TITLE 67, CHAPTER 65, IDAHO CODE; AND PROVIDING AN EFFECTIVE DATE.

2. Resolution R27-2026

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE REAL ESTATE LEASE AGREEMENT BETWEEN THE CITY OF KUNA, IDAHO AND VETERANS OF FOREIGN WARS.

(Timestamp 00:00:46)

Mayor Stear All right, first item is the consent agenda. Questions or comments?

Council Member McPherson I'm good.

Council Member Rocco I'm good.

Council President Bruce I move we approve the consent agenda as published.

Council Member Rocco Second.

Mayor Stear Motion is made and seconded for approval. Is there any further discussion on that motion? Nathan, would you poll the Council?

City Clerk Nathan Stanley Council President Bruce.

Council President Bruce Yes.

City Clerk Nathan Stanley Council Member Rocco.

Council Member Rocco Yes.

City Clerk Nathan Stanley Council Member McPherson.

Council Member McPherson Yes.

Mayor Stear And that motion carries.

(Timestamp 00:00:54)

Motion To: Approve The Consent Agenda As Published

Motion By: Council Member Bruce

Seconded By: Council Member Rocco

Further Discussion: None

Members Voting Aye: Council Members Rocco, McPherson, Bruce

Members Voting Nay: None

Members Absent: Council Member Biggs

Via: Roll Call Vote

3-0-1

4. Public Comment

(Timestamp 00:01:16)

Mayor Stear Next we have public comment, I had Gail Zarr signed up.

Gail Zarr Okay, I've written it down and not look at you guys I'm sorry, I just, I know sometimes I stumble over my words, so I thought this would be best.

City Clerk Nathan Stanley Ms. Zarr, can you just state your name and address for the record, thank you?

Gail Zarr Yes, absolutely. Gail Zar, 412 East Boise Street, here in Kuna. And I know I have the time limit, so just let me know. Okay, so I have -- I wanted to ask for three updates and then share an observation. So, the first update that I'd like to ask for, some time ago there was an accident involving the police officer and the motorcycle. And if the chief asked for funds in order to expedite, to secure a specific model that was available here locally, It's on social media, people were grumbling. It was my understanding that was done due to insurance process sometimes being excessive, and in the end, the money would shake out. So, I was just wondering if we could get an update to address how the funds were expended, have they been returned, what was the insurance coverage?

In recent -- Second update request. In recent meetings, there have been comments about older projects and the expressed desires to have some sort of expiration on approval. And I know, Mayor, that you've indicated that you're working with staff. What I would appreciate is if we could get an update with timelines. Ultimately, what I'd like to know is when is it expected that new guidelines will be implemented for old projects, when they'll be adopted for new projects, and at what phase in the project will the time clock begin? The final update request, this one's easy. I don't even have to look at my notes. What happened with the bid on the gym? What's my time?

Mayor Stear I'm sorry, what happened with what?

Gail Zarr The bid on the gym.

Council Member Rocco The 4th Street gym.

Mayor Stear 4th Street gym.

Gail Zarr Yeah.

City Clerk Nathan Stanley You still have a minute, thirty.

Gail Zarr Okay, perfect. And then, as I said, if time permits, I'd like to also address the lawsuit that related to the proposed data center site. As you'll recall, the rezone hearing lasted late into the evening, and it drew extensive public testimony. A clear majority of those who spoke were opposed to the rezone, while those in support were largely family members, friends, or individuals who did not live in Kuna. Despite the considerable time and effort invested by residents in fulfilling their civic duty, the vote ended in a two-two tie with the Mayor breaking it. It grieves me. I come here and it seems like often public concerns are dismissed on the grounds of avoiding litigation, but yet here we are, we're facing a lawsuit. Please know I offer these comments with respect for the difficult role that you serve in. But I will plead with you, please do not allow the fear of potential litigation to outweigh your responsibility to represent

the residents who elected you. Showing up means listening, weighing the input seriously, and making decisions grounded in the interests of the community you serve, not in the apprehension of what might happen if you do. Thank you.

Mayor Stear Okay, thank you. Was there anybody else who wished to address the Council? Okay, thank you.

5. External Reports

(Timestamp 00:04:47)

A. Commitment to Volunteerism Proclamation. Mayor Stear

(Timestamp 00:04:47)

Mayor Stear All right, that takes us to the Commitment to Volunteerism Proclamation.

Whereas, we firmly believe that the values of compassion, empathy, and community support are the foundation of the united, harmonious society and fosters connections that transcend differences; and

Whereas, the strength and prosperity of Idaho cities and towns are based on the selflessness of its residents who serve and uplift one another; and

Whereas, we acknowledge the profound impact that can be achieved when we extend a helping hand to our neighbors and lifting them up and collectively working to improve lives; and

Whereas, we would like to nurture a culture of giving within our city, emphasizing that volunteerism is not just a duty, but a source of personal fulfillment and community strength, as we work side by side with and learn from each other, mutual understanding increases and misconceptions can be corrected and that new friendships are built; and

Whereas, we urge all citizens to care for one another, volunteer, and engage in acts of service and kindness that contribute to our city's betterment and its inhabitants' well-being, regardless of background or belief;

Whereas, the city of Kuna has joined a growing list of supporters, including the president of the National League of Cities and hundreds of leaders to date in making a commitment to volunteerism.

Now, therefore, I, Joe Stear, Mayor of the City of Kuna, do hereby proclaim that the City of Kuna commits to promoting volunteerism and encouraging the use of justserve.org to make it easier for residents to find and engage in volunteer opportunities, and we will regularly acknowledge and celebrate the contributions of our volunteers.

And that's the proclamation. I just want to say this is something that in the city we tried to put together years ago to connect people who want to do volunteer work to organizations that need it and we were never really able to get that up and running. This is something that works and is up and running and is very helpful throughout many communities in Idaho. And so Justserve.org is the name, and it makes it easier to connect with all those folks. And I don't know if you would like to step up and say anything.

Heather Rackham, on behalf of JustServe.org Good evening, Mayor Stear and City Council and community members. My name is Heather Rackham, and I serve as the Kuna area JustServe Specialist. For those of you who may not be familiar, JustServe as a free website and an app that connects people with meaningful opportunities to volunteer and serve in their communities. Tonight, the Mayor signed a proclamation recognizing the city of Kuna prioritizes volunteerism and the important role its service plays in strengthening this community. The timing is really meaningful, I think, especially as we celebrate Kuna Kindness Week. And the JustServe City Designation Award is a recognition given to cities that demonstrate an exceptional commitment to volunteerism and actively promote service opportunities in their commitment in their community. Typically, the award takes a little bit of time to be granted after a city signs a volunteerism proclamation. But because of Kuna's strong commitment to service and the timing behind the Kuna Kindness Week, the JustServe Headquarters expedited the process so we could celebrate this recognition with you tonight.

So, Kuna, I brought with me tonight a few people who have rendered service and support that in the Kuna area. I have members of the Kuna Food Bank who are here. The Kuna community last year, or in November, collected just under 50,000 pounds of food to donate to the Food Bank and other needed service areas. JustServe is always asking me how Kuna does that. And there's people, plenty of people here in the audience tonight who help with that big project. I have community members here who faithfully helped to organize that effort. volunteers here who coordinate quarterly Red Cross blood drives and organizers of a community clothing exchange are here tonight which have serves over a thousand people the lot over the last couple of years have provided free clothing for people to come to that event. These efforts represent just a really small number of things that people here in our community are doing.

I also think this recognition comes at a meaningful time as we approach America250 celebration. The community across Idaho, communities across Idaho are working toward a goal of 250,000 acts of service to honor our nation's founding. Kuna's culture of kindness and volunteerism plays a really important role in that. So tonight, I would actually like to award you with our with the JustServe City award. And with that comes this lovely, framed award, but also our commitment to help promote volunteerism in.

[Brief Pause In Proceedings As Pictures Were Taken]

Council Member Rocco Mr. Mayor, I have a question and a comment for—

Mayor Stear Sure.

Council Member Rocco Yeah. First of all, I just wanted to say and thank you and thank you for all the volunteers. I have personal experience from the East Coast working with JustServe, and I also know that it's a worldwide initiative. And from a personal point of view, I always get frustrated because sometimes we all are so independent that we have a difficult time finding opportunities to serve because people just can't seem to-- they're not ready to receive service. And so, this is a great opportunity for those that are frustrated that they want to give, and they can't seem to find an outlet for it. And the other question I had for you is I was at the Capitol and there was a presentation, award given to the Governor. Would you just share with that as to why was the Governor given an award? Was it because Idaho is the was Idaho the had the most cities that are participating with JustServe? Do you know?

Heather Rackham, on behalf of JustServe.org I do believe that is correct and I also believe that award was in conjunction with the America250. I could be wrong on there. I was not able to be at that event. But

Idaho was like the initial state that has collaborated with JustServe in promoting volunteerism through America250.

Council Member Rocco Right. Thank you. Thanks for your service.

Mayor Stear All right. Well, thank you again. We appreciate it very much. And these connections are so important. All right.

~

Council Member Rocco Mr. Mayor, I do have another question.

Mayor Stear Yes.

Council Member Rocco Related to public comments so that I understand. So, Ms. Zarr actually put forward some questions looking for updates. When is it that we actually address those questions? Is it getting pushed to the next agenda? Is it something that you take on? I'm just curious as to how...

Mayor Stear We can do that on, I mean, normally don't have that much, so we can put that on and talk about it at the next meeting.

