

# Coeur d'Alene

## CITY COUNCIL MEETING

*July 15, 2014*

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**MEMBERS OF THE CITY COUNCIL:**  
Steve Widmyer, Mayor  
Councilmen Adams, Edinger, Evans, Gookin, McEvers, Miller

# CONSENT CALENDAR

MINUTES OF A REGULAR MEETING OF THE CITY  
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,  
HELD AT THE LIBRARY COMMUNITY ROOM

July 1, 2014

The Mayor and Council of the City of Coeur d'Alene met in a regular session of said Council at the Coeur d'Alene City Library Community Room July 1, 2014 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

Woody McEvers	)	Members of Council Present
Kiki Miller	)	
Steve Adams	)	
Dan Gookin	)	
Amy Evans	)	
Loren Ron Edinger	)	Member of Council Absent

**CALL TO ORDER:** The meeting was called to order by Mayor Widmyer.

**INVOCATION:** Pastor Paul Van Noy, Candlelight Church, provided the invocation.

**PLEDGE OF ALLEGIANCE:** The pledge of allegiance was led by Councilmember Adams.

**PRESENTATIONS:**

**Student Representative Experience:** Steve Anthony introduced Gabbi Olscamp as the outgoing student representative for the Arts Commission, who served for two years. Gabbi Olscamp stated that she was a student from Coeur d'Alene High School and enjoyed being the student representative to the Arts Commission. She felt that she learned things she wasn't expecting to learn until after college, such as the political side of art, and creating a call to artist. She has been interested in art and considered herself an artist since 1<sup>st</sup> grade. She thanked the City Council for her experience. Ms. Olscamp stated that she is going to the University of Idaho and will start with some general studies.

**Proclamation: Parks Day July 12, 2014:** Mayor Widmyer presented the Proclamation for Parks Day to Urban Forestry Coordinator Katie Kosanke. Ms. Kosanke presented the itinerary for the Parks Day event which will start at McEuen Park with a side event on Tubbs Hill. This year the Kid's Day in the Park event will be combined with the Park's Day event. Volunteer Bob Hallock helped to come up with the concept of Parks Day and she thanked him for his continued service. She thanked the main sponsors who are Avista Utility, Contractor's Northwest, Inc., Waste Management, and Greenstone Homes and stated that there were many other sponsors and volunteers that make the event a success.

**McEuen Park Update:** City Engineer Gordon Dobler stated that the McEuen Park construction is in the final stages and the construction crew is demobilizing. Hydro-seeding is expected to be completed this week with elevator inspections due next week. The sundial piece will also be commissioned this week. The project budget was approximately \$140,000 under the original budget. Councilmember McEvers stated that he filmed a lot of construction throughout the park project. As he filmed, he would often run into Mr. Dobler on site, who was always willing to explain what was going on and the “why” behind it, which he appreciated. Councilmember Miller asked if Mr. Dobler would be the staff person for warranty item issues. Mr. Dobler said that items going forward would go to Bill Greenwood.

**Quarterly Budget Update:** Deputy Finance Director Vonnie Jensen presented a quarterly update regarding the Fiscal Year 2013/2014 budget, which included the status of the City’s financial position as the budgeting process moves forward for fiscal year 2014/2015. She would like input regarding the type of information the City Council finds beneficial and any suggestions regarding changes they would like to see in the budget process. At the next City Council meeting, she will present a Resolution setting the high water mark. She suggested the Council contact her with any questions they have as information is distributed. She said that the Front Avenue LID final assessment will be coming forward in the very near future. In the past 50% of the property owners paid their balance within the first 30 days, avoiding any interest. The Insurance Fund will need a sustainable cash flow whether or not the Council decides to stay self-insured or contract with a private insurance agency. Ms. Jensen reviewed the historical trend of foregone taxes, revenues, and expenditures. Councilmember Gookin thanked Ms. Jensen for the review and requested hard copies of her presentation in advance of the meeting in the future. Mayor Widmyer stated that there are several new councilmembers involved in the budget process and encouraged them to contact Ms. Jensen or Mr. Tymesen in advance of the budget workshop.

## **PUBLIC COMMENTS:**

Doyles Wholesale Sound Study: Cynthia Palombi, Coeur d’Alene, stated that she is representing a group called Citizens for the Preservation of Neighborhoods. She highlighted a paragraph in the sound study noted on page 8, which stated that during the study there was one truck on the west side of the building and referenced that if it were at night it would have violated the noise ordinance. She asked the City Council to consider that during the presentation tonight.

David Polen, Coeur d’Alene, stated that he lives right behind the Doyles Wholesale property and has been suffering from the noise for years. The EPA’s definition of noise is anything that is considered a nuisance to the community and this has been a nuisance for years as he hears noise at night while sleeping with windows open. He said that during the study period there was no activity but wanted the Council to know there is activity on site now.

Kathy Hunt, Coeur d’Alene, stated that she lives next to Doyles and presented several pictures to the City Council to provide some historical reference to the new Councilmembers. She asked the Mayor and Council to consider that they have been going through this since 2004. In 2006 Doyles expanded into three shifts and the third shift causes the majority of the sound problems. She encouraged the Council to ask questions regarding the backup beepers, air breaks, banging

of the doors, and the refrigeration units. She mentioned that when Meadow Ranch was developed Mr. Gridley stated when industrial noise and light exceeds thresholds into residential zones, the businesses should shut down after 10:00 p.m. She lives above the brick wall, and all the wall does is project the noise back further and clarified that the west side of the building is where their fleet parks on the weekend.

Janet Robnett, Coeur d'Alene, stated that she represents Doyles Wholesale, and agreed that this has been an issue since 2004. She reiterated that in 2004 staff investigated with no violations. In 2007 a study was conducted and there were no violation and this study was done at the request of the neighbors and the city paid for it and found no violations. The neighbors requested this specific contractor, and no one was given notification of the study dates, which she noted was a normal workday. She clarified that operations do not occur on the west side of the building, and felt the results of the study speak for themselves. She stated that Doyles has done a lot to be a good neighbor and the wall was very expensive and they have also disabled the back-up beepers from the vehicles and deliveries do not occur at night. She believes enough is enough after 10 years and that it can now be said there is no violation and hopes everyone could move forward and accept the results of the study.

**CONSENT CALENDAR: Motion** by Gookin, seconded by McEvers to approve the consent calendar.

1. Approval of Council Minutes for June 17, 2014.
2. Approval of Bills as Submitted.
3. Setting of General Services and Public Works Committees meetings for July 7, 2014 at 12:00 noon and 4:00 p.m. respectively.
4. Approval of Beer and Wine License for TAF, LLC. d/b/a The Coeur d'Alene's; 1116 Ironwood Parkway, Troy Fausett (new)
5. Approval of Beer and Wine License for Blazin' Wings d/b/a Buffalo Wild; 405 W. Neider Avenue, Buffalo Wild Wing, Inc. et al. (transfer from Sully's Pub)
6. Approval of S-4-12, North Idaho College – Final Plat.
7. Approval of **Resolution No. 14-026** A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE BELOW MENTIONED CONTRACTS AND OTHER ACTIONS OF THE CITY OF COEUR D'ALENE INCLUDING APPROVING AN AGREEMENT FOR S-2-03.M.1, LANDINGS @ WATERFORD 12TH ADDITION, FINAL PLAT, SUBDIVISION IMPROVEMENT AGREEMENT AND BOND SECURITY WITH MULLIGAN INVESTMENTS, LLC; APPROVING AN AGREEMENT FOR SS-5-14, INTERSTATE ADDITION, FINAL PLAT, SUBDIVISION IMPROVEMENT AGREEMENT AND SECURITY WITH INTERSTATE CONCRETE AND ASPHALT COMPANY; APPROVING A LEASE AGREEMENT WITH THE HINDERER CONCESSIONS FOR MCEUEN PARK HARBOR HOUSE CONCESSIONS FOR THE 2014 SEASON; APPROVING A CONTRACT WITH BUDDY'S BACKHOE SERVICE FOR THE 2014 OPEN TRENCH PROJECT; APPROVING AN AGREEMENT WITH HANDSHAKE PRODUCTIONS FOR THE SUMMER CONCERT SERIES IN THE CITY PARK; APPROVING AN AGREEMENT WITH NORTH IDAHO COLLEGE FOR EMPLOYMENT OF SCHOOL RESOURCE OFFICERS FOR THE DISTRICTS

FISCAL YEAR 2014-2015; AND APPROVING AN AGREEMENT WITH COEUR D'ALENE SCHOOL DISTRICT #271 FOR EMPLOYMENT OF SCHOOL RESOURCE OFFICERS THE DISTRICTS FISCAL YEAR 2014-2015.

**ROLL CALL:** McEvers Aye; Gookin Aye, Miller Aye; Evans Aye; Adams Aye. **Motion Carried.**

**COUNCIL ANNOUNCEMENTS:**

Councilmember McEvers stated that Robert Singletary conducted a recent presentation regarding Coeur d'Alene in the 1950. It appears that there were more photographs and stories for the earlier year and as the more current years come forward he is lacking photographs and stories (approximately 1960 forward.) He requested the community provide photographs and stories to the Museum to protect the history. Additionally, he was at the Ironman breakfast and the race participants commented on the high winds that caused hard work, but were very complementary of the volunteers. He also thanked the volunteers for making Ironman popular.

**MAYOR ANNOUNCEMENT:** Mayor Widmyer stated that he spoke with Councilmember Edinger today who said that he is recuperating and would be watching the meeting on T.V. tonight. Mayor Widmyer stated that he and Councilmember Miller will be participating in a fundraiser on the 4<sup>th</sup> of July from 1:00 p.m. to 7:00 p.m. at the City Park Band shell via a dunk tank, and encouraged the community to stop by and share in the event that supports the Lake City High School Jazz and Concert Choir. The Mayor asked for a motion to approve the appointment of student representatives.

**MOTION:** Motion by Gookin, seconded by McEvers to approve the appointment of the following student representatives: Maxwell Evans and Maya Burgess (Alternate) to the Parks and Recreation Commission; Ashley Kaitz, and Jade Douglas (Alternate) to the Arts Commission; Cole O'Brien (reappointment), and Christian Cousins (Alternate) to the Planning Commission; Cassidee Smidt and Sydney Jackson (Alternate) to the Library Board; Mary McKenna Sudahl and Jaguar Ashtiani (Alternate) to the Pedestrian Bicycle Committee; Timber Lockhart to the Urban Forestry Committee; and Riley Ellingsen (Reappointment) and Madeline Hennig (alternate) to the Natural Open Space Committee.

**DISCUSSION:** Councilmember Evans stated that Maxwell Evans is her son and that she has had discussions with the City Attorney who said that it is not a conflict and she is able to vote on this item.

**Motion carried.**

**ADMINISTRATOR'S REPORT:** Interim City Administrator Troy Tymesen stated that there were approximately 3000 volunteers that made the Ironman event work. The next big event is the 4<sup>th</sup> of July and he thanked the public in advance for helping to make it a safe event. He announced that motorists who park at the new parking structure adjacent to McEuen Park are reminded that they must obtain a ticket from the automatic pay stations. The first two hours of parking is free; however, motorists must still display a ticket in their vehicle indicating what time they arrived. Three parking pay stations are located at the Third Street Entrance, and at the

bottom of the stairs on 5th Street and 6th Street. May, 2014 was the busiest response month in the history of the Coeur d'Alene Fire Department as they responded to 713 emergency calls – the average for May is 572 calls for assistance. The Fire Department is also hosting the annual Idaho Technical Rescue Teams meeting this week, which brings members of all four State teams and staff from the Bureau of Homeland Security to our city to discuss funding, team responses, and standard operating guides. Summer Reading, “Fizz, Boom, Read,” has begun in the Seagraves Children’s Library on the lower level, and continues through July 30th when the Library will host a Science Fair and Extreme Science with Radical Rick. All programs, for ages newborn and up, are free and most do not require registration. Even if children do not attending programs, families are invited to visit the library for a Reading Log to keep track of the time children spend reading or being read to. For every three hours of reading time bring the log back to the library to collect a prize. For more information about the “Fizz, Boom, Read” summer program, call the Library at 769-2315. Municipal Milestones, a monthly e-newsletter covering city news and events, employees, departments at work, and other timely city information and issues, made its debut on Tuesday, June 10th. The newsletter will be emailed on the second Tuesday of each month. To view the newsletter and instructions for receiving a monthly email version, visit the city’s website [www.cdaid.org](http://www.cdaid.org), and click on the icon on the lower left corner. The Coeur d’Alene Arts Commission is seeking nominations for the 19<sup>th</sup> Annual Mayor’s Awards in the Arts. Please visit [www.cdaid.org](http://www.cdaid.org) for nomination forms, noting that nominations must be submitted by September 1, 2014. For more information, call Steve Anthony at 769-2249, or email [stevea@cdaid.org](mailto:stevea@cdaid.org). Work on the new well at Hanley and Atlas continues. The well is expected to be completed this fall. The city of Coeur d’Alene is accepting competitive grant proposals for projects or services that benefit low-to-moderate income people or neighborhoods, and/or promote job creation/economic development. Any individuals, profit or nonprofit organizations, business, or governmental agencies may apply for the Community Development Block Grant (CDBG) Program funds. The workshop will be held July 11<sup>th</sup>. He requested that the community remember that fireworks and alcohol are prohibited within city parks and Tubbs Hill. Coeur d’Alene Mayor Steve Widmyer has established a direct telephone line for callers to leave a comment, idea or concern. To leave a message 24/7 with the mayor, call 769-2220, extension 503, or visit the city’s website and click on the icon shown on the screen.

