

## OFFICIALS

Joe Stear, Mayor  
Richard Cardoza, Council President  
Briana Buban-Vonder Haar, Council Member  
Pat Jones, Council Member  
Greg McPherson, Council Member



## CITY OF KUNA

Kuna City Hall Council Chamber, 751 W 4th Street, Kuna, Idaho

### City Council Meeting MINUTES Tuesday, March 21, 2017

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

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

###### **COUNCIL MEMBERS PRESENT:**

Mayor Joe Stear  
Council President Richard Cardoza  
Council Member Pat Jones  
Council Member Briana Buban-Vonder Haar  
Council Member Greg McPherson

###### **CITY STAFF PRESENT:**

Richard Roats, City Attorney  
Chris Engels, City Clerk  
Wendy Howell, P & Z Director  
Gordon Law, City Engineer  
John Marsh, City Treasurer  
Bobby Withrow, Parks Director  
Bob Bachman, Facilities Director  
Trevor Kesner, Planner II

2. *Invocation:* Justin Sturgeon, New Beginnings Christian Church

3. *Pledge of Allegiance:* Mayor Stear

4. *Consent Agenda:*  
(Timestamp 00:01:22)

*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.*

**A. City Council Meeting Minutes:**

- I. Board of Correction and Regular City Council Minutes, March 7, 2017**

**B. Accounts Payable Dated March 16, 2017 in the Amount of \$360,286.07**

**C. Alcohol Licenses:**

- I. Jacksons #26 330 W. 3<sup>rd</sup> Street – Off Premise Wine & Off Premise Beer**
- 2. Jacksons #160 150 W. Deer Flat Road – Off Premise Wine & Off Premise Beer**

**D. Final Plat**

**E. Resolutions**

- I. Consideration to approve Resolution No. R24-2017 – Approving Sole Source Purchase of Package Pump Station from Precision Pumping Systems and Ferguson Waterworks for the 2017 Ardell Pump Station/Pond Project**

RESOLUTION ACCEPTING PURCHASE PRICE FOR PURCHASE OF A PACKAGE IRRIGATION PUMP STATION FROM PRECISION PUMPING SYSTEMS AND FERGUSON WATER WORKS IN THE AMOUNT OF \$142,651.00; DIRECTING EXPENDITURE OF FUNDS OF \$142,651.00 FROM THE IRRIGATION AND WATER FUNDS FOR SAID ACQUISITION; AND AUTHORIZING THE MAYOR, CITY CLERK AND CITY ENGINEER TO EXECUTE CONTRACT DOCUMENTS WITH SAID BIDDER

- 2. Consideration to approve Resolution No. R25-2017 – Approving State/Local Agreement with Idaho Transportation Department - Avenue E and 4th Street to Main Street Design and Construction**

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE STATE/LOCAL AGREEMENT WITH THE IDAHO TRANSPORTATION DEPARTMENT FOR FEDERAL HIGHWAY PROJECT A020(063); AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CLERK TO ATTEST TO THE SAME; AND AUTHORIZING THE CLERK TO DULY CERTIFY AND PROVIDE A COPY OF THE AGREEMENT TO THE IDAHO TRANSPORTATION DEPARTMENT.

- ~~**3. Consideration to approve Resolution No. R26-2017 – Authorizing Agreement with Core Distinction Group, LLC for Hotel Feasibility Study**~~

~~A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT WITH CORE DISTINCTION GROUP, LLC TO PROVIDE THE FEASIBILITY~~

~~STUDY FOR THE POSSIBLE DEVELOPMENT OF A HOTEL IN KUNA,  
IDAHO.~~

**F. Findings of Fact and Conclusions of Law**

- I. Consideration to approve Findings of Fact and Conclusions of Law for 16-03-CPM (Comprehensive Plan Map Amend) and 16-10-AN (Annexation) Ashton Estates Subdivision**

**Council Member Jones asked that Item 4E3 be moved to 7 B under Business items. Seconded by Council Member Buban-Vonder Haar. Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve the consent agenda with the amendment of moving item 4E3 to Business. Seconded by Council Member Jones. Approved by the following roll call vote:**

**Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and McPherson.**

**Voting No: None**

**Absent: None**

**Motion carried 4-0.**

**5. Community Reports or Requests:**

- A. J & M Sanitation Clean Up Presentation and discussion on recycling – Chad Gordon (Timestamp 00:02:51)**

Chad Gordon, J & M Sanitation Operations Manager, 566 Swan Falls Road, Kuna, Idaho, discussed with Council that the annual clean up event would occur again that year. He passed out flyers for the event. They would be posted on social media, the City website, and City utility bills.

Mr. Gordon said there would be a curb side pick-up. The drop site would be at the J & M Sanitation site on Swan Falls Road that year. There had been traffic issues at the downtown park location. Other than the location change, things would remain the same. Mr. Gordon listed off the types of additional items they would collect. It was scheduled for Saturday, April 29, 2017, from 9:00 AM to 3:00 PM.

Mayor Stear said he appreciated the annual clean up.

Mr. Gordon discussed with Council the current method of recycle pick up. There had been citizen inquiry regarding conversion to a comingle system by putting all items in one container for recyclables. He explained the difference between recycling sorted and comingled items. He proposed to put a survey out to customers to get input and the potential costs. The cost would only be for the container at \$2.00 per can per month. It would also be a voluntary service.

Council Member Buban-Vonder Haar confirmed the small blue containers would be eliminated.

Mr. Gordon said that was correct and it would be a bi-weekly service.

Council Member Buban-Vonder Haar asked if it could be weekly if a customer has a large quantity.

Mr. Gordon said the person would be asked to use two tip carts. A bi-weekly service is normal throughout the valley.