Council Member Rocco Okay, thank you.

6. 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 00:13:33)

- A. Case No. 25-06-PP (Preliminary Plat) Tess Manor Subdivision – Applicant requests Preliminary Plat approval for approx. 7.80 acres in Kuna City using the R-6 zone. The Preliminary Plat proposes to subdivide the lands into 32 total residential and nine (9) Common lots. The site is in Sec. 13, T2N, R1W (APN; S1313314850). Troy Behunin, Senior Planner. **ACTION ITEM**

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

(Timestamp 00:13:33)

Mayor Stear All right, that takes us to public hearings. Case #25-06-Preliminary Plat, Tess Manor Subdivision, Troy.

Senior Planner Troy Behunin Good evening, Mr. Mayor, and Members of the Council. For the record, Troy Behunin, Senior Planner, Kuna DSD, Development Services Department. Staff would like to take the first minute to just correct a scrivener's error on the agenda and the preliminary or on the staff report. The case number actually is 25-06-S. I believe the agenda states dash PP for 'preliminary plat,' but it is in fact an 'S.' The sign-in sheets do have it correctly stated as 25-06-S.

Council President Bruce Mr. Mayor, could he explain that for Council Rocco?

Council Member Rocco Yeah.

Mayor Stear Yeah, you want to...

Senior Planner Troy Behunin Council Member, or yeah, Council Member Rocco, do you have any questions about it or?

Council Member Rocco I'm looking for, maybe I don't understand that.

Mayor Stear Doug Hanson.

Planning & Zoning Director Doug Hanson Yeah, so...Sorry, for the record, Doug Hanson, Planning & Zoning Director. So, starting with case numbers in 2026, we moved towards switching it from, so the subdivision essentially is a culmination of many things. It's the culmination of the zoning, the preliminary plat, the actual act of subdividing the land physically. When we move forward with naming conventions beginning of the calendar year, we wanted to switch it to 'dash PP' because when we're specifically looking at the preliminary plat, we want to make sure that's clear. So, moving forward, starting with case number 26-01-PP, where you used to see subdivision, you will see preliminary plat.

Council Member Rocco Got it. Thank you.

Mayor Stear Okay, you may continue..

Senior Planner Troy Behunin Okay, continuing on. So, this application before you this evening is requesting preliminary plat approval for approximately 7.8 acres already in the Kuna City limits and has an existing R-8 zone designation, zone. And that means that it's the medium density residential. They are requesting preliminary plat approval in order to subdivide these lands into 32 single family lots and nine common lots and to dedicate public rights-of-way for the streets. The design review application for the common lots was approved by the Commission on December 9th, 2025. The site is located near the southwest corner of the intersection of Ardell and Kay Avenue. This is the most recent proposal for a near infill project, and it completes a project from many, many years ago. Staff has reviewed the proposed preliminary plat for compliance with Kuna City Code, Idaho State Statutes, and the Kuna Comprehensive Plan, and should the Council approve the preliminary plat application, staff recommends that the applicant be subject to the conditions that are recommended and outlined in staff's memo. And I will be here if you have any questions for staff. And I know that Dave Crawford, who represents the applicant, is also present. With that, I'll rest.

Mayor Stear Questions for Troy before we bring up the applicant.

Council Member Rocco Mr. Mayor.

Mayor Stear Yes.

Council Member Rocco Before we move into questions for transparency, I'd like to note that I serve as president of the Sterling Ranch HOA, one of the nearby resident neighborhoods that could experience traffic impacts. I don't have a financial interest in this application, but I wanted that relation to be disclosed for the record.

Mayor Stear Very good, thank you.

Council President Bruce I had a question, Mr. Mayor.

Mayor Stear Yes.

Senior Planner Troy Behunin On the preliminary plat memorandum, it says based on the land used, allow it to permit it in R-6 zones. Is it R-6 or is it R-8? For the record, Troy Behunin, Senior Planner. It is an RX, an R-6 zone.

Council President Bruce But didn't you just say R-8?

Mayor Stear You said R-8 when you were presenting. You meant R-6?

Council President Bruce I am.

Senior Planner Troy Behunin I'm sorry if I did. It should be. It should be R-8. My paper says R-6, so Okay, but I'll take your word for it.

Council Member Rocco So is it R-8, or R-6?

Senior Planner Troy Behunin It is R-6.

Council Member Rocco Okay.

Mayor Stear All right, anything further for Troy?

Council Member McPherson No.

Mayor Stear All right, Mr. Crawford, would you like to present?

David Crawford, Centurion Engineers Mayor, Members of the Council, my name is David Crawford with Centurion Engineers, 2323 South Vista Avenue in Boise. I'm thankful for the opportunity to be here to present our preliminary plat for Tess Manor subdivision. We've appreciated the work, the opportunity to work with staff and the ability to design a project that aligns with Kuna's code and its long-term visions. We've reviewed the staff report, agree with the conditions of approval as presented, and just to follow up with what Troy said, the Planning & Zoning Commission did recommend approval of the preliminary plat. I'll just get into a little bit of the overview of the project. *Perhaps I could wheel down to where it actually is.* Property is a little over 7 acres. It's already annexed into the city of Kuna, zoned R-6. We're proposing 32 single-family lots along with 9 common lots. We're providing public streets, water, sewer, and pressure irrigation infrastructure from the City of Kuna's public utility system. We have provided for significant open space in this development, and we have strong vehicular and pedestrian connectivity. Public Works has confirmed that they have adequate capacity to serve this development. I should note about here that a couple of years ago we had presented this project to you. It had many more lots in it than it does today. We had over 40 lots presented. They were townhome lots and it wasn't very well received. So, we brought it forward after a number of years of sitting idle in a single-family home

scenario that's more in keeping with the fabric of the neighborhood. This was kind of a remnant parcel from the Sable Ridge development that occurred a number of years ago, and it's just sat here vacant and has been subject to a bunch of cut-through traffic and other things that are irritants to the neighbors. So, with the development, we'd at least be able to stop that. Not that that's much of a benefit to the neighborhood, but at least some of that cut through traffic that was noted would go away.

I would like to note that the connectivity of this site was really hamstrung us. We had very little design potential. It's funny shaped. It's got three stub streets, one to the south here, one about midway, and one way at the northwest. And it's kind of an elbow. So, it also has a finger that follows the canal adjoining our northeasterly border out to Ardell and all the way down to Kay Avenue. We have provided for a stub street or a connection to Kay Avenue that aligns with the adjoining subdivision to the east. So that's a quick overview of that. *Let's see if we can get here today.* So, the project north is to the left here. If I have to state some directions, this is unusual. Most of the time we try and get north to the top of the page.

But we have centralized open space. That's right here at the intersection of the canal and Kay. That is about midway through the development. We've got pedestrian connectivity pathways that go through that open space and connect from Kay all the way through to Ardell Road. We've provided for a paved pathway that will make that connection, and it's outside of any irrigation easement. The improved access for the residents here, all these long stub streets that dead end currently will be continued, and so they'll have better access to Kay Avenue for emergency services and also for the neighborhood. We're pretty proud of the ability to be able to get that pathway all the way through. That's normally not something we can do, but it was wide enough where we could stay outside of the easement. We have coordinated with the school district and have committed to establishing a partnership that benefits the district and its students. And we're committed to mitigation that supports the district's needs.

In our Planning & Zoning Commission meeting, we heard a lot about the lot sizes being much smaller and it was too dense and all these things that I just want to reiterate that we've brought this project back with much less density than we did the first time. It's all single-family homes. R-6 zoning in the city of Kuna requires 4,000 square feet minimum. Every lot in Tess Manor exceeds that minimum. The smallest lot on this site is 5,700 square feet. It's about 142% of that minimum. The largest lot is 10,000 square feet. The average lot size overall is 6,500 square feet, exceeding the minimum by 163%. Most of the lots in Sable Ridge run approximately 7,000 square feet. The proposed lots are consistent with the neighborhood fabric.

We understand that traffic is a common concern. In Kuna and throughout the Treasure Valley, growth has affected us all. However, code developments under 50 laws are not required to provide off-site traffic mitigation, but what this project does provide, we provide the frontage improvements along our public roadways, completion of the stub streets that benefit the broader public, a critical connection to Kay Avenue being the most beneficial of that. We're also required to provide a trust fund for the west half bridge widening of Kay Avenue that will occur in the future. Additionally, the development will contribute about \$200,000 in impact fees towards public street improvements. Tess Manor meets all the requirements of Kuna City Code. We believe that it's an attractive addition to the city of Kuna and a positive complement to the existing neighborhood. It will also provide much needed housing within the community. We respectfully request approval of Tess Manor Subdivision, and I'm happy to answer any questions.

Mayor Stear Okay, questions for Mr. Crawford?

Council President Bruce Sorry, I do, Mr. Mayor. I was looking through the packet that we have. At what level are you required to do a TIS study?

David Crawford, Centurion Engineers Over 50 lots... Or 50 lots or over, if I'm not mistaken. It used to be 50.

Council President Bruce And what are the... I have another one.

Mayor Stear Go ahead, yes.

Council President Bruce What are the surrounding housing? What's the zoning around it?

David Crawford, Centurion Engineers Mayor, Council Member Bruce, this entire area from what I was looking at earlier today is R-6 zoning.

Council President Bruce No further ones at this time.

Council Member Rocco I do have some questions if you don't mind.