**APPROVAL OF A REQUEST TO EXCLUDE (DE-ANNEX) PROPERTY FROM CITY BOUNDARIES; 7635 N. RAMSEY ROAD.**

**DISCUSSION:** Councilmember McEvers stated that this is a request for a property to be de-annexed from the City. Councilmember Gookin said that this property is a parcel located at 7635 N. Ramsey Road and was annexed in 2006 as part of a Planned Unit Development (PUD) that was never completed. Prior to the annexation a home was constructed and never received its Certificate of Occupancy from Kootenai County. The owner wishes to sell the property and is in need of a Certificate of Occupancy. Because the structure is complete, the City would need to obtain engineering reports and perform destructive testing to issue a certificate of occupancy. As such, the owner has elected to seek de-annexation and will attempt to obtain a certificate of occupancy from Kootenai County. Councilmember Gookin stated that he does not believe this property should have been annexed in the first place, as the construction did not match the plans and believes it should be de-annexed. The County will address the sewer issues. City Attorney

Mike Gridley stated that the City would not have look at those issues at the time of annexation, as they would have looked at whether or not the property should be in the city limits. Councilmember Miller stated that they would not be illegible for reimbursement of any fees paid previously and that if they re-annex they would go through the current process and pay any fees applicable.

**MOTION:** Motion by Gookin, seconded by McEvers to approve the Request to Exclude (De-Annex) Property from City Boundaries; 7635 N. Ramsey Road, and direct staff to prepare an Ordinance.

**Motion carried.**

### **RESOLUTION NO. 14-027**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH WELCH-COMER ASSOCIATES, INC. ITS PRINCIPAL PLACE OF BUSINESS AT 350 E. KATHLEEN AVE., COEUR D'ALENE, ID. 83815, FOR THE PURPOSE OF PREPARING THE FOUR CORNERS / BLM MASTER PLAN.

**STAFF REPORT:** Interim Parks Director Bill Greenwood stated that in May 2014 the City Council approved the proposal from Welch Comer and directed staff to negotiate an agreement. The final cost for the master plan is \$118,200. The Lake City Development Corporation has offered to fund 75% of the plan and the remaining 25% will come from partners within the area of impact for the Master Plan with the City's portion coming from the Parks Capital Improvement Fund and/or Parks Impact Fees.

**MOTION:** Motion by Gookin, seconded by McEvers to approve Resolution No. 14-027, approving an Agreement with Welch Comer for the Four Corners BLM Corridor Master Plan and funding.

**DISCUSSION:** Councilmember McEvers asked if park impact fees are divided by district. Mr. Greenwood stated that impact fees are for general park improvements.

**ROLL CALL:** Gookin Aye; Adams Aye; McEvers Aye; Miller Aye; Evans Aye. **Motion carried.**

### **DISCUSSION OF SOUND STUDY CONDUCTED BY JGL ACOUSTICS, INC. RE: DOYLES WAREHOUSE.**

Mr. Gridley provided a history of the Doyles Wholesale site and a synopsis of the past and present sound studies; specifically, the recent study conducted by JGL Acoustics, Inc. There were no findings of violations of the City's sound ordinance. The neighbors have continued to raise complaints and Doyles has expanded their facility including an 8' wall to mitigate noise. This is a very quiet neighborhood that has noisy activities surrounding it. Approximately a year ago the city solicited experts in the field of sound studies, receiving four proposals. JGL was selected due to their background and reputation, and was the recommendation of the

neighborhood. There were discussions regarding when to do the study, and it was agreed that spring time would be best. Mr. Gridley stated that his office did ask the neighbors what is the noisiest time, and the neighbors stated that Wednesday and Thursdays are the busiest time. No additional contact was given to the neighbors or Doyles regarding the study timeline. The report documents that the sound study was conducted on May 28, 29, 2014. The loudest noises were noted with dogs barking and birds chirping, and that 99.9% of the time the sounds were lower than the 55 decibel night time maximum. Mr. Gridley stated that the study noted the activity on site during the study period and found no confirmed violations of the noise ordinance. After the study JGL stated the weather did not make an impact on the study, and that there was nothing he would do differently to study the facility. He did not recommend any changes to the property, although he recommended that if the trucks stayed 150 feet away from the wall they would likely never violate the 55 decibel limit. Mr. Gridley stated that based on the activities measured there were no violations of the noise ordinance. If the use changed and new violations occurred, they would be investigated.

Councilmember McEvers stated that he lives near a Safeway and he hears the dumpsters being dumped and the Commerce park development requires that the commercial noise should end at 10:00 p.m. Mr. Gridley stated the limits are still the same, with night time decibels of 55 decibels and daytime at 65 decibels. If there was a violation there would be code enforcement action and the City would work with property owners to mitigate the noise violations. Mr. Gridley reminded the Council that the residential zone was built in the County prior to their annexation into the City. Current annexations could negotiate mitigation within the annexation agreement. Councilmember McEvers clarified that the zoning for Doyles is light manufacturing, which the residential zone abuts and it was the case when they were annexed. Mr. Gridley clarified that the prior property owner was a commercial gravel pit that was determined to be heavy manufacturing and was relocated. Councilmember McEvers stated that the sound study found no violation and he hoped that this could be over.

Councilmember McEvers asked if the ingress/egress allows trucks to come in on both street sides. Tom Eshleman, General Manager of Doyles Wholesale, stated that the egress comes down the driveway and has an access once or twice a year off of Park Drive, but most of the traffic comes in through Dalton Avenue. Councilmember McEvers asked about the buffering to the North. Mr. Eshleman stated that there is also some grass and paving in the area to reduce dust and noise, and clarified that compressors for the refrigeration units have been moved inside the building. He further clarified that trucks park on the west side but are not running as they are empty at that time. Councilmember McEvers stated that Doyles has made a lot of effort. Councilmember Miller asked how far the building to the west with the blue roof is from the fence line. Mr. Eshleman stated that he thought it was over 150 feet and further explained that loading occurs during the day and not in the night time. He stated that there are over 100 employees at the facility and they want to stay in Coeur d'Alene.

Ms. Hunt stated there are over 40 neighbors involved in their group. Councilmember McEvers stated that it did not seem that the City could make any progress with the neighbors, and asked Ms. Hunt if she thought Doyles had made efforts to mitigate the situation. Ms. Hunt said that Doyles has cleaned up the property; however it is the noise that they complain about. She did speak to JGL who said the study should not be done in the snow or on rainy days. The spring

and summer are the most problematic times. She stated that they do run operations during the evening, and were already running refrigeration trucks this evening and they will run until the morning. She reviewed a log of noise issues she has encountered since May. Mayor Widmyer asked Ms. Hunt if there are vehicles on the Doyles site that are not louder than 55 decibels. Ms. Hunt stated that when it was a chain link fence the readings were in the high 50's and the wall has made a substantial difference. The neighbors conducted their own sound study and found the wall would project the sound up above the fence. She clarified that the vibration of the refrigerated units drives her crazy. She felt that there was no activity when the study was done and that is not fair. Councilmember McEvers stated that the city bought and conducted a study and that no violation occurred. Ms. Hunt suggested that the sound expert should have measured all the normal activity on the site.

Councilmember Gookin stated that he believes both sides are stating the truth, and clarified that the ordinance measures decibels, and that sounds can travel through the ground and our ordinance does not take that under consideration. He asked Mr. Gridley if there is anything that the City could use to address sound other than measuring decibels. Mr. Gridley stated that property uses are allowed by the underlying zoning, and this activity is allowed. He reiterated that the City hired the sound study professional the neighborhood wanted to hire and they said they would abide by the findings of the study. The City turned it over to the expert to conduct the study, waited until after snow was gone and it cost \$240.00 an hour to do the work. He reiterated if there was a new use that violated the noise ordinance the City would be working to enforce the code violation; however, there is no violation to enforce at this time. Mr. Gridley stated that other cities have different ordinances and that most use an average decibel measurement over a period of time rather than a one-time spike, while our does not allow for an average.

Councilmember Adams clarified an issue with a neighbors sprinkler and that it was not related to a time of use. He stated that he has lived in the neighborhood for 9.5 years and multiple people who have come to his home have commented on the quietness of the neighborhood. He stated that he has never had a problem with Doyles, he believes they have been good neighbors and have spent over \$100,000 to mitigate issues with the neighborhood. He does not believe that vibrations have been a problem with Doyles, only cars driving by with loud music. He reiterated that the neighbors stated that they would abide by the findings of the study. Councilmember Adams stated that he does not think there is anything else the City should do regarding the noise ordinance and asked the neighbors to please move forward.

**EXECUTIVE SESSION:** Motion by Gookin, seconded by Evans to enter into Executive Session as provided by Idaho Code 67-2345 (1) § (c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.

**ROLL CALL:** Miller Aye; Evans Aye; Adams Aye; McEvers Aye; Gookin Aye. **Motion carried.**

The City Council entered into Executive Session at 8:01 p.m. Those present were the Mayor, City Council, City Administrator, and City Attorney. Matters discussed were related to acquisition of property not owned by a public agency. Council returned to regular session at 9:32 p.m.

**MOTION:** Motion by Gookin, seconded by Evan, that there being no further business before the Council, this meeting be adjourned. **Motion Carried.**

The meeting adjourned at 9:32 p.m.

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Steve Widmyer, Mayor

ATTEST:

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Renata McLeod, City Clerk

**BEER, WINE, AND/OR LIQUOR APPLICATION Expires March 1 annually**

**City of Coeur d' Alene**  
**Municipal Services**  
**710 Mullan Avenue**  
**Coeur d' Alene, Idaho 83814**  
**208.769.2229 Fax 769.2237**

[Office Use Only] Amt Pd 233.31  
 Rec No 124033  
 Date 08/26/14  
 Date to City Council: 7/15/14  
 Reg No. \_\_\_\_\_  
 License No. \_\_\_\_\_  
 Rv \_\_\_\_\_

Date that you would like to begin alcohol service 08-01-14

**Check the ONE box that applies:**

<input type="checkbox"/>	Beer only (canned and bottled) not consumed on premise	\$ 50.00 per year
<input type="checkbox"/>	Beer and Wine (canned and bottled) not consumed on premise	\$250.00 per year
<input type="checkbox"/>	Beer only (canned and bottled only) consumed on premise	\$100.00 per year
<input type="checkbox"/>	Beer and Wine (canned and bottled only) consumed on premise	\$300.00 per year
<input type="checkbox"/>	Beer only (draft, canned, and bottled) consumed on premise	\$200.00 per year
<input checked="" type="checkbox"/>	Beer and Wine (Draft, canned, and bottled) consumed on premise	\$400.00 per year
<input type="checkbox"/>	Beer, Wine, and Liquor (number issued limited by State of Id)	\$762.50 per year
<input type="checkbox"/>	Transfer of ownership of a City license with current year paid Beer-to go only \$6.25 Beer- Can, Bottled only COP \$12.50 Beer- Draft, can, bottled COP \$25 Wine additional \$25 Consumed on premise yes no Transfer from _____ to _____	\$

Business Name	Vault Coffee c/o Danelle Reagan
Business Mailing Address	<del>324 Sherman Ave</del> 2491 E Hanley
City, State, Zip	Coeur d' Alene, ID 83815
Business Physical Address	324 Sherman Ave.
City, State, Zip	Coeur d' Alene, ID 83814
Business Contact	Business Telephone (208) 755-5556 Fax: Email address: danbr1@adelphia.net
License Applicant	Danelle Reagan
If Corporation, partnership, LLC etc. List all members/officers	Vault Coffee, LLC Danelle Reagan Bill Reagan

**BEER, WINE, AND/OR LIQUOR APPLICATION Expires March 1 annually**

**City of Coeur d' Alene**  
**Municipal Services**  
**710 Mullan Avenue**  
**Coeur d' Alene, Idaho 83814**  
**208.769.2229 Fax 769.2237**

[Office Use Only] Amt Pd 1666.64  
 Rec No 72414  
 Date 06-30-2014  
 Date to City Council: 07/15/14  
 Reg No. \_\_\_\_\_  
 License No. \_\_\_\_\_  
 Rv \_\_\_\_\_