Council Member Buban-Vonder Haar asked if weekly service would ever be considered.

Mr. Gordon said it could be evaluated going forward. The schedule would need to be reviewed.

Council Member Buban-Vonder Haar was hopeful that people would be more diligent in recycling and asked how the customer would know when to put out their recycling.

Mr. Gordon answered that education would be very important and, if the participation levels adjusted to justify changes, that need would be addressed.

Council Member Buban-Vonder Haar asked how the survey would go out.

Mr. Gordon said they would go out in the utility bills with a return address for them to be mailed to.

Council Member Buban-Vonder Haar asked if it could be done electronically.

Mr. Gordon said he was open to other ideas, such as social media, and getting an honest response.

Council Member Buban-Vonder Haar thought an electronic version would be a good addition to the mailer, especially in regards to renters.

Mr. Gordon said he could check to see how the guys in Meridian did it. He wanted to get as much information and response as possible without getting duplicate responses. The current participation rate was about 1,600 and he could see that potentially bumping up to 2,500 to 3,000 based on what he had been told.

Mayor Stear added this had been discussed the previous year a bit and the fact that there would need to be a small fee was mentioned. The \$2.00 charge he suggested could be changed if needed. He told Mr. Gordon if it cost J & M Sanitation \$2.25 per can they should charge \$2.25 to cover the cost. He added his appreciation of J & M Sanitation's quick response to the request.

Mr. Gordon also appreciated Mayor Stear's response and facilitating a discussion gauging citizens' responses. It was a positive response and J & M Sanitation was

positioned well for this transfer. They just needed to know how many people would participate in order to gauge how many carts to purchase.

Council Member Buban-Vonder Haar asked if the carts would have different colored lids.

Mr. Gordon replied they would. The regular trash would most likely be dark green and the recycling would most likely have the same dark green body but with a red lid to differentiate. The recycling lid would probably also have a description of the materials they take hot stamped on or on a sticker.

Council Member Jones asked how this would work with multifamily dwellings and if there had been any consideration given to composting.

Mr. Gordon said at that point all of the multifamily dwellings had large containers and they were a problem already with those large containers. They tended to find trash just dumped on the ground and adding recyclable containers into that was fraught with some problems they would have to think long and hard about before going down that road. He was not sure how to go about individual cans for each unit either. They could address that but the first step would be getting the main bulk of their residential customers taken care of before looking into options for multifamily dwellings. In regards to composting, he said they would like to wait awhile. Boise was currently rolling that out and receiving a lot of kick back. He wanted to see how it worked out for them.

Council Member Jones asked about a potential recycling center.

Mr. Gordon said there were currently two recycling centers though not in Kuna. There was one in Boise and one in Nampa, both of which were owned by a separate company and they took all of the recyclable materials in the valley. J & M Sanitation had tried a central location in Kuna in the past and it was a management nightmare. Curbside is the best, most efficient way to do this.

Council President Cardoza asked if a question regarding retaining the 18 gallon versus the 95 gallon could be added.

Mr. Gordon said it could.

Council Member Buban-Vonder Haar said it would need to be clear they were not making that decision for themselves but, based on survey feedback, a decision for the whole city would be made.

Mr. Gordon said it could be reworded and clarified in regards to that. The survey he gave to Council was just a rough draft and the final would be presented to Council before being sent out.

Council Member Jones thought the automated cart system was more efficient than what it was previously and therefore tip carts for recycling would be more efficient as well.

Mr. Gordon said with the trash system they currently provided an unlimited service. Basically anything that would fit in the 95 gallon cart could be put on the curb. If the can was full and there were extra bags beside it the guys would jump out and refill the can and empty it again. With the recycling system they would ask that it all be inside the can for efficiency purposes. They would be gaining some efficiency there but that would need to offset the fact that they would be losing some on the materials end because they may end up paying upwards of \$20.00 a ton to dispose of the material whereas trash was about \$16.50 per ton.

Council Member Jones thought they had stopped allowing people to supply their own trash cans.

Mr. Gordon said everyone had to have at least one tip cart now because of the automated system but they kept the unlimited side of it so people could get rid of as much trash as they needed to instead of stockpiling it. It was a good a system.

Mayor Stear thanked Mr. Gordon for his presentation.

Mayor Stear asked Boy Scout Troop 256 to introduce themselves and welcomed them.

**B. Request from Kuna Farmers Market to use Bernie Fisher Park – Quency Murphey (Timestamp 00:32:05)**

Quency Murphey, Kuna Farmers Market president, updated Council on changes the Market wanted to implement. The vendors wanted to start on April 29, 2017. In addition, the Market was working with Val Swanson from the School District on the summer food service program to provide free lunches for youth up to 18 years old on Saturdays from noon – 1:00 p.m. It would run during the time that school was not in session. Closing date of the market would be September 30, 2017 and it would be open 9:00 am to noon. There were also some new vendors. She requested a reduction of fees of the area to pay \$250 for the season; which is the same amount they paid the previous year. She stood for questions.

Council Member Jones confirmed they were just adding a couple of days.

Ms. Murphey said that was correct.

Mayor Stear confirmed that the picnic tables would be set up for the youth.

Ms. Murphey reviewed how things would be laid out for the youth to have free lunches. The kids would have to remain there to eat as per the rules of the program.

Mayor Stear was excited for the addition of the free lunches to the Market.

Council Member Jones asked if a motion was needed that evening.

City Attorney Richard Roats said the Farmers Market Park Use Agreement would come back as a resolution with the contract.

Council President Cardoza said now that it had become a community project the fee could possibly be waived.