Mayor Stear Yes, Councilman Rocco.

Council Member Rocco Maybe it's all evident here, but when you look at, so obviously you're going to exit off of Kay, and then what about when they're going through Sable Ridge, looking at Ridgestone and maybe East Sable Ridge Drive, where are they ultimately ending up? Are they ultimately ending up to Linder?

David Crawford, Centurion Engineers Councilmember Rocco, Mr. Mayor, let's see, that is Linder Road to the west and Ardell Road to the north and Kay Avenue to the east. So those are the collector streets that everybody's going out to north of town. And then I believe that's Deer Flat to the south, which people headed south will hit from a collector road standpoint.

Council Member Rocco Right, but if this development, if they were traveling through Sable Ridge and they're heading west, Where are they going to end up? Are they going to end up on Linder?

David Crawford, Centurion Engineers Yes.

Council Member Rocco Okay. And is it more than one road that takes them to Linder?

David Crawford, Centurion Engineers There are a number of roads that-- there's one road that crosses between two different developments here that gets all of Sable Ridge out through that next development to Linder Road. So, there's only one connecting road between those two original developments.

Council Member Rocco Right. And when you talk about heading south to Deer Flat, you have Kay that is not all the way through yet. And so, Kay is, I think it's like three, four years that that will actually be through. So, they really don't have access to Deer Flat. It's going to have to be circumventing through Ardell to Meridian, I guess.

David Crawford, Centurion Engineers That's a really good question. I haven't really studied the overall traffic patterns, but Kay Avenue is completed, I believe, I'd have to take a look at an aerial photo. But I

know that it does have access out to Deer Flat Road, which could take either direction, east, west, and north.

Council Member Rocco Right, but not through Kay, though.

David Crawford, Centurion Engineers Correct.

Council Member Rocco Currently it's not through Kay.

David Crawford, Centurion Engineers That may be correct. I'm not sure if the Kay intersection is built or not. The Kay and Ardell intersection.

Council Member Rocco Okay, thank you.

Council President Bruce No further ones at this time.

Mayor Stear All right, thank you. All right, this is a public hearing, and I had a couple of people signed up to testify. Marlene Henry. If you would, just state your name and address for the record, please, and you may have the floor. If you tap it, it'll turn green and the mic will be on for you. Just push the base once.

Merlene Henry Marlene Henry, 580 East Ridgestone Drive, Kuna, Idaho. I brought some papers and I can give any of you a paper if you would like. There's two of them together. But every time I've tried to talk to people about this, I've been told that my information is incorrect. And so, I did a little in-depth digging in the CC&Rs. And I was told that all the houses that were being built were going to have to be 1,600 square feet. And even in our own CC&Rs, and you can each have a copy if you'd like, the minimum for one story house is 1,340. When my house was built, in '04, and we bought it in '06. It was just barely 2 years old. It was 1394. We couldn't get a walker around the bedroom, in the bedroom, so we added 88 square feet more. So now we have 1482. And so that, and then down below that, B, 1,600 square feet minimum for any two-story homes. And the reason that I'm concerned about this is that since my property is going to have all of these new houses built right behind it, are they still 60 feet wide, your lots? And if you tried to cram a 1,600 square foot house on that lot, you would be end up having two stories because then you're blocking everybody that lives along there because they're all, I looked it up and I would say that at least two-thirds of the subdivision are this smaller square foot. And, you know, if they want to build big houses, they can build them over by the canal because nobody cares over there, so... But it's that was one of my main concerns about it. My lot is 64 feet by 100 and all of our lots generally are 100 feet wide. So, this is going to be 40 feet so I would have a house and a half behind me. So, I was just a little concerned about that and how that was going to work out. But it's, I have no objections to filling it in. The reason that a lot of our houses are smaller is the reason why so many of us are seniors in the neighborhood. And when young ones move in, they live there for two or three years, they start having kids, and they move out to get into a bigger home. So, our neighborhood is generally very quiet, And we liked it that way. And if you have any of you want one of these.

Mayor Stear If you want to, you can give it to the Clerk and then they can.

Merlene Henry Okay.

Council President Bruce Thank you.

City Attorney Marc Bybee Mayor, if I might.

Mayor Stear Yeah.

City Attorney Marc Bybee Marc Bybee City Attorney. I got to clarify, is that document being added to the official record in this? Because if it is technically I know I would ask the applicant because they have a chance to rebut, you know any testimony and they've never seen this. It wasn't in the packet before the hearing. So, if we're going to drop something new into the packet, are we going to table this and continue it And I think since the applicant would be the most affected party by that, I'd at least inquire as to their position on that.

Mayor Stear So, you were suggesting to go ahead and pass it out to Council then? I was just going to have them give it to the Clerk because she wanted to hand it off.

City Attorney Marc Bybee I guess what I'm getting at is, what did that mean by handing it off? Are we adding it to the packet or not? Is this part of the record? Is there something that should be, you know, reflected in the record of these proceedings?

Mayor Stear I would say probably not unless council has it as part of the record.

City Attorney Marc Bybee Okay, so then I guess then I'd put it to the council entirely, as are we asking to have this added to this document added to the record? I know I'm being stuffy here, but this matters on things that make it to the judicial review. If a document gets presented in the middle of the hearing, we got to decide, is it part of the hearing packet, is it part of the record, or is it not?

City Clerk Nathan Stanley The reasoning is because copies need to be available for everyone.

City Attorney Marc Bybee Yes.

Council President Bruce I have a question.

Mayor Stear Yes.

Council President Bruce Doug, is this the same developer that built the neighborhood that she's what is behind it, or is it a new developer?

Planning & Zoning Director Doug Hanson For the record, Doug Hanson, Planning & Zoning Director, I believe this is an entirely new developer.

Council President Bruce Okay.

Mayor Stear So the question would be, does Council want that, or do you want to just go with the testimony that was given on the mic?

Council Member Rocco I'd rather I just go with the testimony.

Mayor Stear Is that good for you?

Council Member McPherson Yeah.

Mayor Stear Okay. All right.

City Attorney Marc Bybee So just for clarity, that is not part of the record.

Mayor Stear Correct.

City Attorney Marc Bybee All right. Thank you.

Mayor Stear All right. MaryAnn Michaelson.

MaryAnn Michaelson Good evening, Mayor and Council Members. My name is MaryAnn Michaelson. I live in the Sable Ridge subdivision at 513 East Ridgestone Drive in Kuna. And the reason I'm here tonight is I am requesting additional conditions of approval for this project that may not be listed in your packets. The developer verbally agreed at our neighborhood meeting to these on May 14th on these first two items. And the first item has to do with access to the job site. We as a group, we were requesting that they should be, access should be taken off of North Kay Avenue and the proposed Inlay street with only emergency access through the existing streets within the Sable Ridge subdivision. North Kay is better suited to handle traffic generated during construction. And I think that information is in the applications material packet. And the second item that the developer agreed to is dust mitigation. Per Idaho Department of Environmental Quality, please ensure that the developer submits a dust mitigation plan to the city so that the existing residents, they don't have to worry about cleaning their house or paying someone to clean their house because of the additional dust. And please have this done before any construction of any homes. And then, the next item that I wanted to request is to please do not approve this project until the developer has come to an agreement with the Kuna School District. Mr. Crawford did mention something about that, but I have not been able to find a record that they have come into an agreement with the school district. The school district is already overcrowded. It's highly unlikely another bond is going to pass, and the developer -- growth should have to pay for itself. The developer should have to contribute so the citizens don't have to hopefully contribute as much. And the last comment I wanted to make is Mr. Crawford indicated that the development would cut down on the cut through traffic, but in actuality, the opposite is true because if you if the cut through traffic uses a dirt path now, so vehicles have to voluntarily go off the road to cut through. So, if you were to pave the street there, that would just increase the cut through traffic to people who are comfortable driving just on the cement road. So, we would have more traffic coming through our street.

Council President Bruce Mr. Mayor.

Mayor Stear Okay. Yes.

Council President Bruce Sorry. Can you clarify what intersection you're talking about? That you would have to drop off? Is it Kay?

MaryAnn Michaelson It's Kay and Ridgestone, I guess. *Whoops, sorry.* Can I show you?

Council President Bruce I got it right here. Thank you.

Mayor Stear Alright, thank you very much. And next person we have is Tim Jensen.

Tim Jensen, Kuna School District Tim Jensen with Kuna School District, 711 East Porter Street here in Kuna. First time I've ever had to start off my testimony with an apology. It was my oversight that you guys don't have a letter in your pocket. I composed it on December 8th and for whatever reason it didn't

make it. I sent it over to Troy just a little bit ago to be able to have on file, but that was my oversight and I'll...

Mayor Stear Probably Got stuck in that little vacuum tube.

Tim Jensen, Kuna School District No, so no, I apologize and it's only February and I've already got my one mistake for the year out of the way. But I want to, I can address the last one. We, the developer has agreed to work with the district and going back a couple weeks ago, I know Councilman Bruce was talking about the MOUs being finalized. There hasn't even been one composed yet on this. You know, the developer has, we've met a couple times and talked about possible projects. They have agreed to work with us and one of the areas that we've talked about them working with us is some of the safety features needed for the district and mainly like perimeter fencing, the building that I'm principal at, at Fremont Middle School right there by the district office. It's just a wide-open field that people, and they do, and you know, not knowing or no ill intentions. But we constantly have people walking on and off of our campus and Hubbard Elementary's campuses. And so, one of the things we're looking at is putting up some perimeter fencing. So that was one of the projects that we were talking with the developer about. And so, you know, we do have an agreement. We don't have the MOU in place yet, but, you know, talking to Mr. Crawford and talking to the developers, I'm positive it's something we can come to an agreement on in a short matter of time. I do understand that one of the gentlemen that I'm working with, he's out with a medical issue right now, and so I'm trying to be conscious of that as well. So anyway, I just wanted to, my testimony tonight is just reiterating what was written in the letter, that there is an agreement to do it, but as of right now, we just haven't settled on the terms of what those projects would be and where they would be and stuff for the district, so.