*pd 250.00 or 83.32 to 2015 lic*

Date that you would like to begin alcohol service ASAP July 2014

**Check the ONE box that applies:**

<input type="checkbox"/>	Beer only (canned and bottled) not consumed on premise	\$ 50.00 per year
<input checked="" type="checkbox"/>	Beer and Wine (canned and bottled) not consumed on premise	\$250.00 per year
<input type="checkbox"/>	Beer only (canned and bottled only) consumed on premise	\$100.00 per year
<input type="checkbox"/>	Beer and Wine (canned and bottled only) consumed on premise	\$300.00 per year
<input type="checkbox"/>	Beer only (draft, canned, and bottled) consumed on premise	\$200.00 per year
<input type="checkbox"/>	Beer and Wine (Draft, canned, and bottled) consumed on premise	\$400.00 per year
<input type="checkbox"/>	Beer, Wine, and Liquor (number issued limited by State of Id)	\$762.50 per year
<input type="checkbox"/>	Transfer of ownership of a City license with current year paid Beer-to go only \$6.25 Beer- Can, Bottled only COP \$12.50 Beer- Draft, can, bottled COP \$25 Wine additional \$25 Consumed on premise yes no Transfer from <u>Ameritel</u> to <u>La Quinta</u> <u>New license</u>	\$

Business Name	<u>La Quinta Inn &amp; Suites - CoeA</u>
Business Mailing Address	<u>10200 W Emerald ST</u>
City, State, Zip	<u>BOISE, ID 83704</u>
Business Physical Address	<u>333 Ironwood Ave</u>
City, State, Zip	<u>Coeur d'Alene, ID 83814</u>
Business Contact	Business Telephone: <u>208-375-2323</u> Fax: <u>208-375-3434</u> Email address: <u>cj@www.cameritelinns.com</u>
License Applicant	<u>Ameritel Inns, Inc</u>
If Corporation, partnership, LLC etc. List all members/officers	<u>Brian Black, president</u> <u>J. Scott Ableman, VP/CFO</u> <u>Brad Charles, VP of construction</u>

## Public Works Committee STAFF REPORT

DATE: July 7, 2014  
FROM: Christopher H. Bates, Engineering Project Manager   
SUBJECT: Vacation of a Ten Foot Strip of Right-of-Way adjoining the north side of Block 25 of the Lake Shore Addition plat.

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### DECISION POINT

Ted Warne, et al., applicants, owners of the northerly tier of lots in Block 25 of the Lake Shore Addition, are requesting the vacation of a ten foot (10') strip of right-of-way that was dedicated on the Lake Shore Addition plat in 1907.

### HISTORY

The plat of the Lake Shore Addition to Coeur d'Alene was recorded in April 1907. The area to the north of the noted Block 25 of the platted area, was previously platted in 1900 into the Amended Plan of the CITY of COEUR D ALENE. At the time of platting of the Lake Shore Addition, a ten foot (10') strip was dedicated along the northerly boundary of Block 25, the exact purpose being unknown, but presumably either as an alley or additional r/w width. The uncertainty of its purpose is due to the fact that the plat to the north, the Amended Plan of the CITY of COEUR D ALENE had previously dedicated sixty feet (60') of right-of-way along that common boundary of the two plats, and, that sixty foot (60') r/w is shown as Mountain Avenue. The result of the two plat dedications is that seventy feet (70') of right-of-way existed for Mountain Avenue.

Over time as the area developed, the Mountain Avenue roadway was constructed, and it was constructed in the sixty feet (60') of right-of-way that was dedicated on the adjoining plat to the north. The ten feet (10') that was dedicated on the Lake Shore Addition plat eventually became encroached upon by residential improvements of the adjoining lots.

### PERFORMANCE ANALYSIS

The existing seventy foot (70') combined rights-of-way of the two plats exceeds the previous City r/w standard of sixty feet (60') for local streets and the recently revised standard of fifty five feet (55'). The Mountain Avenue street section (36' street width / no sidewalk) is situated wholly within the sixty feet of r/w of the adjoining plat to the north, therefore, vacation of the requested ten foot strip from the Lake Shore Addition would have no impact on the current street section, nor on any future improvements (i.e.: sidewalk placement) should they be installed.

### FINANCIAL ANALYSIS

Vacation of the ten foot strip adjoining the northerly boundary of Block 25 in the Lake Shore Addition would add approximately 4,100 square feet to the County tax role. Although a minor amount, it would be a benefit to the municipality as tax revenue, and, to the residents whose lots adjoin the strip as usable property.

## **RECOMMENDATION**

Recommendation to the Public Works Committee would be for staff to proceed with the vacation process as outlined in Idaho Code Section 50-1306, and, to recommend to the City Council the setting of a public hearing for the item on August 5, 2014.

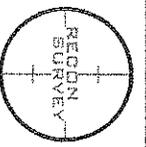
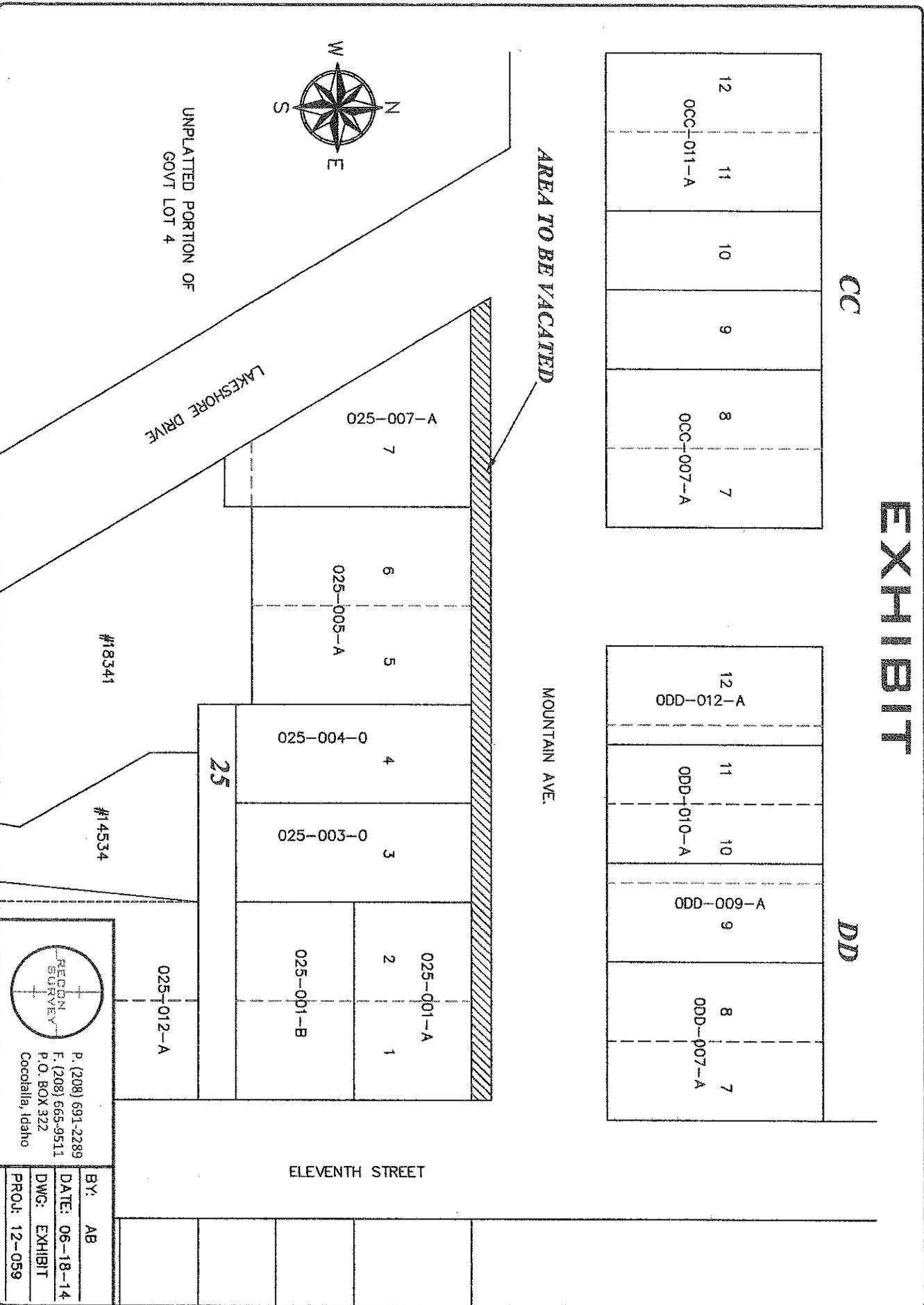
# EXHIBIT

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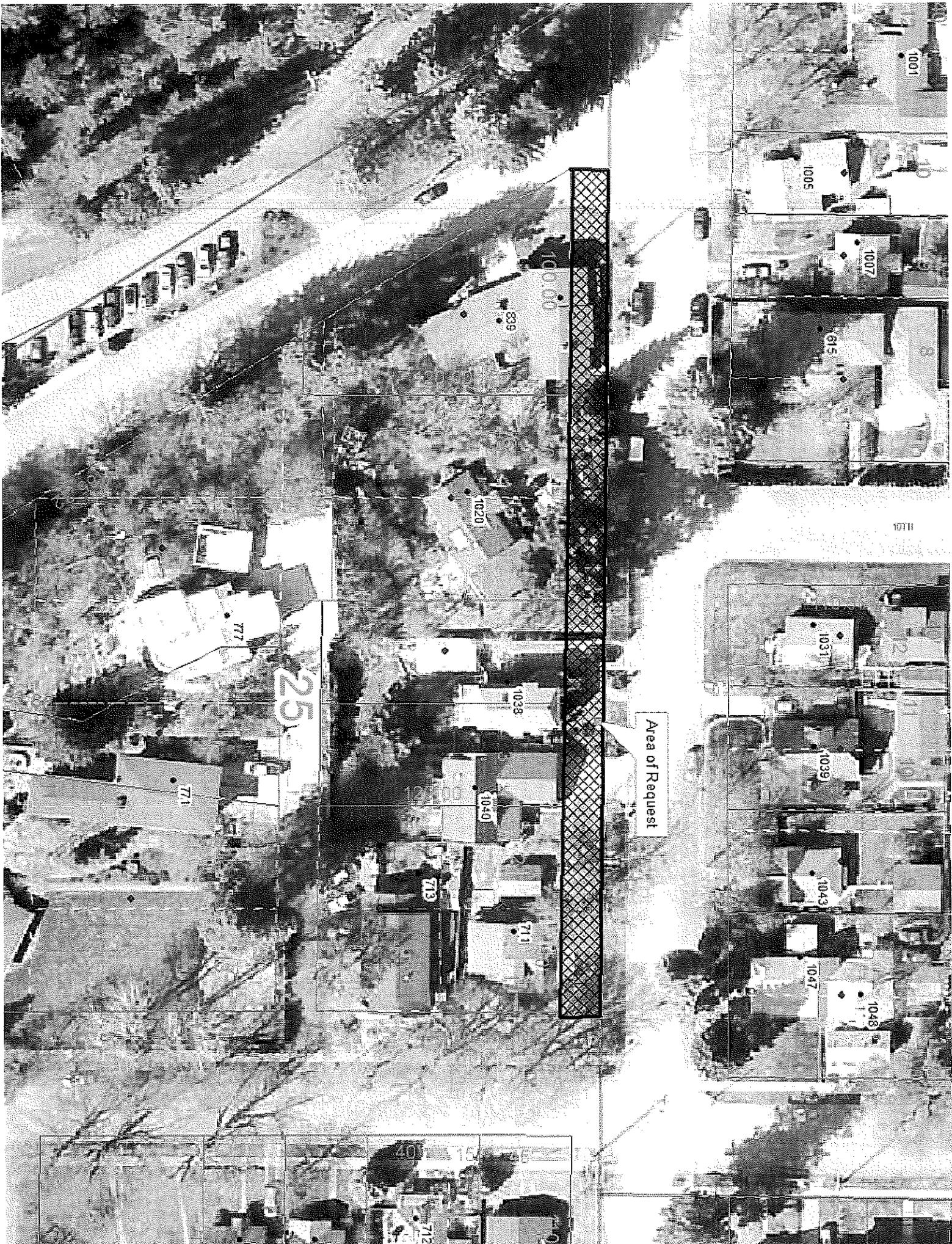
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				ODD-007-A	



P. (208) 691-2289  
 F. (208) 665-9511  
 P.O. BOX 322  
 Coconalla, Idaho

BY:	AB
DATE:	06-18-14
DWG:	EXHIBIT
PROJ:	12-059



DATE: JULY 9, 2014  
TO: MAYOR AND CITY COUNCIL  
FROM: PLANNING DEPARTMENT  
RE: SETTING OF PUBLIC HEARING DATE: AUGUST 19, 2014

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Mayor Widmyer,

The Planning Department has forwarded the following item to the City Council for scheduling of a public hearing. In keeping with state law and Council policy, the Council will set the date of the public hearing upon receipt of recommendation.