Council Member Buban-Vonder Haar was concerned that because it was a commercial endeavor other events like Kuna Days could make the same argument; it benefits the community so they shouldn't have to pay any fees.

Council President Cardoza said that Kuna Days had mostly vendors from outside of Kuna but the Market was all local people.

Council Member Buban-Vonder Haar was not necessarily opposed to what he was saying but she wanted to articulate ground rules on what would qualify for a fee waiver and what would not.

Council President Cardoza did not believe the farmers made a lot of profit.

Ms. Murphey did not know the exact amount of income each vendor made. She knew vaguely what some of them made but she also did not know their costs. There were a few vendors that seemed to have a somewhat steady income but, from the produce end, it was never enough to cover their time. They did not want to go to larger markets or charge what was being charged at larger markets. Some farmers came even though they didn't make anything because it was their passion and this was their community.

Council Member Buban-Vonder Haar said she did not want it to be a situation where the farmers lose money because it was a huge value for them to be there.

Ms. Murphey explained the market as a whole, when the budget was completed each year, had a couple hundred extra dollars that they would try to build on and keep in reserve in case of emergencies. The park use fee was included in the budget with a little extra in case the Council requested they pay more. In comparison to other places the Farmer's Market could rent, the City had been very generous.

Council President Cardoza explained the fact that they sell items that compete with other businesses puts the Council in an awkward position in regards to dispensing of the fees.

Ms. Murphey said they would gladly pay the \$250.00 for that reason.

Council Member Buban-Vonder Haar hoped Ms. Murphey felt confident in the ability to come to Council each year for this presentation and to let them know if it wasn't as well attended. If the fee did not seem to be working for them she would be happy to engage in that discussion and work out some sort of arrangement.

Ms. Murphey thanked Council Member Buban-Vonder Haar.

Mayor Stear thanked Ms. Murphey for her presentation. He added that the City was hoping to help promote the Farmers Market. The Mayor's Table was one thing to help with that. He wished them luck in the upcoming year.

**6. Public Hearings:** (6:00 p.m. or as soon thereafter as matters may be heard.)

- A.** Public Hearing and consideration to approve 16-09-AN (Annexation): Michael Robinson – Trevor Kesner, Planner II  
(Timestamp 00:47:29)

Applicant is requesting approval to annex an approximately 1.0-acre parcel into Kuna City limits. The subject parcel is located at 1420 W. Hubbard Road, Kuna. The applicant requests an 'R-2' (Low Density Residential) zoning designation.

Planner II Trevor Kesner presented the request. All agencies were notified and the responses were included as exhibits in the Council Packet. The owner could not attend the meeting but was apprised of all the proposed conditions and has indicated that he would comply with them. Utilities were reasonably available to the subject site. The City Engineer recommended a connection to the water and sewer facilities when and if the current septic system and well failed and would no longer be viable. That meant Mr. Robinson would continue to use his private well and septic system for as long as they were safely functioning but ultimately a connection would be required. Planning & Zoning Commission recommended approval of the annexation and staff concluded the application complied with the comprehensive plan and recommended approval as well.

Council Member Jones asked about the map on page two and if the house was sitting on the west side or the east side of the property.

Mr. Kesner clarified that the red line overlay shifted when the picture was brought into the staff report. The house should be on the east side of the property and the field to the west of the house should be included in the red line overlay instead of the dirt lot.

Council President Cardoza asked, if it was zoned R-2, could they build another home on the property.

Mr. Kesner replied yes.

Council President Cardoza if that potential home would be required to connect to sewer and water or would it be able to use the well and septic tank.

Mr. Kesner explained a condition in the staff report was they could continue to use the existing systems on site until they were either no longer viable or development occurs. The time of development would include building an additional house or splitting the lot; meaning both houses would be required to hook up.

Mayor Stear opened the public hearing.

In Favor: None

Neutral: None

In Opposition: None

**Council Member Buban-Vonder Haar moved to close the public hearing. Seconded by Council Member Jones. Approved by the following roll call vote: Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and McPherson.**

**Voting No: None**

**Absent: None**

**Motion carried 4-0.**

Mayor Stear called for discussion between Council or a motion if they were ready.

**Council Member Buban-Vonder Haar moved to approve 16-09-AN with the conditions listed in the staff report. Seconded by Council Member Jones. Motion carried 4-0.**

- B.** Public Hearing and consideration to approve Resolution No. R21-2017 – City Hall Parking Lot Rental Fees – Richard Roats, City Attorney  
(Timestamp 00:53:34)

A RESOLUTION OF THE CITY OF KUNA, IDAHO AMENDING RESOLUTION NO. R16-2016 TO ADD RENTAL FEES FOR THE KUNA CITY HALL PARKING LOT, AND PROVIDING AN EFFECTIVE DATE.

City Attorney Richard Roats presented the request and handed out a visual of the proposed rental area to Council. He stood for questions.

Council Member Jones asked Mr. Roats how the fees were established.

Mr. Roats explained the costs were calculated by adding the cost of striping the parking lot annually and the cost of renting bathrooms and averaging the amount.

Council Member Buban-Vonder Haar clarified it would only be for weekend use.

Mr. Roats said yes, during a normal work week it would not be available but if a small section was requested it would be considered on an individual basis.

Council Member Buban-Vonder Haar asked if the availability was in the resolution.

Mr. Roats said it was not because they would have to come in with a special event plan at which point their proposal would be gone over. They did not want to exclude the possibility for something like a fireworks stand wanting to use a small section and willing to pay a certain amount.

Council Member Buban-Vonder Haar asked if the wings were left open for parking.

Mr. Roats explained the western most wing abutting the Greg Nelson property would be reserved for Greenbelt parking and there would be an ADA parking space there as well. The other parking would be for the public participating in the event. There would be some vendor parking available as well but that would be determined on a case by case basis as part of the special event plan.