Mayor Stear Thank you. Questions for Mr. Jensen?

Council Members No.

Council Member Rocco I have a question for Marc Bybee.

Mayor Stear Oh, okay. Are we done with Mr. Jensen?

Council Members Yeah.

Mayor Stear Thank you very much. And then I didn't have anybody else sign up to testify. Is there anybody who wishes to? Okay, if you want to grab the sheet here and sign your name on it while he's asking a question, it will work.

Council President Bruce *Once we get to...*

Council Member Rocco *Yeah, I'll hold off on my question.*

Mayor Stear Okay, and then if you want to just go ahead and take the mic and state your name and address for the record.

Joseph Purcell Joseph Purcell, 395 East Screech Owl Drive in Kuna. Good evening, Mr. Mayor, Council. I'm a property owner in the Birds of Prey subdivision, which is just west of the Sable Ridge subdivision, and I live at the corner of Screech Owl Drive and Duck Hawk Avenue, which is the main entrance into the Sable Ridge, what Council Member Bruce was asking about to the west. My concern is based on

documented conditions that 2024, I reached out to ACHD John Watson [Phonetic] at the highway district, and I requested a traffic study there at the intersection due to safety concerns. A lot of traffic go through that area into Sable Ridge. They evaluated it with the cables. They confirmed that it was an that it needed. It was strained. So, they did install stop signs at that intersection. Now we're dealing with a lot of a lot more traffic there. My concern is also all the traffic getting to the elementary school, that area, new houses up there, everything is going to Reed Elementary and they're at capacity already with the dismissal times and There's access in the Birds of Prey to the school there, and everybody parks there, drops their kids off because they can't get into the parking lot already because it's already at capacity. So, we're dealing with a lot of traffic from other subdivisions from the north or wherever they service that. So, I'm basically want you guys to really think about the access to and from that new subdivision. They're talking about going in through Kay I think that's a good, a good idea. So, there is another access point because there's only real three access points to and from all of that community area. Also, the -- Deer Flat, there's no access from Kay Street to there. And also, that white area there is private property and you cannot get from Ardell dead ends. on Ardell. I have a lot more written down, but my biggest concern was just the traffic flow. I did talk to John Watson [Phonetic] again today at ACHD and asked him to do another traffic study to try to mitigate some of the speed and traffic that happens on Duck Hawk itself. Like I say, people from other subdivisions are just ripping through there, trying to get their kids to and from. Reed Elementary adding 32 new houses in there is going to obviously impact more traffic and having that only one access between Birds of Prey and Sable Ridge is a problem in my in my opinion especially being right at the quarter right at that stop sign so thank you for your time.

Mayor Stear Okay, you bet.

Council President Bruce I have a question.

Mayor Stear Yeah.

Council President Bruce Thank you by the way does Ardell connect, I'm looking at the Google Maps, does Ardell connect all the way across When it comes to the stop sign at Kay, does it go all the way over to Linder?

Council Member Rocco No.

Joseph Purcell It does not. No, there's a canal there that is, and there's private property, the parcels never been bought, and there's no bridge over the canal. There's a walking path only that is private property. But yes, honestly, that needs to be built out in some way, shape, or form. And then also the access down to Deer Flat. I know that that's probably on the city's agenda. Thank you.

Mayor Stear Was there anybody else who wished to testify and didn't get a chance to sign up? Okay. If you want to ask your question.

Council Member Rocco Marc, maybe I'm just trying to understand, like you were talking about the example of is that going to be submitted into the record or how does that affect the packet. When he talks about not having his school letter in the packet, does that mean that the packet gets amended?

City Attorney Marc Bybee Marc Bybee, City Attorney. No, the fact that he missed the agenda deadline, I would say that letter is, it simply exists in Troy's e-mail inbox at this point and is not part of the record.

So, if there's to be like a judicial review on this, that wouldn't be part of the record. It'd be sent to the court that would be reviewing the matter.

Council Member Rocco Okay, thank you.

Mayor Stear Although the testimony is part of the record, so.

Council Member Rocco Okay.

Mayor Stear All right, Mr. Crawford.

David Crawford, Centurion Engineers Mayor, Members of the Council, David Crawford, Centurion Engineers, 2323 South Vista Avenue. Perhaps before I get started, I'd like to ask Marlene a quick question, if you don't mind, just to clarify your testimony?

Mayor Stear Sure.

David Crawford, Centurion Engineers Were you asking for a minimum lot size in our subdivision that would mirror yours?

Merlene Henry Yeah, I wanted to know the change from the 60-foot-wide lot because our...

Mayor Stear So, if you would repeat what she said just so it's on record, please. Thank you.

David Crawford, Centurion Engineers Were So what she was asking for was to match the minimum 60-foot lot size, that 60-foot-wide lot size, and I think she had mentioned that most of them were 100-foot deep. We have not presented that proposal here We have many 50-foot-wide lots, some that are over. So, to keep our established density at where it is, that's kind of where we'd want to be in that environment. As far as Ms. Michelson's request for those conditions of approval, we did agree to them. Currently, for the first two, the dust mitigation is required by Idaho State Code. Through the Clean Water Act enforcement, we are required to file a notice of intent to construct 2 weeks prior to any construction occurring on a site that disturbs more than one acre. It's a state-issued monitored permit. We're required to provide a stormwater pollution prevention plan, which does include dust mitigation. We are required to do reporting and maintenance on all our stormwater best management practices. That's all administered through the State. It was previously administrated through the Environmental Protection Agency, but Idaho started taking primacy over that here about four or five years ago. So now they're administering that. And it's required for all construction projects that disturb more than one acre. If not, we can be fined and they're pretty nasty. So, we did agree to access our job site during construction off of Kay Avenue. That seemed more than reasonable. The third item she had mentioned was a Kuna School District. Having that MOU agreed to or signed or ratified prior to our approval, it's really rough to get into an agreement where you're required to do certain things if your project doesn't get approved. So, what we have done is we have committed to provide for the mitigation things. The school district has provided us a capital improvements plan. They've given us a list of things that they would like, and we can pick from those to give an equitable cost to per lot fee that they were looking at. So, we definitely have committed to do that. She had mentioned that the cut through traffic it was just mentioned in a neighborhood meeting that they tried to gate it off and people were cutting through and knocking the fence down. So at least when our equipment's there, that's going to be a lot more difficult, but we will be building a future street.

Mr. Jensen, we appreciate him standing up here and recognizing that we have been working with them. And again, we're committed to doing just that. As far as the traffic, it's an issue. As things grow, it's the improvements to intersections, the improvements to roadways, the widenings and traffic calming, roundabouts, and stuff, all occurs after the growth is here because that's what's paying for it. We pay those development impact fees as for every new lot that goes in here. It just went up to \$5,308 per home. So, when you do the calculations, we're just under \$200,000 that we're going to contribute to that. We don't get to decide where the funds are spent. That goes to the highway district and that gets ferreted out between the different cities and probably where some arguments occur. But we don't get to determine that. The highway district is unique in this state. It's the only one in the country that manages 4 different cities and all of Ada County. With that, I'll stand for any questions you have.

Mayor Stear Okay. Questions for Mr. Crawford?

Council Member Rocco I don't have any.

Mayor Stear Okay, thank you.

City Attorney Marc Bybee Is it okay if I ask one?

Mayor Stear Yes, Marc Bybee.

City Attorney Marc Bybee Yeah, Marc Bybee, City Attorney. Dave, I just wanted to clarify, because you said that you were agreeable to the conditions that Ms. Michaelson identified, I think, regarding dust mitigation and the construction access off of Kay. Does that mean that you're fine and actually agreeable to those being conditions of approval in the decision of the council? Is that what you were getting at? I just want to clarify.

David Crawford, Centurion Engineers Mayor, Council Members, Mr. Bybee, yes.

Mayor Stear All right. Anything further?

Council Member McPherson I have nothing.

Mayor Stear All right, very good, thank you.

Council President Bruce Do you have any other questions for...

Council Member Rocco No.

Council President Bruce Councilman McPherson? Do you have any other questions? I move we close evidence presentation and move to deliberation.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded to close evidence presentation and proceed to deliberation. Any further discussion on that motion?

Council Member Rocco No.

Mayor Stear All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? Motion carries.

(Timestamp 00:25:55)

Motion To: Close Evidence Presentation And Proceed To Deliberation

Motion By: Council Member Bruce

Seconded By: Council Member McPherson

Further Discussion: None

Members Voting Aye: Council Members Rocco, McPherson, Bruce

Members Voting Nay: None

Members Absent: Council Member Biggs

Via: Voice Vote

3-0-1

Council President Bruce Did you want to start Councilman McPherson, do you want to, or do you want me to go? Obviously, I look at the backfill projects, but not having a road between Kay or, you know, where Kay and the other section of Ardell is, and not having an exit to Deer Flat, Ardell already is heavy, heavy traffic going out with no red light there. And then if you go up to Hubbard, you know how that traffic is. Those are some of my concerns just about safety and also timeline of when we can actually get those improvements done. I know we did hear about the lot size since it is a different developer and not with the same HOA. I think there's a little leeway there. I understand your concerns.