<u>ITEM NO.</u>	<u>REQUEST</u>	<u>COMMISSION ACTION</u>	<u>COMMENT</u>
A-4-14	Proposed annexation from County AS to City R-8 Applicant: Larry Fluet Revocable Trust Location: Between I-90 and Lake Villa on East side of city.	Approve	Quasi-Judicial
ZC-1-14	Proposed zone change from County AS to City R-3, R-8, R-17 zoning district Applicant: Larry Fluet Revocable Trust Location: Between I-90 and Lake Villa on East side of city.	Approve	Quasi-Judicial
ZC-2-14	Proposed zone change from R-17 to NC (Neighborhood Commercial) Applicant: David Rucker Location: 602 E. Garden	Approve	Quasi-Judicial

In order to satisfy the mandatory 15-day notice requirement, the next recommended hearing date will be **AUGUST 19, 2014.**

**PUBLIC WORKS COMMITTEE  
STAFF REPORT**

**DATE:** 07 July 2014  
**FROM:** Rob Stark-Water Department Service Division Supervisor  
**SUBJECT:** Request for us to read City of Dalton's Water meters on Government Way between Dalton Avenue and Hanley Avenue

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**SUMMARY:**

The City of Dalton Gardens (Dalton) has requested that Coeur d'Alene read the water meters on the east side of Government Way between Dalton Avenue and Hanley Avenue.

**HISTORY:**

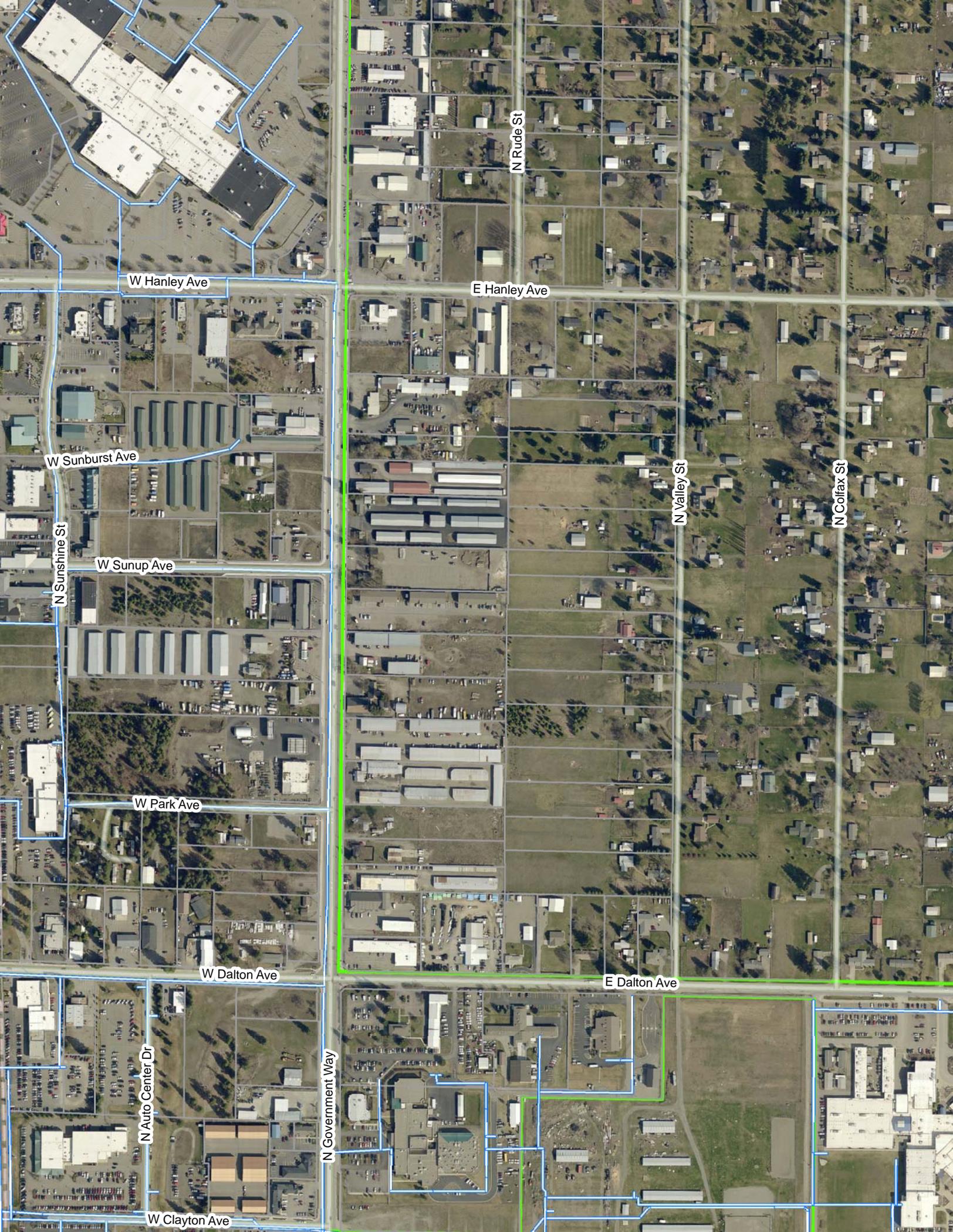
In 2012 Dalton entered into an agreement with the City of Coeur d'Alene to provide sewer service to properties on the east side of Government Way. The agreement stipulated that Dalton would provide monthly water meter readings so that Coeur d'Alene could accurately bill for sewer. The water is provided by the Dalton Water Company (Dalton Water) and they only read meters on a quarterly basis. Dalton has asked us to include these meters in our radio read system as an easy and efficient way to meet the requirement of providing monthly water meter readings.

**FINANCIAL ANALYSIS:**

The direct fiscal impact on the City would be limited. The costs associated with purchasing and installing the water meters will be paid by Dalton. They will also be responsible for on-going maintenance and replacement. Since we already read our water meters in that area, costs to read the extra water meters would be inconsequential.

**DECISION POINT/RECOMMENDATION:**

Staff requests conceptual approval for us to read the water meters on the East side of Government Way between Dalton Avenue and Hanley Avenue. If approved, City Legal staff will negotiate an MOU with Dalton and bring it forward at a future date for Council review and approval.



W Hanley Ave

E Hanley Ave

W Sunburst Ave

N Rude St

N Sunshine St

W Sunup Ave

N Valley St

N Colfax St

W Park Ave

W Dalton Ave

E Dalton Ave

N Auto Center Dr

N Government Way

W Clayton Ave

June 20, 2014

City of Coeur d'Alene  
Attn: Jim Markley, P.E.  
Water Department  
3800 N. Ramsey Rd.  
Coeur d'Alene, ID 83814

Via email and regular mail:

[JIMM@cdaid.org](mailto:JIMM@cdaid.org)

Re: Meter Reading on Government Way

Dear Jim:

The City of Dalton Gardens is now in a situation where we could use your assistance with reading the meters on Government Way for purposes of sewer billings. The City of Dalton Gardens will provide all of the items needed to make the meters compatible with the City of Coeur d'Alene radio reading equipment (MXU, Badger meters' Orion radio read system.)

The number of meters involved now is two and, once all of the properties have completed their hook up to the sewer system will be approximately 25 from Dalton to Hanley.

Could you please advise if the City of Coeur d'Alene can provide assistance with the reading of these meters. I will prepare an agreement or MOU in this regard for your legal staff's review. Please feel free to contact me or Marcia Wingfield at the City with any questions or concerns you may have regarding this request for assistance.

Very truly yours,

Kenneth T. Jacobsen

KTJ:mc

Cc: Marcia Wingfield by email

**CITY COUNCIL  
STAFF REPORT**

**DATE:** July 15, 2014  
**FROM:** Christopher H. Bates, Engineering Project Manager  
**SUBJECT:** Gary's Place Subdivision: Final Plat Approval



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**DECISION POINT**

Staff is requesting the following:

1. City Council approval of the final plat document.

**HISTORY**

- a. Applicant: Gary Schmidt, etal.  
13300 N. Ferndale Drive  
Hayden, ID 83835
- b. Location: South side of Emma Avenue, +/- 260' west of Government Way..
- c. Previous Action:
  1. Preliminary plat approval, Coeur d'Alene Planning Commission, January 2014.

**FINANCIAL ANALYSIS**

There are no financial issues or agreements with this development.

**PERFORMANCE ANALYSIS**

The infrastructure for the development was existing with the exception of utility service laterals to the newly created Lot 2. The required services have been installed and the installations have been accepted by the appropriate departments, thus the subdivision plat is now ready for recordation. Approval and recordation of the final plat document will allow for the sale of lots and the issuance of building permits.

**DECISION POINT RECOMMENDATION**

1. Approve the final plat document.





RESOLUTION NO. 14-028

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING S-1-14, LAKE FOREST WEST SUBDIVISION, FINAL PLAT, SUBDIVISION IMPROVEMENT AGREEMENT AND SECURITY WITH LAKE FOREST LLC, WITH DELBERT L. KERR, MEMBER.

WHEREAS, the Engineering Department of the City of Coeur d'Alene has recommended that the City of Coeur d'Alene enter into an Agreement to Perform Subdivision Work – Lake Forest West Subdivision, pursuant to terms and conditions set forth in an agreement, a copy of which is attached hereto as Exhibit "A" and by reference made a part hereof; and

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof to enter into such agreement; NOW, THEREFORE,

BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene that the City enter into an Agreement to Perform Subdivision Work – Lake Forest West Subdivision, in substantially the form attached hereto as Exhibit "A" and incorporated herein by reference with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said agreement to the extent the substantive provisions of the agreement remain intact.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk be and they are hereby authorized to execute such agreement on behalf of the City.

DATED this 15<sup>th</sup> day of July, 2014.

\_\_\_\_\_  
Steve Widmyer, Mayor

ATTEST:

\_\_\_\_\_  
Renata McLeod, City Clerk

Motion by \_\_\_\_\_, Seconded by \_\_\_\_\_, to adopt the foregoing resolution.

**ROLL CALL:**

COUNCIL MEMBER GOOKIN Voted \_\_\_\_\_

COUNCIL MEMBER MCEVERS Voted \_\_\_\_\_

COUNCIL MEMBER MILLER Voted \_\_\_\_\_

COUNCIL MEMBER EDINGER Voted \_\_\_\_\_

COUNCIL MEMBER EVANS Voted \_\_\_\_\_

COUNCIL MEMBER ADAMS Voted \_\_\_\_\_

**CITY COUNCIL  
STAFF REPORT**

**DATE:** July 15, 2014  
**FROM:** Christopher H. Bates, Engineering Project Manager   
**SUBJECT:** Lake Forest West: Final Plat, Subdivision Improvement Agreement & Security Approval

---

**DECISION POINT**

Staff is requesting the following:

1. City Council approval of the final plat document, a sixty-eight lot initial phase of a proposed 176 lot development.
2. City Council approval of the furnished subdivision improvement agreement and security.

**HISTORY**

- a. Applicant: Del Kerr  
Lake Forest, LLC  
8946 Heather Way  
Hayden, ID 83835
- b. Location: Between Ramsey Road and Windy Pines, north of Hanley Avenue, at the new extension of Canfield Avenue.
- c. Previous Action:
  1. Preliminary plat approval, CdA Planning Commission – January 2014.

**FINANCIAL ANALYSIS**

The developer is furnishing cash security in the amount of \$73,469.00 which covers the outstanding cost of the uninstalled infrastructure installations that are required for this development.

**PERFORMANCE ANALYSIS**

The developer has completed the necessary subdivision agreement and is bonding for the remaining outstanding infrastructure items in order to receive final plat approval. The installation of the agreement and security enables the developer to receive final plat approval and sell platted lots, however, occupancies will not be allowed until all infrastructure installation has been completed, and, the improvements accepted by the City. The developer has stated that all infrastructure installations will be complete by August 1, 2014.

**DECISION POINT RECOMMENDATION**

1. Approve the Subdivision Improvement Agreement and security.
2. Approve the final plat document.







AGREEMENT TO PERFORM SUBDIVISION WORK  
Lake Forest West Subdivision

THIS AGREEMENT made this \_\_\_\_ day of July, 2014 between Lake Forest, LLC, with Delbert L. Kerr, Member, whose address is Lake Forest, LLC, 8946 Heather Way, Hayden, ID, 83835, hereinafter referred to as the "**Developer**," and the city of Coeur d'Alene, a municipal corporation and political subdivision of the state of Idaho, whose address is City Hall, 710 E. Mullan Avenue, Coeur d'Alene, ID 83814, hereinafter referred to as the "**City**";

WHEREAS, the City has approved, subject to completion of the required improvements, the Lake Forest West subdivision, a sixty-eight (68) lot residential development in Coeur d'Alene, situated in the West ½ of the Southwest Quarter of Section 26, Township 51 North, Range 4 West, B.M., Kootenai County, Idaho; NOW, THEREFORE,

**IT IS AGREED AS FOLLOWS:**

The Developer agrees to complete the following public improvements: concrete sidewalk installation, pedestrian ramp installation, stormwater drainage facilities and appurtenances, signage and striping, and monumentation, as required under Title 16 of the Coeur d'Alene Municipal Code, on or before the 1<sup>st</sup> day of - August, 2014. Said improvements are more particularly described on the submitted estimate dated July 1, 2014 attached as Exhibit "A", and, shown on the civil engineering drawings titled "Lake Forest West – Phase I", dated April 25, 2014, signed and stamped by Drew Dittman, PE # 11138, whose address is Lake City Engineering, Inc., 3909 N Schreiber Way, Ste. 4, Coeur d'Alene, Idaho 83815, on file in the City of Coeur d'Alene Engineering Department's office and incorporated herein by reference.