Council Member Buban-Vonder Haar clarified that someone renting the whole parking lot would not be conducting their event on the wings.

Mr. Roats said that was correct.

Council President Cardoza asked the definition of facility.

Mr. Roats replied it was defined as any public property, meaning City owned property, which included parking lots.

Council President Cardoza asked if it should spell out that it includes parking lots for simplicity.

Mr. Roats replied he did not think so.

Council Member Jones said a fireworks stand would be considered a temporary vendor and therefore would not be able to use a City parking lot.

Mr. Roats said that was currently correct but that was going to be revisited to see if it would be better to use that versus a special event.

Council Member Jones was concerned there was no ordinance dealing with overnight parking on City parking lots. He asked how vehicles still in the parking lot the morning of an event would be dealt with or how that could be prevented.

Mr. Roats said that had been addressed. The first item suggested was a gravel barricade between the parking lots and second was posting special events and cars must be removed by 7 AM. If that did not work, the parking lot could be closed the night before a special event. Hopefully that would not be necessary. The situation would be dealt with by assessing it.

Council Member Jones asked if staff wanted to create some signs for the parking spaces being maintained for greenbelt access.

Mr. Roats said the thought was to have signage at the western entrance stating greenbelt parking and signage at the eastern entrance stating event parking or event entrance. Also, it would be in the special event plan that the sponsor of the event would be responsible to inform the vendors of the parking for the greenbelt not being for event parking.

Council Member Jones said, in his experience, a promoter would sometimes discourage people from parking in a place they have every right to park.

Mr. Roats said he would hope they would discourage vendors and encourage the public to continue using it.

Council Member Jones had no further questions or concerns.

Council President Cardoza asked if one restroom was going to be adequate when the parking lot was rented.

Mr. Roats explained that would have to be dealt with on a case by case basis and would depend on the expected attendances. Events would have to be in compliance with the provisions.

Council President Cardoza was concerned about the cost of providing extra restrooms.

Mr. Roats said the special event promoter would be responsible for that for their particular event.

Council President Cardoza was concerned that wasn't spelled out well enough.

City Clerk Chris Engels explained the Special Event Plan ordinance that was just passed broke all that out. She gave the example of how Kuna Days dealt with restrooms. As part of the special event plan the event promoter would have to provide restrooms if the number of attendees exceeded what the bathroom facilities available could support.

Council Member Jones asked if a private event, such as a family reunion, could rent the parking lot like they would the gazebo or the band shell.

Mr. Roats said if they wanted to reserve the space they would have to do the rental.

Council Member Buban-Vonder Haar clarified a special event plan was not required every time someone rents the band shell for example.

Ms. Engels explained when Council discussed this last the direction they gave staff was that to rent the parking lot it required a special event plan.

Council Member Jones asked where he could find that requirement in a resolution or an ordinance.

Ms. Engels said that was the direction given so maybe it would need to be put into this resolution or be brought forth in an amendment.

Council Member Buban-Vonder Haar said she thought Council Member Jones was asking if there was something that currently said a special event plan was required to rent the parking lot. If there was not, she did not think a resolution was needed to say it was not required.

Ms. Engels clarified that this resolution said the parking lot could be rented with a fee. It did not say a special event plan was needed to rent it. Previously Council had indicated that a special event plan would be needed to rent the parking lot. If that was still Council's direction the resolution would need to be amended or modified to say a special event plan was required to rent the parking lot but if Council was fine with private parties occurring in the parking lot then there would not be any changes needed.

Council Member Buban-Vonder Haar was still unclear on the current rule, what was in writing, and what needed to be put in writing.

Council Member Jones was looking for something that laid all the guidelines out.

Mr. Roats asked if Council intended the parking lot be available for rental for private parties. If Council did not want it to be available for private parties the resolution would be amended to clearly say special event plan required.

Council Member Buban-Vonder Haar could not think of any reason why someone would rent the parking lot for a private party but thought it should still be treated like any other City facility.

Council Member Jones asked what would prevent people from renting the parking lot as their very own parking for family to use and stay in during events like Kuna Days or what if people rent the parking lot and charge other people for parking.

Council Member Buban-Vonder Haar said she would assume with that use, particularly in regards to charging, it would fall under a special event plan.

Mr. Roats said it would apply if it was the family members coming down to park.

Council Member Jones asked if Council wanted to allow people to rent the parking lot with a special event plan to charge for parking for an event.

Council Member Buban-Vonder Haar said she could not anticipate all the times someone would need to park in the City parking lot but she felt it was a community owned facility and the community should not be deprived of its use for a community event. She did not want the parking lot rented to sell parking for an event in Kuna where there was a need for everybody to get there and park.

Council Member Jones assumed a resolution would need to be made outlining the rules and procedures for the parking lot. He would rather get it put in than coming back with amendments.

Mr. Roats explained this resolution deals with the fees and suggested maybe doing another resolution dealing with the event rental and access.

Council Member Jones felt that was backwards; guidelines should be in place before fees.

Council Member Buban-Vonder Haar agreed; how could an application be processed without knowing what uses were allowed.

Mr. Roats said the fees were for the rental of the parking lot. If it was a public event it would go through the special event plan process which would define those individually which meant there was a process. If Council wanted a general process it could be worked on. He did not feel the City lacked coverage by not having a resolution detailing greenbelt access and other items because they would be dealt with every time a special event plan came through.

Council Member Jones was concerned there was no resolution for that.

Mr. Roats said staff would have discretion as they dealt with it in the special event plan process. Staff knew the western side had to be maintained for greenbelt access.