Council Member McPherson Well, and looking at the maps, lot sizes, they are 60 feet wide. Some of them are under 100 feet deep, but I mean like half a foot. If you actually look at the plot map, they're right there as to what the other ones said they were.

Council President Bruce They do meet the R-6, which is the same area around it. I don't like the fact that we don't have some type of agreement with the school district. And I would at least like to table it and have the other things put in the, if we do approve it, the development agreement, because I think you and I have spoken with some things like that before. But those are my things. Traffic with safety is an issue, not adequate improvements around there, and in the school district.

Council Member Rocco Yeah, to take the mystery out of that, Kay heading south to Deer Flat, ACHD has 2029, there's a proposed roundabout. So that's when the, that's actually, so it's three years out before that's going to actually open heading south.

Mayor Stear Which intersection are you talking about?

Council Member Rocco Kay heading south to Deer Flat.

Mayor Stear Kay and Deer Flat?

Council Member Rocco Yeah. Yeah.

Mayor Stear I mean, nobody's developing that property that I know of, so I don't know.

Council Member Rocco Yeah, they just need to open up that road all the way through to Deer Flat.

Council President Bruce But typically they wait for somebody to develop it.

Mayor Stear That's what I'm saying is I don't know if that's a reliable timeline where that property is not being developed. Doug?

Council Member Rocco Well, you have property, you have property, you have the Sterling Ranch property.

Planning & Zoning Director Doug Hanson Yeah, so the intersection of Kay and Deer Flat, the intersection improvements along with the segment of road going north to meet where Kay currently ends is actually programmed in the five-year plan with a construction year of 2029. And depending on prioritization lists that come from the city, come from the school district, that has some potential to move up as well. But we do have a construction year signed by ACHD of 2029.

Council Member McPherson So, I guess what the Mayor's concern is, the private property owners on the, what would be west side of Kay Road, have they agreed to easement for that road to be punched the other missing couple 100 feet that's there?

Planning & Zoning Director Doug Hanson So I don't have those details. I just I can see from ACHD's plan that it is actively being designed, and the land acquisition year will take place in 2028 with construction in '29.

Council Member McPherson Gotcha.

Mayor Stear Okay. So as long as there's a plan to either purchase or have some development at that property, then that timeline makes sense. Okay.

Council Member Rocco Yeah, I just want to second what you were talking about, Council President Bruce. I mean, like you said, right now you're going to dump off onto Ardell, you're going to head East onto Ardell, and there's no, there's no, there's a stop sign there. So, it's -- and it gets heavier and heavier. And then to go to Hubbard, and then I don't know when the plan was for ACHD to actually expand that Hubbard at the intersection of Meridian, but that's a real difficult intersection also.

Council President Bruce I have a question for Doug.

Mayor Stear Okay.

Council President Bruce Doug, have you heard anything about connecting Ardell, where it's missing right there from at the intersection of Kay on the other side? Does that even come up in conversation?

Planning & Zoning Director Doug Hanson Yeah, that particular project has been just a general subject of conversation for well over a decade. It's just a matter of that triangle is not in city limits. So, there's no plans for development on it. That's really ultimately up to if that developer comes in and or ACHD just decides to acquire right of way from the landowner to finish those improvements.

Council Member Rocco I have a question for Troy.

Mayor Stear Yes. Council Member Rocco.

Council Member Rocco Yes, Troy, I didn't see anything specific from the fire district in the comments in the package. So, can we just confirm that they're okay and there's no outstanding concerns?

Senior Planner Troy Behunin For the record, Troy Behunin, Kuna DSD. Are you talking about the ACHD report?

Council Member Rocco No, I'm talking about just the fire district as far as...

Senior Planner Troy Behunin Oh, the fire district?

Council Member Rocco Yeah.

Senior Planner Troy Behunin If the comments aren't there, then I didn't receive them in time.

Council Member Rocco Right, so is the assumption that if we don't hear from them?

Senior Planner Troy Behunin The assumption is, yeah, if we don't hear anything from them, then they're okay with the project.

Council Member Rocco And is that fairly normal that you don't hear from the fire district?

Council Member McPherson On something like this, typically, yeah, if it's an infill and it's platted good like it is.

Senior Planner Troy Behunin They'll also get a chance to comment when the construction documents come forward. *Oh, I'm sorry. So there actually is... getting projects mixed up.* So, there is a Kuna Fire district map on there.

Council President Bruce 174.

Senior Planner Troy Behunin 174, yep.

Council Member Rocco I've had no verbiage.

Council President Bruce No letter.

Council Member Rocco Okay, got it.

Mayor Stear Okay.

Council Member McPherson I have a question, but I'm not sure who to address it to. Mr. Rocco seems pretty fluent in ACHD stuff, but maybe Doug would know. Is there current plans to put a, I know there is, but when, a traffic light at Ardell and Meridian Road?

Planning & Zoning Director Doug Hanson So that would actually be fall under the jurisdiction of both ACHD and ITD since State Highway 69 is under ITD's jurisdiction. ITD in their long-range plan or vision for the corridor, I know they have planned for signalized intersections at all of the miles and mid-miles from the entire stretch. So, they do plan on it. When will that happen? I don't have a date for you.

Council Member McPherson Okay.

Council President Bruce I have one other question for Troy, or for Doug,

Mayor Stear Council Member Bruce.

Council President Bruce I know he's not required to do a traffic study. Is that something that the city can request and pay for just for that whole area? I know because it's only a small lot size, but we still have several concerns of traffic going both directions and north. You know because I am concerned about the safety of the people around it.

Planning & Zoning Director Doug Hanson So, are you referring more to just traffic counts or a full-blown traffic study?

Council President Bruce Traffic counts, or you explain both.

Planning & Zoning Director Doug Hanson Yeah, so traffic counts I think can be done at the request of ACHD. They'll set up a traffic counter to see the number of vehicle trips, but as far as an engineered traffic study, that would be far more difficult. On average, those cost anywhere from \$40,000 to \$60,000 to prepare. And I should clarify; that's for a very straightforward project. If it gets larger and more complex, you're going to exceed that amount.

Mayor Stear And we oftentimes ask for those traffic counts, so that happens quite often.

Council President Bruce I mean, those are my concerns. I at least table it with the school district and the other stuff in the development agreement. I mean, I'm concerned about traffic in that whole area in general as a safety concern.

City Attorney Marc Bybee Marc Bybee City Attorney. I just wanted to clarify; there's not a development agreement on this. I think what you're probably referring to is just getting those conditions of approval into the decision, which that could be done tonight, the conditions of approval. Just the motion would basically need to provide, approve with these additional conditions kind of thing and identify the conditions. One more clarification, but and I think you already know where I'm going here, Councilman Bruce. One of those conditions, in my opinion, should not include a condition requiring them to enter an MOU with the school district just because I don't think the city would be on solid legal footing compelling that.

Council President Bruce And I'm not asking for that, but we need something from the school district saying that they've come to some agreement, whether it's a letter or something, because once we're done here if they don't have anything in writing how do we know that I mean I know you have it in there but we can't add it to what we're deciding.

City Attorney Marc Bybee I know and I understand where you're coming from you're hoping if you like if they're wait until that's done that they will for sure do it and the point I'm making it's as I said it's my opinion I don't think the city can compel that MOU to be entered under current just how state law is at this time and so the waiting is just -- you're not going to get to a point from waiting where you can compel it, is my opinion.

Council President Bruce You see where I'm coming from is like we're making decisions that are going to impact the school district and saying, yes, we have an agreement, but we don't know what it is or we don't know when we'll get it. How do we make that decision and say we're comfortable with that when we don't know?

City Attorney Marc Bybee I understand where you're coming from and I hope you understand where I'm coming from on the flip side of this is that let's say you table it at what point if they come back let's say in a month they haven't done they haven't come to an agreement do we table again?

Council President Bruce I mean at that point then we would have a letter from the school district saying that they have no agreement with the developer right and we still look at the impact on schools.

City Attorney Marc Bybee And I guess the issue being if the mitigation they're seeking is in the form of fees or financial compensation in some way...

Council President Bruce And we don't ever get into the fees. We usually have a letter that says we either partnered or we haven't.

City Attorney Marc Bybee Okay.

Council President Bruce You know, I don't need numbers. I don't need what they're doing. I just want something for the record because we can't go back and add that letter tonight, correct?

City Attorney Marc Bybee We can't add that letter. You do have the comments of the school district and I guess the.

Council President Bruce And I know what you're trying to do. I'm looking out for the community, which is, I get it. I want to make sure that they're taken care of if we do approve it.

City Attorney Marc Bybee Okay.

Council Member Rocco So, Council President Bruce, are you, as far as the approval, what conditions, would it be one about the school document and also for a traffic count request from ACHD?

Council President Bruce I mean, that would be something that I think we could just request for that area. I mean, like I said, at some point we've gotten to the point with traffic in our city where it's not only a safety issue, but how do we determine it's a safety issue if we say, hey, we can't look at counts, we can't do a study, but we, you drop down it, right? You know there's no intersection there. You know there's no, there's no connection here. You know, at what point do we say, you know, enough? That's my thoughts.