The Developer, prior to recording the plat, shall deliver to the City, cash security in the amount Seventy Three Thousand Four Hundred Sixty Nine and 00/100 Dollars (**\$73,469.00**) which is the cost required for securing the obligation of the Developer to complete the subdivision improvements referred to herein. Should the Developer noted herein fail to complete the improvements within the time herein provided, the City may utilize the funds to complete or have the improvements completed. In the event the City completes the improvements as a result of the Developer's default, the Developer shall be responsible for any costs that exceed the installed security for the public improvements noted herein.

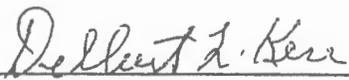
The Parties further agree that the City has utilized substantial staff time to prepare the agreement that will benefit the Developer's. The Parties further agree the City should be reimbursed a reasonable fee for its costs to prepare such agreement. The Parties further agree that such fee should be in the amount of Twenty Five and No/100 Dollars (\$25.00).

IN WITNESS WHEREOF, the parties have set their hands and seals the day and year first above written.

CITY OF COEUR D'ALENE

LAKE FOREST, LLC

\_\_\_\_\_  
Steve Widmyer, Mayor

  
\_\_\_\_\_  
Delbert L. Kerr, Member

ATTEST:

\_\_\_\_\_  
Renata McLeod, City Clerk

Lake Forest West - Phase 1

Performance Bond Estimate  
as of July 8, 2014

Scheduled completion: August 1, 2014

Description	Unit	Quantity	% Complete	Unit Price	Total Remaining
Swales	LS	1	75%	\$29,000.00	\$7,250.00
Sidewalk	SF	48,500	75%	\$3.00	\$36,375.00
ADA Ramps	EA	18	50%	\$750.00	\$6,750.00
Curb Drops	EA	99	0%	\$85.00	\$8,415.00
Signage & Striping	LS	1	0%	\$4,000.00	\$4,000.00
Property Monuments	EA	1	0%	\$2,500.00	\$2,500.00
Staking, Engineering, Etc.	LS	1	0%	\$1,500.00	\$1,500.00

Total: \$66,790.00  
 150% Bond Increase: \$6,679.00  
 Grand Total: \$73,469.00



# ANNOUNCEMENTS

OTHER COMMITTEE MINUTES  
(Requiring Council Action)

July 7, 2014  
**GENERAL SERVICES COMMITTEE**  
**MINUTES**  
**12:00 p.m., Library Community Room**

**COMMITTEE MEMBERS**

Council Member Ron Edinger, Chairperson ABSENT  
Council Member Steve Adams, acting Chair  
Council Member Amy Evans

**CITIZENS**

Mark Brown – Item 1  
Lora Whalen – Item 2  
Kim Young – Item 2

**STAFF**

Kathy Lewis, Deputy City Clerk  
Mike Gridley, City Attorney  
Troy Tymesen, Finance Director/Interim City Admin.  
Keith Erickson, Communications Coordinator  
Ron Clark, Interim Police Chief  
Juanita Knight, Senior Legal Assistant

**Item 1.           Request by mark Brown, Socially Geared CDA to amend Municipal Code pertaining to open container of alcohol.**

**(Agenda)**

Kathy Lewis said the City received a request from Mark Brown, owner of Socially Geared CDA to amend the City's open container law to allow beer and wine upon the non-motorized vehicle to be consumed in the passenger area. The 14 passenger pedal bike vehicle wherein the passengers pedal the bike, with one person (employee) driving the bike. This type of pedal bike has been utilized in Boise, Idaho for several years. Boise has agreed to allow "a bring your own beer and wine" option upon their pedal bikes for consumption in the passenger areas. Mr. Brown is asking the City for the same type of exception as Boise allows. The Coeur d'Alene Police Department has expressed concern regarding the general appearance of what looks like an "open container" and that the general public may think this is okay all over, not just on the cycle. Another law enforcement concern is how the Socially Geared employees will enforce keeping a customer on the cycle, as once the passenger steps off the cycle with the open container it would be a violation of the code, as well as the safety for the possibility of an intoxicated person on the cycle and disruptive behavior.

Mike Gridley said if the Council chooses to approve this they could model the Boise code as they have fairly strict licensing for this type of commercial vehicle. They also have an exception under the open container law for commercial transportation vehicles. Under state law it is not legal to have an open container in a vehicle unless it is a commercial vehicle. Mr. Gridley said he spoke with the Boise City Attorney earlier this year and they have expressed no problems with the Cycle Pubs.

Mark Brown said he contacted the Boise Police Department and they reported no negative experiences with the Cycle Pubs. He also contacted Nicole Harvey at the Idaho Alcohol Beverage Control who referred him back to local ordinances. Mr. Blunt, Boise Assistant City Attorney, gave a list of laws about how they handle the situation there in Boise. He also expressed no serious issue with the Cycle Pubs. Mr. Brown noted to reasons for this request (1) to get older passengers that are more into the scenic touring. One of the routes is a long-uphill drive and people would like to have a drink to enjoy the ride, (2) for fund raising opportunities for other businesses. Mr. Brown believes the City could work around most issues they may have by mimicking the Boise business model. Mr. Brown went into further detail of how the use of alcohol would be controlled on the bike.

Council Member Evans said that most wine is served in glass containers and asked Mr. Brown how he would handle serving of wine on the bike. Mr. Brown said he would have plastic cups available for the patrons to dispense the wine and the bottle would be disposed of.

Council Member Evans asked Mr. Gridley if the Coeur d'Alene City code allows open containers of alcohol in a limousine. Mr. Gridley said no, open container of alcohol is prohibited in any motor vehicles, moving or stationary. Under state law you can possess and open container as a passenger in a commercial vehicle or a passenger in an RV in the living portion of the vehicle.

Chief Clark said voiced concern that people will observe patrons drinking on the Cycle Pub and will think it is okay to do so on their own bike. He questioned if this is the image we want for Coeur d'Alene. Is this something we want in the terms of perception, in the sense of the drinking aspect and/or the belief that it's okay.

Council Member Adams questioned whether an open container ordinance is even necessary and suggested it may be time to modify it or repeal it. He noted in his two-plus years on the council, the city has become more lenient regarding alcohol consumption. With a permit, it is now legal to consume alcohol in designated areas at Riverstone Park, City Park and McEuen Park. Alcohol is also permitted at the city-operated Jewett House. His belief is that it was crafted back in a day when there was a different culture. The culture of Coeur d'Alene today is more mature and more responsible. Post Falls has never had an open container law and he has no knowledge of any drunken riots that have happened there. Our open container laws are becoming patch-work and people are going to be confused.

Mr. Brown said Councilmember Adams makes a good point and asked staff since if since they adopted the exceptions to the open container laws in public areas, have they seen any increase in alcohol related problems in those areas. Councilmember Adams said he does not believe so. Chief Clark said he does not believe so. Mrs. Lewis said the areas they are allowing alcohol are contained areas with security and minors are not allowed in those areas.

Mr. Gridley said Council has previously expressed concern with the open container laws and maybe it is best to go forward with this so that discussion can happen.

**MOTION: by Councilmember Evans, seconded by Councilmember Adams, to recommend that Council direct staff to amend the Municipal Code to allow for open container exceptions upon the pedal bike(s) (non-motorized vehicles in the passenger area while operating within the City Limits.**

**Item 2.           Adoption of the “Let’s Move!” initiative with Panhandle Health District.**  
**(Agenda)**

Troy Tymesen introduced Kim Young, Masters Prepared Dietitian with Panhandle Health District, and Lora Whalen Director of Panhandle Health. Mr. Tymesen explained in his staff report that Panhandle Health District has requested the City of Coeur d'Alene adopt the “Let’s Move” initiation as a pilot project. This initiative began as a fight against childhood obesity. The National League of Cities has also adopted this initiative and provides several levels of award based on meeting certain benchmarks and initiatives set forward by the City and Panhandle Health District. It is the desire to increase the awareness of health and fitness to the community at large while specifically working with the local School District. The City could specifically assist with public service announcements on CDATV, promoting healthy choices a leased concession stands, and mapping areas that promote physical activity such as parks and trails.

Ms. Whalen said the vision of the Health District is “Healthy People and Healthy Communities” and this particular initiative fits it to a tee. It is a bit of ‘healthy competition’, if you will, with other cities in Idaho as well as nationally. The National League of Cities has over 400 cities striving for these awards. Boise has just recently moved up to No. 5 nationally in achieving the different awards.

Ms. Young went into greater detail of what the LMCTC initiative is, including the following five goals:

1. Start Early, Start Smart: Provide children in early care and education settings with a healthy start.
2. My Plate, Your Place: Display MyPlate in city and county owned venues that serve food.
3. Smart Servings for Students: Increase participation in school breakfast and lunch programs.
4. Model Food Service: Adopt healthy food service guidelines at city and county owned venues that serve food.
5. Active Kids at Play: Take steps to promote physical activity.

Mr. Tymesen said staff has looked at this and will bring a Power Point to the full City Council adding that it creates great benefits and doesn't cost anything.

Council Member Evans thanked Ms. Young and Ms. Whalen for their efforts and time spent on this initiative noting anything we can do to model healthy choices and build a healthy community is fabulous.

Council Member Adams believes this falls outside of what the proper role of government is so he will be voting no on this.

**MOTION: by Councilmember Evans to move this item forward to the full City Council without a recommendation from the General Services committee.**

The meeting adjourned at 12:37 p.m.

Respectfully submitted,

*Juanita Knight*  
Recording Secretary

**GENERAL SERVICES COMMITTEE  
STAFF REPORT**

**DATE: JULY 7, 2014**  
**FROM: RENATA MCLEOD, CITY CLERK**  
**SUBJECT: REQUEST TO AMEND MUNICIPAL CODE SECTIONS 4.25.030 AND/OR  
5.08.160 - ALLOWING OPEN CONTAINER OF ALCOHOL UPON THE  
SOCIALY GEARED PEDAL BIKE IN THE PASSENGER AREA.**

=====

**DECISION POINT:**

- Option 1: Direct staff to amend the Municipal Code to allow for open container exceptions upon “recreational transit vehicles” such as the pedal bike (non-motorized vehicles) in the passenger area while operating within the City limits by a regulated permit; or
- Option 2: Direct staff to amend the Municipal Code by adding an exception that alcohol and an open container is allowed on City property for the cycle pub; or
- Option 3: Make no changes to the Municipal Code.

**HISTORY:**

In April 2013 the City Council authorized the Cycle Pub, currently named Socially Geared, to operate a non-motorized vehicle on City streets within the city limits. On June 20, 2014 the City received a request from Mark Brown, owner of Socially Geared CDA to amend the city’s open container law to allow beer and wine to be consumed in the passenger area of the “cycle pub”. This is a 14 passenger pedal bike vehicle that the passengers pedal and one person (employee) steers. This type of pedal bike has been utilized in Boise for several years. Boise has agreed to allow a “bring your own beer and wine” option upon their pedal bikes for consumption in the passenger areas with a conditional permit. Mr. Brown is asking the City for the patrons to be allowed to bring and consume their own alcohol on the bike and also stop at breweries and purchase beer and wine that would be consumed on the bike. The City is currently working on licensing public transportation that includes a category called “recreational transit operator” which does not include taxis. The “cycle pub” would fall under that description which is enclosed.

Option 1: Create a permit for “recreational transit operator” to allow patrons to bring alcohol on board the pedal bike, the horse drawn carriage , etc. and consume on board (open container) under strict regulations that could lead to permit revocation through graduated enforcement procedures

**Police concerns:**

- It would create the appearance that “open container” applies city wide creating major enforcement problems.
- Other operators may not have the same ethics and controls as Mr. Brown.
- Access for minors to alcohol if on board a vehicle where no barriers are in place
- Operator enforcement of consumption and bringing the alcohol on the vehicle
- Operator of vehicle may be under 21
- Glass containers that can be thrown or dropped

Option 2: Add another exception to the ordinance for consumption of beer and wine on City property for the “cycle pub”. Current exceptions include: Riverstone, City Park, McEuen Park and the Jewett House by permit.

Police concerns:

- The park venues must have a roped off areas with no one under 21 allowed
- Access to minors
- Enforcement by the driver to keep the alcohol on the “cycle pub”
- Bike parked at a downtown location in front of a bar where bar patrons view as legal “open container” and they leave the bar restricted areas requiring more enforcement
- Upset bar owners who pay for outdoor seating when the bike can pull up and patrons sit outside on bike and drink their own beer and wine that they brought with them
- Safety of an intoxicated person on the bike, noise and disruptive behavior

Option 3: Leave the current open container ordinances in place and not allow consumption on the bike.