Council Member Jones asked who would enforce that.

Mr. Roats said it would be handled on a case by case basis. He gave the example of not knowing if Kuna Days was overstepping unless it was observed.

Council Member Jones was concerned staff might have to be on call in case of an issue. He did not want it to become something the police officers would have to be involved in. He felt this was still working backwards. He said he could vote for the fee and not implement it until the guidelines are established but it would need to be resolved relatively soon.

Mayor Stear said it was getting really complicated. He asked how dedicated parking could ever be enforced without someone sitting there watching. The signage is the enforcement and then it comes down to trusting the people. That was all that could

be done. He felt it was being taken too far and did not understand why it was being made part of the discussion.

Council Member Buban-Vonder Haar felt the concern was more about making sure event vendors with trailers were not using the greenbelt spaces versus people attending the event. She thought he was correct in the fact that it would be a nightmare to enforce. She asked if there was a way to make sure those renting the parking lot abide by what they agreed to.

Council Member Jones thought a resolution should spell that out as a requirement for the promoter to monitor that.

Mr. Roats said Council recognized an issue but should realize their staff would exercise discretion in these special event plans in looking out for these interests. If Council were to adopt a resolution it would not solve the problem which was how to ensure those parking in the greenbelt spaces were really there for the greenbelt and not the event. If Council gave staff the opportunity to go through the special event and make those conditions, any problems would come to the attention of somebody and be addressed. In this particular case, there was a multi-weekend event which gave staff the ability to pull the permit if they do not comply with the conditions.

Council Member Jones understood that but still felt the requirements should be written somewhere and included as part of the application.

Mr. Roats explained with events like Kuna Days the requirements are directed by the special event permit and are not specifically in a resolution. If Council Member Jones was talking about creating a resolution to define the City's opportunity to exercise discretion it would need to be carried through down to every single trash can in Kuna Days. He asked that Council allow staff to continue to use discretion.

Council Member Jones felt that was an exaggeration but understood where Mr. Roats was coming from. He still felt there was a bigger picture that should be considered then rather than later. He was also discouraged that a public hearing was being held on fees that were never discussed with Council. He thought Council made those decisions, obviously with staff's input, but it was already processed and published.

Mayor Stear asked what he would like to discuss concerning the fees.

Council Member Jones said his only concern was that the fees were already published so if they change them they would have to be republished. He would have preferred a heads up before the fees were published.

Mr. Roats said staff tried to come up with a formula that would be fair to event sponsors and that wouldn't have the City losing money.

Council Member Jones did not have a problem with the formula, only the way it was implemented. He felt Council should have had the opportunity to discuss the fees before they were published so that people's time would not be wasted if Council was unhappy with it. He was trying to vet out the different ways this could be manipulated but if that was not a concern for anyone else he was in the minority and that was fine.

Mr. Roats replied there was discretion in putting together the plan and staff was looking out for those interests. He thought it was taken care of with the special event plan that was passed.

Council Member Buban-Vonder Haar asked if any thought had been put into people renting the giant grass lot.

Mr. Roats said yes, there was a discussion about whether or not that would be included. The City had some plans to make some improvements and staff was not sure how that would impact that. In looking at how to divide the space it became too cumbersome and the decision was made to wait and deal with it when a request was made to use it.

Council Member Buban-Vonder Haar asked Mr. Roats to clarify why it was decided it was too difficult.

Mr. Roats replied it was a consideration on how it would be divided into the two spaces equally.

Council Member Buban-Vonder Haar thought it would be its own section.

Mr. Roats said the thought was to take the line down the middle but with the coming improvements to the grass area they were not sure how to do it in a way that would not make them look unequal. It was decided to see how this goes and determine if people are interested in the grass area. If they are, something could be done with it at a later time.

Council Member Buban-Vonder Haar clarified the grass would be its own section.

Mr. Roats replied yes, it would be its own section but not yet.

Mayor Stear added that those improvements would come before Council before they were made.

Ms. Engels thought she understood Council Member Jones' concerns and if Council was not comfortable passing the resolution that evening she requested they consider the upcoming event due to start the first of April. The next Council Meeting was not until the fourth. She asked that, if Council determined they wanted to table the matter until some additional modifications could be made, they give staff the

authority to execute a special event plan for the event on the first as they continue to refine potential changes. She added that she would think those changes would be to the special event plan ordinance because that was where these items would be applied.

Council Member Jones said he did not need the issue tabled and had no problem with the fees. His only concern was getting guidelines that were verbally on record on paper as well.

Council President Cardoza asked if he was to have a Shakespearian festival on the Greenbelt behind City Hall would it allow him free access to all the parking on the north and south ends of the parking lot or would he have to rent the parking lot as well.

Mr. Roats said he would have access to park his vehicles there.

Council President Cardoza agreed with Council Member Jones. He felt that issues such as resolutions should be brought to Council for discussion before being advertised. He said staff was asking Council to rubberstamp things that the City has done without Council's input to a certain degree.

Mayor Stear was offended by the accusation that that staff wanted Council to rubberstamp things and did not believe anyone was asking for that. If Council would like to talk about what fees should be before they are published that could be done.

Council President Cardoza said rubberstamp was probably a bad word to use. He was agreeing with the thought that issues should be brought to Council before they are brought to Council as a resolution in order for Council to have input on what goes into the resolution before it is published and brought before Council as a public hearing.

Mayor Stear asked if there was some reason he felt the issue could not be tabled. No one was saying it had to be approved that evening. If Council did not like the way the resolution was written it would be completely appropriate to table it, rewrite it, and republish it if necessary. He added that if Council would like staff to bring items to them before publishing them that could be done but he did not understand the need to bring Council every resolution before staff makes a resolution.