Mayor Stear Marc, so I know that they closed the evidence presentation. Would it be possible because Troy now has that letter to read that letter from the school into evidence?

City Attorney Marc Bybee Yeah, you could read, sorry, Marc Bybee, City Attorney. Yes, you could read that into evidence if that's how you wish to try and get it into the record, yes.

Mayor Stear I'm just wondering if that would maybe satisfy.

Council President Bruce I mean, I think it would handle the best.

Mayor Stear All you're asking for is that they're comfortable with the agreement they have with the...

Council President Bruce Now, whatever they do with it on their side, at least we know for our decision-making that we've seen it or heard it.

Mayor Stear Okay.

Council President Bruce I mean, yeah. Are you okay with opening the evidence presentation? I move we reopen the evidence presentation and accept evidence from the letter from the school district.

Council Member McPherson Second.

Mayor Stear Okay, motion is made and seconded. And Troy if you would be so kind.

Council Member McPherson Do we need to vote on that?

Mayor Stear Oh, All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? Motion carries.

(Timestamp 01:06:30)

Motion To: Reopen Evidence Presentation

Motion By: Council Member Bruce

Seconded By: Council Member McPherson

Further Discussion: None

Members Voting Aye: Council Members Rocco, McPherson, Bruce

Members Voting Nay: None

Members Absent: Council Member Biggs

Via: Voice Vote

3-0-1

Senior Planner Troy Behunin Mr. Mayor, Members of the Council, this is Troy Behunin, Kuna DSD. Would you like me to read the e-mail as well or just the letter from the Kuna School District?

Council President Bruce I'd be okay with the letter.

Senior Planner Troy Behunin Okay.

Council President Bruce And the date received.

Senior Planner Troy Behunin Date received was 12...*I don't know...* Was received 12-8, which was after the requested time frame packets for the commission had already gone out. So, the letter states:

'Dear Commissioners and City Council members, Kuna School District, has reviewed the application for Test Manor Subdivision and provides the following comments for your consideration to reduce our reliance on bonds and to promote reasonable growth within our district. We generally seek partnerships with residential developers. Partnerships with the developers mitigate the impact homes... mitigate the impact homes will have on the Kuna School District and our ability to deliver services without compromising the quality-of-service delivery to current residents or imposing substantial additional costs upon current residents to accommodate proposed subdivisions or other developments. See Idaho Code State Statute 67-6513. We are currently working with the developer on a partnership with the Kuna School District, but no official agreement has been reached. An amended letter will be submitted based on the outcome of the continued conversation with the development team.

Regards Tim Jensen, KSD, Director of Growth and Development.’

Mayor Stear Okay, all good? All right.

Council Member Rocco Mr. Mayor, I have a question for Mark.

Mayor Stear Okay, go ahead.

Council Member Rocco Mark, so the resident from Birds of Prey testified that in 2024 he had contact with the John Watson or Watkins, *[Phonetic]* from ACHD, and they did agree that that one particular intersection was a problem, and they put a stop sign up. and now he's having additional conversation with ACHD. Is it unreasonable for this council to ask for ACHD to come and actually present to us more information or detail about traffic in that area?

City Attorney Marc Bybee Marc Bybee, City Attorney. I don't know that this is necessarily a legal question as it relates to this application. You can always ask ACHD to come in. This is, you're kind of getting out of more cooperation between different local government entities. I think actually there's supposed to be a presentation by ACHD even tonight. But you can always come and ask for that. I'd say in the context of this application though like how does it bear on this approval or denial you know what's before you tonight and if it's if it bears on that okay you know table for their purpose of having that presentation but before you know holding up this application for that presentation I think you need to ask the question yourself how would this actually impact the outcome?

Council President Bruce And I have a question.

Mayor Stear Council Member Bruce.

Council President Bruce Maybe you can get to this. How do we determine when --like we can tell that it's dangerous there, right? Or our thoughts with lack of traffic lights or connectors. How do we put that in a legal finding so that if we're uncomfortable with that, we can either postpone the project or look for data that we need, in your legal opinion, right? Because that's where we're at and it's happening all over the city, but yet we get to the point where it's like we can't deny it because of traffic, even though it is dangerous. Where do we find that in your legal handbook there? It says, look, we know we don't have an intersection here and we're concerned about the level of traffic in that area of town. But yet, from what we always hear is, well, you can't necessarily deny it because of that. But, yet it impacts our community, not only safety, but quality of life. Where do we, how do we find that get to that?

City Attorney Marc Bybee So, Marc Bybee, City Attorney. I'm going to do my best to answer this because it implicates a lot of things because I'm going to answer it first in the context of what application you're looking at, but also make reference to like zoning applications as well. This one's a pre-plat application, right? And so, part of the issue here is what you're approving. I don't think traffic is actually a relevant criteria when approving a pre-plat because you're, like I've said in other hearings, I'm going to say it here for the record. You're ultimately approving a drawing and does the drawing comply with the standards we've set for that for drawing, right? But to not just be dismissive of this question. I know you're getting at more in a rezone. Okay, now you're getting into this question of we're going to allow a zoning on this parcel that increases the density and, you know, built out at the maximum allowed density, what would we expect in traffic trips and that kind of things from this parcel? And if you're receiving testimony, okay, you have evidence format one is a traffic impact study. That is evidence that you're asked

to consider. You're acting in quasi-judicial capacity as council members. So, you say, okay, we have this evidence. This is what the traffic impact study says about this. This, you know, our, this is how we as a council weigh that. This is how it affects us and persuades us one way or the other, versus I'm receiving other evidence. And the other evidence would often be in the, I think is often in the form of public comment about traffic and maybe it relates to a specific intersection.

And so you're weighing two different forms of evidence and deciding which one persuades you towards a decision. Does that make sense? And so, it's, and that's, I think it's the TIS versus the public comment maybe there could be other things. And if you, let's say you make a determination on the basis, let's say you are more persuaded by the public comment than you are by the TIS. I think the question that comes up then is if you were to deny a rezone on that basis. And let's say we get to a judicial review, I think the question is going to be evaluated and considered, was that a reasonable determination in light of what the evidence was? And I will say that council, cities are given quite a bit of discretion by the court to weigh and review and consider evidence that's presented to them. I'm not going to promise an outcome, but I am going to point to what the case law is clear is that the court is deferential to the weighing of evidence by the council because the council was the way the courts will treat is they say you are in a better position to review and weigh the evidence than we are. We're just reviewing it after the fact, and so they tend to be quite deferential. I don't know if that's helpful, that answers the question, but I think that type of weighing is a lot more appropriate in that rezone application than it is in a pre-plat application.

Chief of Police Mike Fratusco Mayor, may I make a comment?

Mayor Stear Oh, Chief.

Chief of Police Mike Fratusco Mike Fratusco, Chief of Police, City of Kuna 793 W 4th St. Mayor, Council Members, being the chief of police, I have access to all the crash data. I can look up or have my guys look up any area for crash data and able to give you that information. So, if one of you wanted to reach out to me and had a specific intersection you wanted information on, either Deputy Jones or Deputy Gamma, who are our traffic enforcement team, will look that up and will give me those numbers. I can tell you right now, looking at the crash numbers, I sent you guys out the monthly report recently, our crash data is staying flat, the last few years. So, we're not seeing a large increase in crashes. That's the information I have on hand. We are out there enforcing traffic laws, making those stops, hitting those hot areas. The other thing is we work with John Watson [*Phonetic*] all the time. We get that information from them when they are doing speed studies. They do speed studies constantly in the city of Kuna. Every time somebody calls ACHD, and they want a traffic count speed study, John Watson's [*Phonetic*] team's coming out there. They are doing those all the time. They're able to tell us if it meets criteria for extra traffic enforcement, if people are generally speeding in that area, and then we will hit those areas to help calm the traffic down in those areas.

Council President Bruce Thank you.

Mayor Stear Okay.

Council President Bruce I move to close the evidence presentation, move to deliberation.

Council Member Rocco Second.

Mayor Stear Motion to made and seconded to close the evidence presentation and proceed to deliberation. Any discussion on that motion? All in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? Motion carries.

(Timestamp 01:16:06)

Motion To: Close Evidence Presentation And Proceed To Deliberation

Motion By: Council Member Bruce

Seconded By: Council Member Rocco

Further Discussion: None

Members Voting Aye: Council Members Rocco, McPherson, Bruce

Members Voting Nay: None

Members Absent: Council Member Biggs

Via: Voice Vote

3-0-1

Council President Bruce I'm going to go back, I think, with this being a flat, preliminary plat, a lot of the time has already passed for us to look at those areas. I do think we need to look at traffic as a whole. However, we decide to do that. We've met the conditions that the testifier has spoke to and we read the letter into the school district. Now, typically when we get a letter from them, they either have a partnership, or they don't. It doesn't say they do. That may be a concern if you wanted to table until we have a more standard letter because at this point, if they don't have some type of agreement, we don't need to know what it is, but then that would fall back onto the school to carry that burden if it doesn't work out. That's kind of where I'm at. Other than that, I think there's not much more of a way for us to, even if we were tonight to give him a path forward, to come back here, it would be to figure out something with the school district's all I see.

Council Member Rocco Yeah, I don't feel it's necessary to table it as just for the more specificity of what that partnership is going to be. I feel that we move forward.