Police recommendation: Leave current codes in place as current practices are working.

**FINANCIAL ANALYSIS:** There is no additional permit that would be required at this time. If a permit is required, there would be additional staff time to draft the proposed ordinance and procedures for issuance and enforcement of the permits. The permit fee could cover the cost of issuance and enforcement once the ordinance has been adopted. If alcohol is allowed, more enforcement costs are predicted.

**PERFORMANCE ANALYSIS:** If City Council recommends staff move forward with:

Option 1: It will open the door to other types of uses, such as surrey cycles, pub crawler buses, carriage rides etc. requesting the same exemption.

Option 2: Staff could amend the code to create an open container specific to this one type of use. There may be resistance from local alcohol retailers if parked outside their business.

Option 3: No changes

**DECISION POINT/RECOMMENDATION:**

- Option 1. Direct staff to amend the Municipal Code to allow for open container on City property by permit for a recreational transit operator while operating within the City limits.
- Option 2. Add the pedal bike as an additional exception for alcohol consumption on City property.
- Option 3. Leave the existing code in place and not allow open container exceptions.

*Note: Draft Definition: Recreational Transit Operator: Any company providing transport such as pedi-cabs, crawlers, surrey cycles, horse drawn carriages or any other like non-motorized devices operating a commercial business that may be used to transport persons. The transport may or may not cater to tourists or citizens but operates upon any public right of way including trails within the City limits.*

#### **4.25.030: BEER, WINE AND LIQUOR PROHIBITIONS ON PUBLIC PROPERTY:**

A. No person shall possess any container, whether open or not, containing any beer, wine or other alcoholic beverage on any city owned, leased or maintained beach, natural area, park, playground or play field.

B. The provisions of this section do not prohibit the city from issuing permits for the possession and consumption of beer, wine or other alcoholic beverages at the following locations:

1. Riverstone Park gazebo and amphitheater;
2. Jewett House;
3. City Park;
4. McEuen Park. (Ord. 3465, 2013)

#### **5.08.160: BEER, WINE OR LIQUOR PROHIBITIONS WITHIN THE CITY; EXCEPTIONS:**

A. No person shall consume any beer, wine or other alcoholic beverage or possess an open container of or containing any beer, wine or other alcoholic beverage on any public property, including public streets and alleys, within the city, or at any other place in the city, including any motor vehicle moving or stationary, with the following exceptions:

1. The premises of a private residence;
2. Premises licensed for the sale of on site consumption of the particular type of alcoholic beverage involved;
3. A certified forensic laboratory when the alcoholic beverage is possessed for evidentiary purposes and/or for testing and research purposes;
4. A public law enforcement facility possessing alcoholic beverages for evidentiary purposes or for training purposes;
5. Within the indoor premises of a private business when served free of charge to customers or patrons of the business in conjunction with a specific event then taking place inside the business premises;
6. On a public sidewalk and/or other public right of way when such sidewalk or right of way is contiguous to a permitted outdoor eating facility, but only after issuance of and pursuant to the terms of a permit authorized by the city council. Criteria that must be met for a permit to issue shall be set forth by resolution of the city council.
7. Within the indoor premises of the Coeur d'Alene Public Library when served free of charge to patrons or event attendees in conjunction with a specific event hosted by the Coeur d'Alene Public Library Foundation, the Friends Of The Coeur d'Alene Public Library or other associated library organizations, pursuant to rules and policies adopted by the Coeur d'Alene library board of trustees for such events.
8. As otherwise permitted by this code.

B. Furthermore, no person shall possess any container, whether open or not, of or containing any beer, wine or other alcoholic beverage on public property, except at those public locations and under those conditions as set out in subsection A of this section or as otherwise permitted by this code. (Ord. 3443, 2012)

**GENERAL SERVICES COMMITTEE  
STAFF REPORT**

**DATE:** JULY 7, 2014  
**FROM:** TROY TYMESEN, INTERIM CITY ADMINISTRATOR  
**SUBJECT:** ADOPTION OF THE “LET’S MOVE” INITIATIVE WITH PANHANDLE HEALTH DISTRICT.

=====

**DECISION POINT:**

- To approve the agreement with Panhandle Health District to support the “Let’s Move” initiative.

**HISTORY:**

Panhandle Health District has requested the City of Coeur d’Alene adopt the “Let’s Move” initiation as a pilot project. This initiative began as a fight against childhood obesity. The National League of Cities has also adopted this initiative and provides several levels of award based on meeting certain benchmarks and initiatives set forward by the City and Panhandle Health District. It is the desire to increase the awareness of health and fitness to the community at large while specifically working with the local School District. The City could specifically assist with public service announcements on CDATV, promoting healthy choices a leased concession stands, and mapping areas that promote physical activity such as parks and trails.

**FINANCIAL ANALYSIS:** There are no expected costs associated with this request.

**PERFORMANCE ANALYSIS:** The City of Coeur d’Alene could receive national recognition for this effort and would be involved in a movement to promote a healthy community.

**DECISION POINT/RECOMMENDATION:**

- To approve the agreement with Panhandle Health District to support the “Let’s Move” initiative.



## JOIN **LET'S MOVE!** TO BUILD A HEALTHY COMMUNITY AND RECEIVE NATIONAL RECOGNITION FOR YOUR EFFORTS

*Let's Move!* Cities, Towns and Counties (LMCTC) is part of First Lady Michelle Obama's comprehensive *Let's Move!* initiative, which is dedicated to reversing the childhood obesity epidemic within a generation. With funding from the Robert Wood Johnson Foundation, the National League of Cities (NLC) is providing technical assistance and tools to local elected officials who are participating in LMCTC and striving to build healthy communities.



### HOW DOES IT WORK?

LMCTC helps local elected officials develop long-term, sustainable, and holistic strategies that promote improved nutrition and increased physical activity in their communities.

LMCTC unifies the efforts of cities, towns and counties across the country in pursuing **five measurable and achievable goals**, which were developed with input from local elected officials:

- I. Start Early, Start Smart:** Provide children in early care and education settings with a healthy start.
- II. MyPlate, Your Place:** Display MyPlate in city- and county-owned venues that serve food.
- III. Smart Servings for Students:** Increase participation in school breakfast and lunch programs.
- IV. Model Food Service:** Adopt healthy food service guidelines at city- and county-owned venues that serve food.
- V. Active Kids at Play:** Take steps to promote physical activity.

### BE RECOGNIZED!

Participating communities are awarded bronze, silver, and gold medals for achieving specific benchmarks pertaining to each goal. Local elected officials from these communities are able to showcase their accomplishments and learn about the progress their peers make by visiting the initiative's website.

### CITIES PARTICIPATING IN LMCTC BENEFIT BY:

- Receiving national recognition when they achieve LMCTC goals, including opportunities to be recognized by the First Lady
- Gaining access to technical assistance from experts across the federal government and nonprofit sector
- Having a variety of opportunities to learn what works at the local level
- Sharing success stories and discussing challenges with peers in other communities
- Participating in a national movement to build healthy communities for a healthy future

NLC is working in partnership with the U.S. Department of Health and Human Services, and with the support of the U.S. Department of Agriculture, the National Association of Counties and other nonprofit organizations, to assist local elected officials who join LMCTC as they implement policy and environmental changes to prevent childhood obesity.



Learn more about *Let's Move! Cities, Towns and Counties* by visiting: [www.HealthyCommunitiesHealthyFuture.org](http://www.HealthyCommunitiesHealthyFuture.org)

If you are interested in participating in LMCTC, please sign up at [www.lmctc.org/survey/signup](http://www.lmctc.org/survey/signup) or complete and return this form.

## Let's Move! Cities, Towns and Counties Participation Form

Name of City or County: \_\_\_\_\_

State: \_\_\_\_\_

Name, title, and contact information for the **local elected official** leading the *Let's Move!* efforts.

Name:	
Title:	
Email:	
Telephone:	

If you have a **lead person** who will coordinate your community's *Let's Move!* activities and be responsible for reporting periodic progress, please enter this information below.

Name:	
Title:	
Email:	
Telephone:	

- I am willing to commit to the 5 goals of *Let's Move!* Cities, Towns, and Counties and do what I can to reduce childhood obesity in my community.
- I affirm I am completing this form as the *Let's Move!* local elected official, or because my *Let's Move!* local elected official has empowered me to do so on his/her behalf.

Questions: Please contact [lmctc@nlc.org](mailto:lmctc@nlc.org) or call Elena Hoffnagle at (202) 626-3012.

**Submit this form to Elena Hoffnagle: 202.626.3117 (fax) or [lmctc@nlc.org](mailto:lmctc@nlc.org) (email)**



**July 7, 2014**  
**PUBLIC WORKS COMMITTEE**  
**MINUTES**  
**4:00 p.m., Library Community Room**

**COMMITTEE MEMBERS PRESENT**

Council Member Dan Gookin  
Council Member Woody McEvers

**STAFF PRESENT**

Amy Ferguson, Executive Assistant  
Chris Bates, Eng. Proj. Mgr.  
Mike Gridley, City Attorney  
Troy Tymesen, Interim City Administrator  
Rob Stark, Water Dept. Service Div. Super.  
Terry Pickel, Asst. Water Supt.  
Don Keil, Asst. WW Supt.

**Item 1            Request for Vacation of a 10 Foot Strip of Right of Way, Adjoining Mountain Avenue, from the Lake Shore Addition Plan**  
**Consent Calendar**

Christopher Bates, Engineering Project Manager, presented a request from Ted Warne, et al., applicants, owners of the northerly tier of lots in Block 25 of the Lake Shore Addition, to vacate a ten foot strip of right-of-way that was dedicated on the Lake Shore Addition plat in 1907.

Mr. Bates stated in his staff report that the plat of the Lake Shore Addition to Coeur d'Alene was recorded in April 1907. The area to the north of the noted Block 25 of the platted area was previously platted in 1900 into the Amended Plan of the City of Coeur d'Alene. At the time of platting, a ten foot strip was dedicated along the northerly boundary of Block 25, the exact purpose being unknown, but presumably either as an alley or additional right of way width. The uncertainty of its purpose is due to the fact that the plat to the north, the Amended Plan of the City of Coeur d'Alene, had previously dedicated sixty feet of right-of-way along that common boundary of the two plats, and that sixty foot right-of-way is shown as Mountain Avenue. The result of the two plat dedications is that seventy feet of right-of-way existed for Mountain Avenue. Over time, as the area developed, the Mountain Avenue roadway was constructed, and it was constructed in the sixty feet of right-of-way that was dedicated on the adjoining plat to the north. The ten feet that was dedicated on the Lake Shore Addition plat eventually became encroached upon by residential improvements of the adjoining lots. Vacation of the ten foot strip adjoining the northerly boundary of Block 25 in the Lake Shore Addition would add approximately 4,100 square feet to the County tax role. Although a minor amount, it would be a benefit to the municipality as tax revenue, and, to the residents whose lots adjoin the strip as usable property.

Mr. Bates noted that the five neighbors affected on the block by the request have agreed to the vacation.

**MOTION: Motion by Gookin, seconded by McEvers, to recommend Council authorize staff to proceed with the vacation process as outlined in Idaho Code Section 50-1306, and to recommend to the City Council the setting of a public hearing for August 5, 2014. Motion carried.**

**Item 2            Robot Regulation**  
**Agenda Item**

Mike Gridley, City Attorney, presented a request from Nick Smoot, CEO and founder of "Here on Biz," that City Council adopt an ordinance to promote and regulate the use of robots in Coeur d'Alene. He noted in his staff report that Mr. Smoot is one of the leaders of a group of creative and innovative citizens

who are meeting regularly to share ideas and discuss how technology can be used to solve problems and have fun while creating new job and start-up opportunities in Coeur d'Alene. Mr. Smoot believes that by adopting an ordinance promoting and regulating robots, Coeur d'Alene will distinguish itself as a leader in the field of robotics while regulating them in a manner that addresses any potential problems. A robot ordinance could regulate the use of public property; i.e., streets, sidewalks, parks, etc. by robots. Cost to the city would be staff time in developing and finalizing an appropriate ordinance, in addition to a minimal amount of time for licensing. Enforcement activities are anticipated to be minimal at the present time.

Mr. Gridley said that while there may be some additions and changes to the ordinance, they felt it was time to bring it forward for discussion now. The ordinance would primarily regulate robots operating on public property. There are also some rules included about robots not causing harm to human beings or property, etc. The ordinance does not address drones. Mr. Gridley said that the purpose of the ordinance is to recognize that robots are becoming a reality and there may be some benefit in regulating them.

Councilmember McEvers asked if this was the same proposal that was presented previously. Mr. Gridley said that they have defined what a robot is and what it isn't; specifically, a robot is a self-powered programmable mechanical device capable of operating autonomously or via remote control. They also added a clause about robots not photographing or recording human beings on private property without express consent.

Councilmember Gookin said that he thinks the ordinance is generic enough, but also covers a lot of specifics and is a great foundation ordinance. Mr. Nick Smoot said that the ordinance shows that Coeur d'Alene is ahead of the game as a city by having a policy that addresses these things.