Council Member Jones said there was no resolution and all they were there for that evening was a public hearing on the fees. He was glad there was not a large crowd at the meeting because he would not have wanted to discuss all this in front of a crowd. He felt all of it should have been vetted out two weeks prior to this meeting but they were told not to and then suddenly there was a published public fees schedule that they had no discussion on. He was not against the fees or staff's recommendations on the fees. His problem was that it felt like staff was making the decision, not Council. In the past the issue of having to republish has come up. Mayor Stear said

the item could be tabled and he appreciated that but the pressing matter of an upcoming event was also brought up. He did not want to deter that. His goal was to vet everything out all at once in the beginning so amendments would not have to be made.

Mayor Stear said he wanted to know what Council would like from himself and staff so this issue did not reoccur. He asked if Council Member Jones wanted anything the City needs to publish to be brought before Council before it was published.

Council Member Jones said he thought they should. All of the ordinances are passed by Council before publication.

Mr. Roats clarified he wanted notification on all public hearings, including land use matters, so Council could have an opportunity to respond before the actual public hearing.

Council Member Jones said at that point Council was being asked to vote on something based on what the code said. Items requiring decisions made without a code to base the decision off of should be discussed with Council before being published. He understood there was the option to table the item but then there would be the issue of wasting money to have another public hearing.

Mr. Roats clarified that, in the future, if it was a fee setting public hearing Council Member Jones would like a discussion regarding the fees on the agenda before the public hearing.

Council Member Jones felt that was common courtesy. If Council and staff had a consensus on something before it was published the only input to be considered at a public hearing would be the public's input. This discussion could have been had at another time such as the special events meeting. He apologized for taking everyone's time.

There were no further questions for Mr. Roats.

Mayor Stear opened the public hearing.

In Favor:

Tim Gordon, 1206 N. Blackcat, Kuna, Idaho 83634, thanked Council and staff for their discussion. He felt they were all people of good faith and were all working for the community's best interest. Sometimes it was messy but he really appreciated the job they all do.

Neutral: None

In Opposition: None

**Council Member Buban-Vonder Haar moved to close the public hearing. Seconded by Council Member Jones. Approved by the following roll call vote: Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and McPherson.**

**Voting No: None**

**Absent: None**

**Motion carried 4-0.**

Mayor Stear called for further discussion or a motion.

**Council Member Jones moved to approve Resolution No. R21-2017. Seconded by Council Member Buban-Vonder Haar. Approved by the following roll call vote:**

**Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and McPherson.**

**Voting No: None**

**Absent: None**

**Motion carried 4-0.**

**7. Business Items:**

- A.** Consideration to approve Resolution No. R27-2017 – Appointing New Members to the Arts Commission – Chris Engels, City Clerk  
(Timestamp 01:43:03)

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO AMENDING RESOLUTION NO. R89-2016 APPOINTING NEW MEMBERS TO ARTS COMMISSION.

City Clerk Chris Engels presented the resolution. She noted there had been discussion as to how many members would actually sit on that commission and the commission would hopefully finish up bylaws in the next meeting or two. She stood for questions.

Council Member Jones asked if there was a requirement to be a Kuna citizen in order to be part of a committee.

Ms. Engels replied there was no requirement they be a Kuna citizen. Requirements would be in the bylaws and the art commission discussed it. While there were a good deal of locals in the commission they wanted to keep it open to people outside of Kuna.

**Council Member Buban-Vonder Haar moved to approve Resolution No. R27-2017. Seconded by Council Member Jones. Motion carried 4-0.**

- B.** Consideration to approve Resolution No. R26-2017 – Authorizing Agreement with Core Distinction Group, LLC for Hotel Feasibility Study  
(Timestamp 01:44:58)

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT WITH CORE DISTINCTION GROUP, LLC TO PROVIDE THE FEASIBILITY STUDY FOR THE POSSIBLE DEVELOPMENT OF A HOTEL IN KUNA, IDAHO.

Council Member Jones asked for this item to be moved because he had some questions. He reviewed some of Council's concerns from the previous meeting. He was concerned the contract called for a study that was too specific and even named a specific hotel.

Ms. Engels explained it was a hotel specific study as was indicated at the last Council meeting. It did pertain to this specific type of hotel the City was looking at. The Core Distinction Group discussed the details of the feasibility study in the market and as part of the hotel specific feasibility study it was discussed to include the additional pieces of the possible gaps in the community such as entertainment options. For a broader hotel feasibility study she would need to go back for a different estimate to bring before Council.

Council Member Jones was concerned about it not being broad enough because it would open the door for other entities to ask for feasibility studies. He was willing to give the Economic Development Committee a little leeway because that was what they were there for but he felt more could have been done to incorporate things like a bed and breakfast to allow other businesses or entrepreneurs to gain from the study. He asked if it had been signed already.

Ms. Engels said it had not; it was waiting for Council approval.

Council Member Jones noted there was no clause in the contract giving the City approval of what kind of survey they would do or input on questions.

Ms. Engels explained there was a certain level to which the City had to rely on them as the experts on feasibility study regarding certain questions that needed to be asked. If he wanted the additional questions she reviewed with them to be included in a clause, she could go back to them and ask to have them included and that the Economic Development Committee be allowed to vet the potential questions for the potential additional clause.

Council Member Jones was concerned the Economic Development Committee would not get an opportunity to look at the survey questions. He was also concerned once the City signed off on it, they might decide there was no market here and the City would be on the hook for half the money. He reiterated his concerns about setting precedence and the wish for it to be broader.