Council Member McPherson I think so too. I mean, certain developers you would worry about what's going to happen. I don't have that feeling with this one. And the school district feels comfortable with, you know, their continued meetings they've had and whatever. So, I'm good with moving forward.

Council President Bruce Okay. I'll stand for a motion if you guys. And Mr. Mayor, just for the record, it is case number 25-06-PP, correct?

Planning & Zoning Director Doug Hanson 'S.'

Council President Bruce 25-06-S. It is case #25-06-S when you make the motion.

Council Member McPherson Not PP.

Council President Bruce Just S, no dash.

Council Member Rocco Is it just S?

Council President Bruce 25.

Council Member Rocco Yeah, I motion that we approve case #25-06-S for approval.

Council Member McPherson We want to state what the conditions in the packet as well as the...

City Attorney Marc Bybee Sorry, I got -- Was the motion for approval? Did I hear that right? So, based on what Mr. Crawford said he had agreed to, if there's conditions to be added, as my understanding, condition one is that there will be a dust mitigation plan implemented and followed during the construction period. Does that sound accurate, Mr. Crawford? I'm just going to say for the record, he threw his hand in the air in a way that suggests he agrees. The other one being that construction access will be off of Kay Avenue and not through the residential streets for the existing subdivision. And for the record, Mr. Crawford's nodding his head.

Council Member McPherson So, with the outlined conditions stated by Attorney Bybee, I would second that motion.

Mayor Stear Motion is made and seconded for approval. Is there any further discussion on that motion? All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Is anyone opposed? That motion carries.

(Timestamp 01:18:36)

Motion To: Approve Case #25-06-S With Conditions As Outlined In The Staff Report And Additional Conditions Imposed By The City Council

Motion By: Council Member Rocco

Seconded By: Council Member McPherson

Further Discussion: None

Members Voting Aye: Council Members Rocco, McPherson, Bruce

Members Voting Nay: None

Members Absent: Council Member Biggs

Via: Voice Vote

3-0-1

7. Business Items:

(Timestamp 01:20:09)

A. Chapter 3A Park Standards and Requirements. Chris Regli, Parks Director DISCUSSION ITEM

(Timestamp 01:20:09)

Mayor Stear All right, that takes us to Chapter 3A, Parks Standards and Requirements. Chris Regli, Parks Director.

Parks & Recreation, Fleet & Facilities Director Chris Regli Good evening, Mayor and Council Members. For the record, Chris Regli, Director of Parks & Rec, 371 Shortline, Kuna, Idaho. We are

submitting to you an updated version of our park standards and requirements for the use of developers and interested parties who wish to construct a city park in Kuna. Some of the changes we have made are the number of size and requirements of the picnic shelters that must be constructed in parks depending on the acreage they intend to use. The new standards are requirements spell out the materials, colors, designs, and require our city parks to have them pertaining to the items such as dugouts, benches, tables, trash cans, structures, et cetera. It also includes the dimensions for regulation pickleball courts and softball fields if they are to be included in the park. We are hoping for these changes to simplify the direction of upcoming parks. We feel these changes will set our growing community up for success moving forward. Thank you.

Mayor Stear Okay, and these are discussion items, so we're kind of putting them before you to look them over. It's not anything you're going to make a decision on tonight. If you have a comment or if you want to take more time to look them over and get back later, you can do that also. It's kind of up to you on what you want to do.

Council President Bruce I appreciate some of the work here, so...

Mayor Stear I think the same thing is going to be for the next one. Just a quick note, that's actually Chapter 3, Title 7, rather than Chapter 2, Title 7. But since they're discussion items, it's not terribly important to have that on the agenda. And I don't know what, if you were ready to, we can just let him move into the next one.

Council President Bruce Thank you, Chris.

B. Chapter 2 Title 7 Bicycle and Scooter Amendments. Chris Regli, Parks Director
DISCUSSION ITEM

(Timestamp 01:22:21)

Mayor Stear So, Chris, yeah, if you want to do the bicycle and scooter amendments.

Parks & Recreation, Fleet & Facilities Director Chris Regli Sure. Again, for the record, Chris Regli, Director of Parks and Recreation. I am submitting to you an amended city codes for our parks and sidewalks, detailing the usage and restrictions on e-bikes and e-scooters, et cetera. This is before you as a result of a combined effort from our Parks Department, Police Chief Mike Fratusco, and the City Attorney Marc Bybee. This issue is, we are having in our, with these e-bikes and scooters travel, the issue, I'm sorry, that we are having with these e-bikes and scooters is that they travel at speeds that make them a hazard to the riders and the pedestrians who are also trying to use the public spaces. Hills and berms are being used throughout our parks as jumps and are creating ruts and destroying the grass and landscape. The changes we are submitting would set forth needed limitations and would allow the ability to cite individuals who are using these devices on unauthorized pathways or sidewalks, speeding, or damaging city property with an administrative citation. Thank you.

Mayor Stear Okay, thank you.

Council Member Rocco I do have a question for Chris, Mr. Mayor.

Mayor Stear Yes, Council Member Rocco.

Council Member Rocco Chris, as you know, evidenced by that you actually have job applications out for four additional positions with Parks & Rec, which is an indication obviously there's a need as the parks continues to expand. As you think about your 2027 budget, are you concerned at all about that expansion and that there's going to be more needs for the following year?

Parks & Recreation, Fleet & Facilities Director Chris Regli I would say I wouldn't use the word concerned. I would say that we are definitely anticipating our department and growing because we have to as parks come online and the work doesn't stop at the existing parks that we already take care of. Within our department, our events also, keep growing. There's not an aspect of our parks department that doesn't continue to grow. So, we are paying a close attention to that.

Council Member Rocco Thank you.

Council President Bruce Mr. Mayor, I have a question.

Mayor Stear Yes, Council Member Bruce.

Council President Bruce On the update to the bike and scooter amendments, and maybe the Chief can speak to this, another several pieces of legislation that are traveling through the House right now. These won't overlap, should we wait until the end of the session before we implement these to see if those take effect because those may give you extra tools to handle it rather than us needing to create something at the city level?

Chief of Police Mike Fratusco Mayor, Councilman Bruce, for the record, Mike Fratusco, Chief of Police, City of Kuna, 793 West 4th Street. I do agree if the legislation passes, that's going to give us some more teeth. I don't think that's going to cross over when it comes to riding in the parks that city property itself. I think the green belt, the berms, the bike park, I think this is needed. Speaking with what you're talking about as far as the e-bikes driving in the road at high speeds, I do think that if there is laws passed or legislation passes, that's really going to help us. I think right now we're keying into what is going on in our parks and the fact that these e-bikes are so fast And I'm talking some of them 40 to 50 miles an hour driving up the sidewalks. We're constantly getting calls on them. I'm afraid that somebody is going to get hit on that green belt, some kid, some elderly couple, some 20-year-old, they get hit by one of those bikes. This is really going to show that the city is taking initiative to stop this. We can start implementing the administrative citations that it hits the kids or the whoever's doing it \$25 here, \$50 there, and hopefully kind of curb that. If the state, if legislation passes, that's just going to give us more teeth.

Council President Bruce And I have a follow up.

Mayor Stear Yes.

Council President Bruce And I'd like to do some type of maybe awareness, whether it's on Facebook or through a utility service or even through a school district to let people know that we've changed this so that the parents can notify their children as well. be on the lookout. This is what we're going to implement so that they can have the conversation with their kids or adults in the house who use them, just so they're not all called off guard, so that we put out some type of information about it.

Chief of Police Mike Fratusco Council President Bruce, I do believe that if we put that on our Facebook page and the city puts that on their Facebook page, that'll get out very quick. We all know 'Kuna must know, travels very fast. So once that gets out, everybody should know.

Mayor Stear I think the school district would probably be amenable to doing that also. That would be very helpful on their pages.

Council President Bruce Yeah. I just think it would be good to notify everybody. So...

Mayor Stear Yeah. Marc?

City Attorney Marc Bybee Marc Bybee, City Attorney. Councilman Bruce, just a little more to your question about the state legislation. From what Chief said, and my understanding is it sounds like that legislation is targeted of use on the streets. where this stuff is targeted at use in parks, Greenbelt, and sidewalks and to just to kind of I so I think we're regulating different things like same devices but different uses in different places if that makes sense.

Council President Bruce Yeah, I was just looking at it. It talks about bicyclists so I was just making sure we weren't.

City Attorney Marc Bybee I don't think we are out of sensitive to that because there's quite a bit of legislation that already exists statutory law that exists already related to use of bicycles and such and so we were trying to avoid that overlap and conflict but and really trying to focus on what's happening in our parks, what's happening on our green belt, what's happening on our sidewalks.

Council President Bruce And honestly, I had no idea e-bikes had lobbyists.

[Laughter]

City Attorney Marc Bybee I didn't until you just said that, but apparently you're learning that at the legislature.

Council President Bruce I do. Thank you, Chief.

Mayor Stear And when is the legislature going home? You're ready now, I bet.

Council President Bruce But the e-bikes are dangerous. And actually, for a state law, they don't even have to yield.

Council Member McPherson Oh, they will when they play chicken with you down Main Street, trust me. Maybe not in your car, but my truck they gave real fast.

Council President Bruce I do appreciate you guys looking into that though.