Councilmember McEvers said that he would like to bring the ordinance forward to the council and asked Mr. Smoot to attend the next council meeting. Mr. Gridley said that at the next meeting they would probably need to have some discussion regarding licensing and setting a license fee via resolution.

**MOTION: NO MOTION. Staff will bring the item forward at the next council meeting.**

**Item 3            Request for City of Coeur d'Alene to Read City of Dalton's Water Meters on Government Way Between Dalton Avenue and Hanley Avenue  
Consent Calendar**

Rob Stark, Water Department Service Division Supervisor, presented a request from the City of Dalton Gardens that Coeur d'Alene read the water meters on the east side of Government Way between Dalton Avenue and Hanley Avenue. Mr. Stark explained in his staff report that in 2012 the City of Dalton Gardens entered into an agreement with the City of Coeur d'Alene to provide sewer service to properties on the east side of Government Way. The agreement stipulated that Dalton would provide monthly water meter readings so that Coeur d'Alene could accurately bill for sewer. The water is provided by the Dalton Water Company and they only read meters on a quarterly basis. Dalton has asked the City of Coeur d'Alene to include the meters in its radio read system as an easy and efficient way to meet the requirements of providing monthly water meter readings. The direct fiscal impact on the City of Coeur d'Alene would be limited. The costs associated with purchasing and installing the water meters will be paid by Dalton. Dalton will also be responsible for ongoing maintenance and replacement. Since the City of Coeur d'Alene already reads its water meters in that area, costs to read the extra water meters would be inconsequential.

Mr. Stark confirmed that the meter readings would be accomplished by "driving by" the meters, and that the reads are automatic and computerized and the data would be used to calculate the bills and the

information provided to the city of Dalton. The city of Dalton would pay for the upgrade and purchase of the meters when the service owner connects to the system. Mr. Keil commented that right now, they only have two commercial properties on the sewer right now, out of 34 total properties which will eventually come on line.

**MOTION: Motion by Gookin, seconded by McEvers, to recommend that Council direct staff to negotiate a Memorandum of Understanding with the city of Dalton Gardens for the purpose of the city of Coeur d'Alene reading the water meters on the east side of Government Way between Dalton Avenue and Hanley Avenue, and to bring it forward at a future date for council review and approval. Motion carried.**

**Item 4           Public Transit Funding Agreement  
Agenda Item**

Troy Tymesen, Finance Director, presented a request for Council approval of a Letter of Agreement for Public Transportation for the City's portion of the public transportation within the urbanized area of Kootenai County, also called the Kootenai County Transit System.

Mr. Tymesen noted in his staff report that the 2000 census designated the cities of Coeur d'Alene, Post Falls, Hayden, Huetter and Dalton Gardens, as an urbanized area within Kootenai County. The transit service in the urbanized area of the county is a cooperative effort between the cities, the County, the Coeur d'Alene Tribe, Kootenai Health, the Post Falls Highway District, and the Kootenai Metropolitan Planning Organization. The City is being asked to fund \$43,983, the same amount as last year. The current rolling 12 month annual cost is \$717,389. Funding covers operations, maintenance, vehicle procurements, and administration of the system. The funding of the requested \$43,983 is just 6% of the total public transportation budget for the urbanized area. The City also provides the service of the Specialized Needs Recreation Van that was acquired with grant funds.

Mr. Tymesen said that last year there were over 186,000 passenger trips in the urbanized area and the volume continues to grow. There is no cost for this service.

Councilmember Gookin said that he does hear a lot from people who complain about Citylink and the crime that they associate with it. He does like the paratransit system and, based on that, he is in favor of keeping the transit system. He also acknowledged that Citylink has been very responsive to business owners who have had issues regarding where the stops are located.

**MOTION: Motion by Gookin , seconded by McEvers , to recommend that Council approve Resolution No. 14-029 approving the agreement and funding for the city's portion of the public transportation within the urbanized area of Kootenai County, also called the Kootenai County Transit System, in the amount of \$43,983.00. Motion carried.**

The meeting adjourned at 4:35 p.m.

Respectfully submitted,

Amy C. Ferguson  
Public Works Committee Liaison

**PUBLIC WORKS COMMITTEE  
STAFF REPORT**

**DATE:** July 1, 2014  
**FROM:** Mike Gridley – City Attorney  
**SUBJECT:** Robot regulation

=====

**DECISION POINT:**

CDA resident Nick Smoot, CEO and founder of “Here on Biz”, has approached staff with the request that City Council adopt an ordinance to promote and regulate the use of robots in CDA. Staff brings a draft ordinance to the committee for guidance on how to go forward with this request.

**HISTORY:**

CDA and surrounding schools have been very successful in robot development and competition. Mr. Smoot is one of the leaders of a group of creative and innovative citizens who are meeting regularly to share ideas and discuss how technology can be used to solve problems and have fun while creating new job and start-up opportunities in CDA. Mr. Smoot believes that by adopting an ordinance promoting and regulating robots, CDA will distinguish itself as a leader in the field of robotics while regulating them in a manner that addresses any potential problems.

**FINANCIAL ANALYSIS:**

Cost to the city would be staff time in developing and finalizing an appropriate ordinance, in addition to a minimal amount of time for licensing. Enforcement activities are anticipated to be minimal at the present time.

Mr. Smoot believes that a robot ordinance will promote and encourage technology that could bring many intangible financial benefits for the community. This may lead to tangible benefits in the form of new companies and jobs in CDA and the surrounding area. One idea that Mr. Smoot has suggested is that this type of ordinance may help CDA develop a relationship with entities like MIT or Google as "sister cities" for robotics and that we would have signage showcasing our relationship upon entering the city limits.

**PERFORMANCE ANALYSIS:**

A robot ordinance could regulate the use of public property, i.e. streets, sidewalks, parks, etc. by robots. A draft of a proposed ordinance is attached.

**DECISION POINT/RECOMMENDATION:**

Should city staff proceed with finalizing an ordinance promoting and regulating robots in CDA for adoption by city council??

ORDINANCE NO. \_\_\_\_\_  
COUNCIL BILL NO. 14-1012

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADDING TO TITLE \_\_\_\_\_, A NEW CHAPTER \_\_\_\_\_, ENTITLED ROBOT REGULATIONS; PROVIDING REPEAL OF CONFLICTING ORDINANCES; PROVIDING SEVERABILITY; PROVIDING THE PUBLICATION OF A SUMMARY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said amendments be adopted; NOW, THEREFORE,

BE IT ORDAINED, by the Mayor and City Council of the City of Coeur d'Alene:

**SECTION 1.** *That a new Chapter \_\_\_\_\_, entitled Robot Regulations, is hereby added to the Coeur d'Alene Municipal Code as follows:*

**AUTHORITY:**

**PURPOSE AND APPLICABILITY:** The purpose of this ordinance is to regulate the use of public property and all areas and properties accessible to the general public by robots while promoting robots as an aid to human beings.

**DEFINITIONS:** Words in this title used in the present tense include the future; the plural includes the singular; the words "must", "shall" and "will" indicate a mandatory requirement while the word "may" indicates that discretion may be used; and the words "used" or "occupied" shall be considered to be followed by the words "or intended, arranged, or designed to be used or occupied".

Unless the context indicates otherwise, the following terms, used in this title, have the following meanings:

- A. ROBOT is a self-powered, programmable, mechanical device capable of operating autonomously or via remote control.

**PROHIBITED ACTS:**

1. A robot must not harm human beings, other living creature or property, or, by inaction, allow human beings, other living creatures or property to come to harm.
2. A robot must not injure a human being, other living creature or property, or, through inaction, allow a human being, other living creature or property to come to harm.
3. A robot must not carry weapons, attack living creatures or cause damage to personal or real property.
4. Humans may not intentionally interfere with or harm a robot unless the robot poses a

reasonable threat of causing harm to any living creature or damage to personal or real property.

5. Robots may not photograph or record, in any manner, any human being on private property or any private property without the express consent of the human being(s) or the owner(s) of the property.

**ALLOWED ACTS:**

1. Robots are allowed to transport themselves and conduct themselves as any other law-abiding citizen on public property.
2. Robots are allowed to “wait” or park in designated robot parking stalls.

**EXCEPTIONS:**

Notwithstanding any other provision herein, this ordinance shall not apply to robots operated by authorized law enforcement agencies operating within the course and scope of their authorization.

**LICENSING:**

1. All robots weighing one hundred pounds (43.36 Kg) or more or any robot operating on public property must be licensed with the city of Coeur d’Alene City Clerk and a license fee paid. The license fee shall be set by City Council by resolution.

**LICENSING:**

1. All robots weighing one hundred pounds (43.36 Kg) or more or any robot operating on public property must be licensed with the city of Coeur d’Alene City Clerk and a license fee paid. The license fee shall be set by City Council by resolution.

**OWNER/OPERATOR RESPONSIBILITIES:**

1. Robots operating on public property must obey all laws that citizens are required to obey and shall have no special privileges not held by citizens.

**PENALTIES:** The violation of any provision of this ordinance shall be an infraction resulting in a civil penalty as set by City Council by resolution.

**SECTION** . All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION** . Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to the effective date of this ordinance or be construed as a waiver of any license or penalty due under any such ordinance or in any manner affect the validity of any action heretofore taken by the City of Coeur

d'Alene City Council or the validity of any such action to be taken upon matters pending before the City Council on the effective date of this ordinance.

**SECTION** . The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

**SECTION** . After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

*Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on , 2014.*

APPROVED, ADOPTED and SIGNED this            day of            , 2014.

\_\_\_\_\_  
Steve Widmyer, Mayor

ATTEST:

\_\_\_\_\_  
Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. \_\_\_\_\_

Insert brief description

Insert Title ; PROVIDING REPEAL OF CONFLICTING ORDINANCES; PROVIDING SEVERABILITY. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. \_\_\_\_\_ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

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Renata McLeod, City Clerk

**STATEMENT OF LEGAL ADVISOR**

I, Michael C. Gridley, am the City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. \_\_\_\_\_, Insert Brief Description, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this        day of        , 2014.

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Michael C. Gridley, City Attorney

DRAFT

## Staff Report

Date: July 7, 2014  
From: Troy Tymesen, Finance Director  
Subject: Letter of Agreement for Public Transportation, annual renewal of CityLink

### Decision Point:

To approve the agreement and funding for the City's portion of the public transportation within the urbanized area of Kootenai County, also called the Kootenai County Transit System.

### History:

The 2000 census designated the cities of Coeur d'Alene, Post Falls, Hayden, Huetter and Dalton Gardens, as an urbanized area within Kootenai County. The transit service in the urbanized area of the County is a cooperative effort between the cities, the County, the Coeur d' Alene Tribe, Kootenai Health, the Post Falls Highway District and the Kootenai Metropolitan Planning Organization. The 2010 population of Kootenai County based on the US Census data was 138,494. Approximately 98,378 residents are within the Kootenai county urban transit service area of 47 square miles. The fiscal year has been changed for this Agreement so that it aligns with the City's fiscal year, Octobers 2013 through September 2014. The City Council approved this agreement last year.

### Financial Analysis:

The City is being asked to fund \$43,983, the same amount as last year. The proposed expenditure is included in the current financial plan, under the Engineering Department General Ledger # 001-020-4322-4810, page 25 of the City's financial plan. The City's portion is based on its population within the urbanized area. This money is being used as a match for funds from the Federal Transit Administration (FTA) Section 5307 funds. The current rolling 12 month annual cost is \$717,389. Funding covers operations, maintenance, vehicle procurements, and administration of the system

### Performance Analysis:

The funding of the requested \$43,983.00 is just 6.0% of the total public transportation budget. The City also provides the service of the Specialized Needs Recreation Van that was acquired with grant funds.

### Quality of Life Analysis:

The CityLink fixed route service provides 3 routes within the urbanized area and facilitated over 400,000 passenger trips last year. The tribe also operates a rural service making transit service possible from Tensed to Hayden or to the Stateline area. Kootenai Health provides paratransit service for medical trips providing approximately 18,873 trips. Kootenai County contracts a private transit service contractor to provide service under the Americans with Disabilities Act (ADA). This service provides door to door service for qualified disabled individuals, service start-up was August of 2011. Last year Citylink Paratransit provided in excess of 12,685 passenger trips.

### Decision Point/Recommendation:

To approve the agreement and funding for the City's portion of the public transportation within the urbanized area of Kootenai County, also called the Kootenai County Transit System.

# KOOTENAI COUNTY BOARD OF COMMISSIONERS

STATE OF IDAHO  
COEUR D'ALENE

CHRISTINE FUESTON, FTA GRANT  
ADMINISTRATOR



451 N Government Way 3<sup>rd</sup> Floor  
P O Box 9000  
Coeur d'Alene, ID 83816-9000  
Ph: (208) 446-1616 Fax: (208) 446-2178  
Email: cfueston@kcgov.us

June 16, 2014

Mayor Steve Widmyer  
City of Coeur d'Alene  
710 E. Mullan Ave  
Coeur d'Alene, ID 83814

**Subject: Public Transit Funding Agreement**

Dear Mayor Widmyer,

The attached documents are submitted on behalf of Kootenai County, the Coeur d'Alene Tribe, and Kootenai Health to support the continued operation of public transit within the urban service area of Kootenai County. Transit service is provided through joint efforts of local public agencies and serves both fixed route and paratransit services under the Americans with Disabilities act.