Ms. Engels explained the facts were, with a feasibility study, as much as the City would like it to be broad, there had to be a certain narrowing to a hotel, restaurant, or those types of things. It was similar with the pool feasibility study. One giant feasibility study for Kuna would be tougher and more expensive. She talked to the Core Distinction Group about the Council's interest in learning about Kuna's gaps in

entertainment and resources for the community and travelers. She could certainly ask them to add that clause into the contract. She appreciated the half way mark because if it turned out the community was not right for this the City will not be out the full amount. They would come out on site for that first 50% and meet with local businesses. They would be hands on through the whole process. If at that point they found it was not feasible for Kuna, the City would not pay the second half but they would revisit in 12 to 24 months to see about finishing up the study. The study was hotel specific and specific to a hotel that would accommodate a smaller room number.

Council Member Buban-Vonder Haar clarified that Ms. Engels did take Council's request to broaden it as much as possible while understanding that there is a somewhat limited scope and it would be happening.

Ms. Engels said that was correct and if Council had specific questions they would like included she could work with Core to have them included.

Council Member Jones asked if the Economic Development Group or Council Member Buban-Vonder Haar had seen the feasibility study from another City that Ms. Engels and Planning & Zoning Director Wendy Howell had looked at.

Ms. Engels said they did not bring the sample feasibility study to the committee to view. They did discuss at length what the proposition was with a hotel specific study, the demographics they had assembled that were specific to Kuna, and the different information that came out in the feasibility studies from Colorado and Utah that they viewed. The demographic information they put together was similar in nature to the questions which was discussed with the committee as well.

Council Member Jones asked if any of the committee members had talked to any representatives from the hotel.

Ms. Engels said yes, there was a conference call the Wednesday after the last council meeting that was set up prior to that to discuss how the whole process with Brimark, their developer, since they were the ones potentially coming to Kuna. They explained about hotel feasibility studies and gave some suggestions on possible companies to do the study. Two committee members were present for the conference call as well as Ms. Engels, Ms. Howell, and Mayor Stear.

Council Member Jones asked if there was any discussion on what the hotel chain would require to be profitable.

Ms. Engels said yes that was discussed.

Council Member Jones asked if the Kuna Economic Development Committee believed Kuna had that to offer without providing more funding.

Ms. Engels did not know what he meant by additional funding. She explained they discussed the potential of how many rooms needed to be filled at what percentage

and it was made clear it would come out in the feasibility study whether or not those marks could be met. City staff and the members of the committee are not experts on feasibility studies.

Council Member Jones agreed but felt they were business minded enough to decipher what a hotel needed to remain profitable. As for funding, he was referring to the hotel asking the City to facilitate more events to help them remain profitable.

Ms. Engels said no, it was not the City's responsibility to recruit more events for one business. It was the responsibility of Economic Development to increase and expand economic development like it is the responsibility of chambers to promote their business members. She could confidently say it was unreasonable to come back to Council requesting a commitment to bring in ten new events every year for the next six years in order for the hotel to come Kuna and they would like a contract agreeing to that. The City would never make that kind of commitment to somebody and they would never come to Council to ask for that.

Council Member Jones was concerned about the portion of the contract referring to their response detailing the necessity for certain amenities at that proposed property.

Ms. Engels explained, based on her conversation with Core and the conference call with Brimark, they would be looking at certain markers such as being close to certain amenities like a grocery store, convenience store, restaurant, or easy highway or street access that already existed or were already planned to be built.

Council Member Jones asked if the other feasibility studies she had looked at already had a site picked out.

Ms. Engels replied no, as part of the feasibility study they help identify potential sites.

Council President Cardoza noted the sentence for the seventh bullet on page 4 of 5 was missing the number of business days. He asked if it was the City's responsibility to insert a number they were comfortable with.

City Attorney Richard Roats replied it looked like something may have been cut off of the original but he suggested inserting 10 days into that section to remain consistent.

Council President Cardoza said since it was contractual a certain amount of days should be inserted. He also noted bullet 4 and 6 were identical and asked if they were addressing different things.

Mr. Roats said they were not and one of those could be struck, initialed, and sent to Core for initialing.

Council Member Jones asked if the report would be available to Council when it was done.

Ms. Engels said of course.

There were no further questions.

**Council Member Buban-Vonder Haar moved to approve Resolution No. R26-2017. Seconded by Council Member McPherson. Motion carried 4-0.**

**8. Ordinances:**

**9. Mayor/Council Discussion Items:**

*(Timestamp 02:07:05)*

Mayor Stear updated Council on the Grocery sales tax appeal going before the Legislator. The Association of Idaho Cities put together some numbers on that when it first came out. The State Tax Commission estimated that to be about 15% of the total distribution rate that cities receive. In Kuna's case that was a little south of \$130,000.00 out of the budget. The Association of Idaho Cities asked for that to be amended so the State takes up that loss and the State was willing to do that. They increased Kuna's distribution share up to 13.2% which makes up that 15%, however, he was not sure the State Tax Commission could say it was 15% for sure on such short notice; they might be close. He felt the quick response indicated they were very interested in pressing forward with that grocery tax repeal. He wanted Council to be aware of the substantial impact to the City's budget and that the State was willing to make up for that.

Council Member Buban-Vonder Haar announced she was traveling for the next meeting. Her plan was to call in but her work day would go right up until the meeting was scheduled to start. There could be a problem with her calling in right on time. She would check with City Clerk Chris Engels and figure it out.

**10. Announcements:**

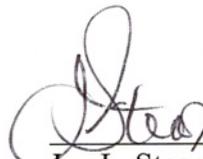
**11. Executive Session:**

**12. Adjournment: 8:07 PM**

ATTEST:

  
Chris Engels, City Clerk





Joe L. Stear, Mayor

*Minutes prepared by Ariana Welker, Customer Service Specialist  
Date Approved: CCM 04.04.2017*

# THE ANNUAL KUNA CLEAN-UP PROJECT



You are invited to participate in a community clean-up to benefit all of us, our community, and our state.