8. Ordinances:

9. Executive Session:

10. Mayor/Council Announcements:

(Timestamp 01:29:15)

Mayor Stear All right, and that is kind of all we have tonight. I can probably address a couple of the updates that were requested. We are negotiating with the school district on the 4th Street gym. We're trying to kind of work our way through logistics. They still need use of the -- that's where they have all their IT stuff. They still need use of those offices off to the side, and they do have some stuff in storage there. Both of us have said that it's not an emergency on either side, so we'll take our time and look at that. Once we come to some kind of a formal agreement, we'll have to do a little more due diligence to actually get a good full assessment on the building and see what's in there as far as lead paint or whatever else might pop up. So, we're working through that.

Council Member Rocco There was the PD, the insurance accident.

Mayor Stear What's that?

Council Member Rocco There was -- one of the questions was about the PD and the insurance and the contingency.

Mayor Stear Yeah. I don't know. Do you have information on .. I mean, I think the question had to do more with... We funded money and then we got insurance money.

City Treasurer Jared Empey Yeah, Jared Empey, City Treasurer. So, as part of that, we did get an insurance claim check, I believe, at the end of November, maybe early December. I don't recall what the settlement was, but it wasn't enough to cover the full cost of a new bike. And so we're working through that.

Mayor Stear And from what I heard today, apparently it was good we got those ordered in time. The state police have gotten theirs. They're finishing up the state police. So, they go to the bike travel over there and then they add all the extra goodies that we need on them to make them police bikes. So, ours are next in line and they're in and over there, I think. So we should have those back probably in a month or so to get them in service. So it's a good thing that we were able to get that done. Otherwise, I think we'd have been way down the list, probably would have been next year before we got them in. So, I don't know if there's anything you want to add to that, Chief.

Chief of Police Mike Fratusco Mayor, Council Members, Mike Fratusco, Chief of Police, City of Kuna. Yes, if we didn't get those bikes in, we'd be waiting for the brand-new models. All of our gear was purchased. It's -- the way it works is the city pays for the motorcycles. They're city-owned motorcycles. Then through the contract, we purchase all the law enforcement equipment. We put it on the motorcycle and we insure the rider. So, we'll get our motorcycle back. We just won't have our rider back for a while still. So, he's okay if I share it with you. He had surgery. We're looking at probably three more months, but he's itching to get back.

Council Member McPherson He's like a caged tiger, I'm sure.

Council President Bruce You can only watch so much *Price is Right*.

Council Member McPherson Yeah.

Chief of Police Mike Fratusco There's only so much phone reports I can make him take from a desk, so...

Mayor Stear We are going to park the new bike in an area where he has to walk by it frequently. So, we want him to suffer a little bit having to look at that bike and not being able to ride it.

Council Member McPherson So is he working out of next door here?

Chief of Police Mike Fratusco Yes, because he had surgery. He's at home right now, but he emailed me today telling me that he thinks he's getting his stitches out and he wants to come back. And I told him that he needs to do what the doctor tells him, so...

Council Member McPherson So I mean, I was itching to call him a couple times a day just to harass him.

Mayor Stear And then time limits on, did you have something?

Council Member Rocco Chief, what was the approximate cost of the purchase of that bike? Do you recall?

Chief of Police Mike Fratusco Now the approximate cost of the fully loaded motorcycle...

Council Member Rocco Before you add on what you said the county was picking up.

Chief of Police Mike Fratusco Sure.

Council Member Rocco I'm just talking about the what did it cost the city for the bike?

Chief of Police Mike Fratusco It's a I believe it's \$47,000 or \$45,000...

Mayor Stear \$45,000, I thought.

Chief of Police Mike Fratusco \$45,000 and those bikes because the way they're insured and the depreciation on them you're looking at a three-year rotation because you're putting so much high mileage on them so and that's what we do with the BMWs that the other motor officers in Eagle are riding. They get rotated every three years.

Council Member Rocco You know, Jared, I know you said that you don't know the exact figure, but how close were we to that 40-some thousand figure?

City Treasurer Jared Empey Jared Empey, City Treasurer. So, if I had to venture a guess just from memory, since it's been a while, I want to say we got about \$25,000 back, so there was a shortfall.

Council President Bruce And we had mileage on that one.

Mayor Stear And then as far as time limits on developments and development agreements and those type of things, the ones that we're working on moving forward will have that. And I don't know where we're at on, there's a couple of older ones, but I think we're probably, I don't know, Doug, if you, I think we've looked, you've looked at those and found what's out there yet.

Planning & Zoning Director Doug Hanson So, for the record, Doug Hanson, Planning & Zoning director. We have gone into GIS, and we now have an internal layer that can tell us all of the project

development agreements that we have on file and whether they're built out, completed, dissolved, or active. So, we're going through those one by one to determine the long-standing development agreements that are still active, that if they're in default or if they're pursuing them diligently, if the answer to that question is no, we'll work on bringing those back before the commission of the council to dissolve those development agreements. But we really have to focus more on the new items. It's hard to retroactively go back and change these things.

Mayor Stear Thank you. And then I guess the last thing there was the Diode project. It is true, though, that the majority of testimony on that project was against it. However, a great deal of that testimony was because of using Locust Grove as an access. And once it was determined that was an emergency access only, a lot of that testimony, the one guy even said I was all for it until I saw that they were using Locust Grove. So that's what made me go the other way was because I think that made the balance shift the other direction. So, it is in a lawsuit and that kind of has to do with a neighbor that wants to do, doesn't like it being there. So, we're still waiting to hear back on what all that's about. So, that's kind of where that project sits right now. And I think that was the four items mentioned.

Council Member Rocco Yeah, it was.

Mayor Stear Anyway, okay. Anybody have anything else? Chris, thank you for your work. I know they're hammering you hard down there at the legislature, and I think you're doing a, the one thing I really appreciate about you is you do, you do your due diligence. You don't vote on things blindly, so that part I do appreciate.

Council President Bruce It's a lot of bills to read.

Mayor Stear There's a lot of bills. Man, they've been popping up. I've been working really hard at keeping up with all of them, and then I didn't look Monday, and I came in today, and there was over 60 new House bills, and I don't know, 30-some Senate bills on the list that I hadn't seen yet. They just hammer them up.

Council President Bruce I think they read 20-something across the desk today. So, of new ones.

Mayor Stear Yeah.

Council President Bruce So, it's getting a little carried away.

Mayor Stear Hopefully you can get some rest somewhere in between, but thank you for your work on that.

Council President Bruce Thank you, gentlemen.

Mayor Stear And that's all we have, good.

11. Adjournment:

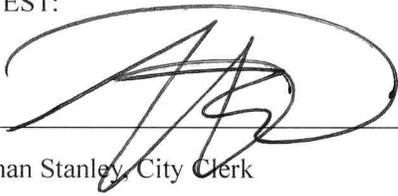
(Timestamp 01:37:43)

Mayor Stear All right, meeting is adjourned.



Joe L. Stear, Mayor

ATTEST:



Nathan Stanley, City Clerk



Minutes prepared by Garrett Michaelson, Deputy City Clerk
Date Approved: CCM 03.03.2026



CITY OF KUNA
 751 W 4th Street • Kuna, ID 83634
 (208) 922-5546 • www.kunacity.id.gov



City Council Public Comment Sign-In Sheet
 February 17, 2026

The City of Kuna welcomes Public Questions and/or Comments during the Public Comment Session, as noted in the agenda.

In accordance with Idaho State Code, Public Comments may NOT include specific land use issues or cases. All comments regarding specific land use issues or cases MUST be heard in their associated Public Hearing(s). Idaho State Code also requires all comments and/or complaints regarding City personnel to be heard in Executive Session.

In all instances The Mayor and City Council may determine if your comments are appropriate for the Open Comment Session, particularly if your comments are covered by Idaho Code §74-206(1), and may notify you accordingly. If you are recognized to speak you may "have the floor" for up to three (3) minutes unless a separate time duration is determined by The Mayor and/or City Council.

Name <i>Eric Zarr</i>	Name	Name
Address <i>412 E Boise St</i>	Address	Address
City, State, ZIP <i>Kuna</i>	City, State, ZIP	City, State, ZIP
Topic: <i>Updates / lawsuit</i>	Topic:	Topic:
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
Topic:	Topic:	Topic:
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
Topic:	Topic:	Topic:
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
Topic:	Topic:	Topic:



Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
Topic:	Topic:	Topic:
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
Topic:	Topic:	Topic:
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
Topic:	Topic:	Topic:
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
Topic:	Topic:	Topic:
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
Topic:	Topic:	Topic:



CITY OF KUNA

751 W 4th Street • Kuna, ID 83634
 (208) 922-5546 • www.KunaCity.ID.Gov

City Council Public Hearing Sign-In Sheet
 February 17, 2026

Case No.: 25-06-S.

Case Name: Tess Manor Subdivision

<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name Merlene Henry	Name
Address 580 E. Ridgestone Dr.	Address
City, State, ZIP Kuna, ID 83634	City, State, ZIP
<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name MaryAnn Michaelson	Name
Address 513 E Ridgestone Dr	Address
City, State, ZIP Kuna, ID 83634	City, State, ZIP
<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name TIM JENSEN (KSD)	Name
Address 711 E. PORTER ST	Address
City, State, ZIP KUNA, ID 83634	City, State, ZIP
<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name Joseph Purcell	Name
Address 398 E. Screech Owl Dr.	Address
City, State, ZIP Kuna ID 83634	City, State, ZIP

<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name
Address	Address
City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name
Address	Address
City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name
Address	Address
City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name
Address	Address
City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name
Address	Address
City, State, Zip	City, State, Zip