**9:00 AM TO 3:00 PM**

**Saturday April 29th, 2017**

**New Drop Off Location!**

**688 Swan Falls Rd.**

There will be **FREE CURBSIDE TRASH REMOVAL** provided by J&M Sanitation, Inc. for businesses and residents (**placed at curbside by 8:00 am on April 29th**) within the boundaries. See attached map. **All Items must be placed curbside by 8:00 am. We will only be making one pass through each subdivision. The following items will not be excepted:**

No Tree limbs, Brush, or Large Wood Items will be taken on Clean-Up Day this year. These items can be placed on the curb for weekly regular pick-up through-out the year. Please make sure they are bundled and no longer than 4 ft in length. Thank you for your cooperation!

Dead washers, dryers, and refrigerators (refrigerators, will cost \$10.00), as well as hazardous wastes may be dropped off **AT J&M SANITATIONS OFFICE LOCATED @ 688 SWAN FALLS RD** on Saturday, April 29th, between the hours of 9 a.m. and 3 p.m. Tires may also be **dropped off at J&M Sanitation** for a charge. (See the back of this page for more information regarding tires, non-hazardous, and hazardous waste disposal.) **Televisions and Computer Monitors will be accepted.**

## FOR MORE INFORMATION — CONTACT:

Kuna City Hall	922-5546
J&M Sanitation	922-3313
Chad Gordon	941-6371



Nicks Custom  
Curbing





## PESTICIDES • CLEANING SUPPLIES • PAINTS • SOLVENTS • USED OIL

In conjunction with Kuna's Annual Clean-Up Project a drop-off site for hazardous and non-hazardous waste will provide an environmentally sound method for Kuna area residents to dispose of the following items:

- ✓ Used Oil Filters
- ✓ Used Motor Oil--*Accepted only in containers, 5 gallon size or smaller.*
- ✓ Car and Household Batteries
- ✓ Cleaners (acid & lye)
- ✓ Solvents
- ✓ Latex Paint--*Accepted only in containers, 5 gallon size or smaller.*
- ✓ Oil Base Paint--*Limited to quantities of 5 gallons or less per household.*
- ✓ Anti-freeze
- ✓ Turpentine
- ✓ Pesticides, Herbicides, and Fertilizers
- ✓ Residential refrigerators and air conditions with compressor
  - ◆ 2 per household: \$10 each unit (No Dealers or Commercial Units)
- ✓ Tires--can be disposed of for a charge\*
  - ◆ Passenger/Motorcycle/ATV Tires: \$2.00 each off rim / \$4.25 on rim
  - ◆ Light Truck Tires: \$2.50 off rim / \$4.25 on rim
  - ◆ Large Truck Tires: \$8.00 off rim / \$16.00 on rim
  - ◆ Farm Tires: Negotiated
  - ◆ Larger or Odd Tires: By bid or negotiated

\* Items accepted ONLY on Saturday, April 29th-9:00 a.m. to 3:00 p.m.

**\*\* Television Monitors & Computer Monitors will be accepted.**

**The collection site will be located at 688 Swan Falls Rd.** Items may be dropped off **April 29th between the hours of 9:00 a.m. and 3:00 p.m.** Help protect your health and the health of our environment--take this opportunity to dispose of your hazardous, and **non-hazardous** wastes safely.



Nicks Custom Curbing



J & M SANITATION, INC. RECYCLING SURVEY

Dear Valued Kuna Customers,

To better serve our customers, we would like to evaluate the interest of Kuna Residents in replacing our current "Voluntary" "Green Bin" Recycling Program with a "Voluntary" "Tip Cart", No Sort, Co-mingled Recycling Program. You can help us determine interest and willingness to participate in such a program by answering the following questions.

1. Do you currently Recycle in our Voluntary Sorted "Green Bin" Recycling Program?

Yes      No

2. If so, how many 18 gallon Green Recycling Bins do you use currently? How often do you put out your Green Bins currently?

Number of Bins:                      Frequency:

3. Whether or not you currently recycle, ARE YOU INTERESTED in participating in a Voluntary "Tip Cart" Co-mingled (all recyclables are mixed in a 95 gallon, tip cart with wheels and lid - NO Sorting) Recycling Program, picked up on a bi-weekly basis?

Yes      No

4. If you are interested in Voluntarily participating in a bi-weekly "Tip Cart" Co-mingled Recycling Program, are you willing to pay an additional \$2.00/cart/month on your Garbage bill for the expanded service (the charge would only be assessed to participating recycling customers- THIS SERVICE WILL NOT BE MANDATORY)?

Yes      No

Note: All other non-recycling services would be unchanged!

This survey can be returned with your Kuna Utility bill or dropped off at Kuna City Hall.

We appreciate your taking the time to help us evaluate the desire and willingness of Kuna residents to expand Kuna's recycling program.

Sincerely,

Tim Gordon  
Owner  
J&M Sanitation, Inc.



# CITY OF KUNA

751 W. 4<sup>th</sup> Street • Kuna, Idaho • 83634  
Phone (208) 922-5274  
Fax: (208) 922-5989  
www.kunacity.id.gov

## SIGN-UP SHEET

03-21-2017 – KUNA CITY COUNCIL

Case Name: **16-09-AN – Michael Robinson: 1420 W. Hubbard Rd.**  
Case Type: Annexation

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

IN FAVOR		NEUTRAL		IN OPPOSITION	
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