The funding agreement between the City of Hayden and Kootenai County is for the 2014 fiscal year which goes from October 2013 through September 2014. This change in the transit fiscal year from prior year agreements aligns with the Federal Fiscal Year and allows the agreements to coincide with your fiscal year. We apologize for the delay in getting these agreements out, but believe that fiscal year alignment will make it easier to budget for and subsequently contract for transit services with our funding partners: the Coeur d'Alene Tribe and Kootenai Health.

Should the City have any questions or require any additional documentation, please do not hesitate to contact my office at 446.1616. We appreciate the City as our funding partner to provide high quality public transportation to the citizens of Kootenai County. We are continually reviewing the service and processes related to public transit to provide a more cost effective service. We have enclosed two agreements. Please execute them both and return them to my office. After the County has executed the agreements, I will send you a completed agreement for you records.

We thank you in advance for your careful consideration.

Respectfully Submitted,

Christine Fueston  
FTA Administrator  
Kootenai County

Citylink Paratransit by First Transit (contracted service costs only)

Performance Period: August 2011 - July 2012

Service Month	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12	Feb-12	Mar-12	Apr-12	May-12	Jun-12	Jul-12	YTD
Vehicle Miles	3,586	4,853	5,039	6,847	7,859	8,199	5,804	9,177	9,229	9,852	9,380	8,785	88,610
Revenue Miles	3,192	3,893	4,651	5,698	6,618	6,855	4,977	8,013	7,927	8,672	8,112	7,648	76,156
Revenue Hours	171.8	258.1	341.5	376.9	423.5	461.2	353.4	509.0	515.1	558.3	535.5	521.0	5,025.3
Trips	278	471	569	668	795	853	896	1,007	1,033	1,084	1,031	996	9,681
Passengers	283	468	555	661	802	855	894	1,001	1,026	1,077	1,058	1,043	9,723
Service Cost	11,772	13,251	17,429	19,973	24,231	26,239	24,211	26,127	26,226	28,318	28,952	25,820	272,549
Fuel Cost	2,234	2,299	2,503	2,898	2,961	2,961	3,133	3,940	4,265	4,265	3,894	3,660	39,013
Total Service Cost	14,006	15,550	19,932	22,871	27,192	29,200	27,344	30,392	30,491	32,583	32,846	29,480	311,887
Cost / Passenger	49.49	33.23	35.91	34.60	33.91	34.15	31.98	30.36	30.40	30.25	31.05	28.26	32.08
Late Trips	7	6	0	35	23	17	9	16	27	17	33	23	213
No Shows	1	5	15	17	16	16	11	12	27	40	30	31	221
Cancel	17	18	60	81	86	90	67	130	123	108	101	101	982

Performance Period: August 2012 - July 2013

Service Month	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13	Apr-13	May-13	Jun-13	Jul-13	YTD
Vehicle Miles	9,920	8,439	10,046	8,737	8,157	9,097	8,766	10,347	10,543	10,140	9,712	10,366	114,270
Revenue Miles	8,979	7,490	9,002	7,963	7,279	8,217	7,888	9,354	9,360	7,419	8,506	9,081	100,538
Revenue Hours	579.6	515.4	570.9	533.4	491.4	579.8	583.1	631.0	644.8	624.8	621.1	665.4	7,040.7
Trips	1,175	1,022	1,229	1,118	969	1,307	1,246	1,428	1,405	1,334	1,314	1,411	14,958
Passengers	1,215	1,060	1,299	1,152	1,005	1,299	1,290	1,456	1,422	1,404	1,364	1,429	15,395
Service Cost	29,300	26,122	29,838	25,716	24,450	26,528	29,368	30,476	30,505	30,582	29,075	31,352	343,312
Fuel Cost	4,172	3,771	4,346	3,688	3,203	3,360	3,582	4,129	3,937	4,220	4,111	4,743	47,262
Total Service Cost	33,472	29,893	34,184	29,404	27,653	29,888	32,950	34,605	34,442	34,802	33,186	36,095	390,574
Cost / Passenger	27.55	28.20	26.32	25.52	27.52	23.01	25.54	23.77	24.22	24.79	24.62	25.26	25.37
Late Pick Ups	46	35	30	31	34	55	48	53	67	36	33	16	484
No Shows	30	32	32	42	36	19	6	21	13	11	14	17	273
Cancel	125	128	131	127	131	123	115	86	51	30	42	36	1,125

Performance Period: August 2013 - July 2014

Service Month	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Jul-14	YTD
Vehicle Miles	11,298	11,165	12,431	10,342	12,979	11,362	10,163	11,263	11,994	11,598			114,595
Revenue Miles	10,123	10,224	11,656	9,246	9,261	10,131	9,169	10,130	10,986	10,481			101,407
Revenue Hours	760.3	686.4	767.7	651.5	664.4	734.4	677.7	699.2	740.7	732.2			7,114.5
Trips	1,599	1,498	1,599	1,354	1,404	1,505	1,337	1,414	1,465	1,532			14,707
Passengers	1,601	1,447	1,496	1,306	1,363	1,467	1,330	1,406	1,461	1,455			14,332
Service Cost	35,729	31,664	39,313	31,332	31,267	35,776	39,026	37,821	37,318	37,878			357,124
Fuel Cost	5,101	4,409	4,300	3,615	3,526	3,688	3,502	3,993	4,302	4,056			40,492
Total Service Cost	40,830	36,073	43,613	34,947	35,700	39,464	42,528	41,814	41,620	41,934			398,523
Cost / Passenger	25.50	24.93	29.15	26.76	25.53	26.90	31.98	29.73	28.49	28.82			27.81
Late Trips	29	79	56	47	29	33	8	16	30	10			337
No Shows/Late Cancel	26	47	82	47	45	36	36	8	3	1			331
Cancel	43	97	224	91	1	2	0	0	0	0			458

Monthly Average Cost (June 2013 - May 2014): \$38,984

Annual Cost: \$467,804 Average Cost per Passenger: \$27.32

Citylink Costs 4/1/11 - 3/31/12

Operating Costs Only

Service Month	11-Apr	11-May	11-Jun	11-Jul	11-Aug	11-Sep	11-Oct	11-Nov	11-Dec	12-Jan	12-Feb	12-Mar	YTD
Operating	72,736	78,169	73,749	71,607	77,587	73,957	71,652	77,428	78,996	73,798	78,622	80,051	908,352
Maintenance	6,269	8,478	9,220	7,762	7,434	8,532	8,184	7,564	9,690	7,955	9,593	7,435	98,115
Lease/Security	432	174	0	432	87	432	87	90	90	435	90	90	2,439
<b>Total Cost</b>	<b>79,437</b>	<b>86,821</b>	<b>82,970</b>	<b>79,801</b>	<b>85,108</b>	<b>82,921</b>	<b>79,923</b>	<b>85,082</b>	<b>88,776</b>	<b>82,187</b>	<b>88,305</b>	<b>87,576</b>	<b>1,008,907</b>
<b>Capital Bus</b>	<b>\$4,987</b>	<b>\$59,840</b>											
Annual Monthly Average Cost: \$84,076													Tribe Reimbursement
Annual Monthly Average Cost: \$84,076													432,612

Citylink Costs 4/1/12 - 3/31/13

Operating Costs Only

Service Month	12-Apr	12-May	12-Jun	12-Jul	12-Aug	12-Sep	12-Oct	12-Nov	12-Dec	13-Jan	13-Feb	13-Mar	YTD
Operating	72,246	66,579	53,412	57,646	54,966	59,231	49,390	54,313	39,308	48,056	42,646	39,933	637,726
Maintenance	8,888	8,059	9,545	8,385	8,226	7,198	9,887	9,574	8,826	7,239	7,712	5,194	98,733
Lease/Security	435	90	90	90	435	90	435	90	435	89	89	89	2,457
Fuel							9,106	8,312	8,744	7,944	7,516	9,042	50,664
<b>Total Cost</b>	<b>81,569</b>	<b>74,728</b>	<b>63,047</b>	<b>66,121</b>	<b>63,627</b>	<b>66,519</b>	<b>68,818</b>	<b>72,289</b>	<b>57,313</b>	<b>63,328</b>	<b>57,963</b>	<b>54,258</b>	<b>789,580</b>
<b>Cost Recovery</b>	<b>44.2%</b>	<b>48.2%</b>	<b>57.2%</b>	<b>54.5%</b>	<b>56.7%</b>	<b>54.2%</b>	<b>52.4%</b>	<b>49.9%</b>	<b>62.9%</b>	<b>56.9%</b>	<b>62.2%</b>	<b>66.4%</b>	<b>54.8%</b>
Annual Monthly Average Cost: \$65,798													Tribe Reimbursement
Annual Monthly Average Cost: \$65,798													432,612

Fuel Reimbursement at 80/20 up to \$88,607, then at 50/50. Expended by Oct 2013. Fuel provision not continued by FTA.

Citylink Costs 4/1/13 - 3/31/14

Operating Costs Only

Service Month	13-Apr	13-May	13-Jun	13-Jul	13-Aug	13-Sep	13-Oct	13-Nov	13-Dec	14-Jan	14-Feb	14-Mar	YTD
Operating	39,954	42,727	41,866	44,993	40,877	41,744	51,470	43,607	41,373	51,966	40,663	39,508	520,748
Maintenance	6,100	7,241	5,848	6,218	4,973	9,274	12,506	6,574	6,905	6,334	6,882	5,780	84,635
Lease/Security	434	89	89	434	89	434	90	92	437	92	92	92	2,464
Fuel	8,572	8,814	8,360	9,913	9,083	8,857	8,886	8,215	8,364	8,338	7,719	9,080	104,201
<b>Total Cost</b>	<b>55,060</b>	<b>58,871</b>	<b>56,163</b>	<b>61,558</b>	<b>55,022</b>	<b>60,309</b>	<b>72,952</b>	<b>58,488</b>	<b>57,079</b>	<b>66,730</b>	<b>56,356</b>	<b>54,460</b>	<b>713,048</b>
<b>Cost Recovery</b>	<b>65.5%</b>	<b>61.2%</b>	<b>64.2%</b>	<b>58.6%</b>	<b>65.5%</b>	<b>59.8%</b>	<b>49.4%</b>	<b>61.6%</b>	<b>63.2%</b>	<b>54.0%</b>	<b>65.1%</b>	<b>66.2%</b>	<b>60.7%</b>
Annual Monthly Average Cost: \$59,421													Tribe Reimbursement
Annual Monthly Average Cost: \$59,421													432,612
Annual Cost: \$713,048													

Citylink Costs 4/1/14 - 3/31/15

Operating Costs Only

Service Month	14-Apr	14-May	14-Jun	14-Jul	14-Aug	14-Sep	14-Oct	14-Nov	14-Dec	15-Jan	15-Feb	15-Mar	YTD
Operating	44,259												44,259
Maintenance	6,924												6,924
Lease/Security	437												437
Fuel	8,781												8,781
<b>Total Cost</b>	<b>60,401</b>												<b>60,401</b>
<b>Cost Recovery</b>	<b>59.6%</b>												<b>59.6%</b>
Annual Monthly Average Cost: \$59,782													Tribe Reimbursement
Annual Monthly Average Cost: \$59,782													36,051
Rolling 12 Months - Annual Cost: \$717,389													

**Citylink Annual Operating Costs**

	Rolling 12 Months									
	4/06 - 3/07	4/07-3/08	4/08 -3/09	4/09 -3/10	4/10 - 3/11	4/11 - 3/12	4/12 - 3/13	4/13 - 3/14	5/13 - 4/14	
Urban Transit										
Operating	673,092	1,024,652	1,341,608	1,300,989	1,115,441	908,352	688,391	520,748	525,053	
Preventive Maintenance	48,268	119,859	108,112	107,897	87,502	98,115	98,733	84,635	85,459	
Facility Lease / Security	0	0	345	1,725	1,380	2,439	2,457	2,464	2,467	
Fuel								104,201	104,410	
<b>Total Cost</b>	<b>721,360</b>	<b>1,144,511</b>	<b>1,450,066</b>	<b>1,410,611</b>	<b>1,204,324</b>	<b>1,008,906</b>	<b>789,581</b>	<b>712,048</b>	<b>717,389</b>	

RESOLUTION NO. 14-029

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE FUNDING AND LETTER OF AGREEMENT FOR PUBLIC TRANSPORTATION WITH KOOTENAI COUNTY.

WHEREAS, the Public Works Committee of the City of Coeur d'Alene has recommended that the City of Coeur d'Alene authorize the funding and enter into a Letter of Agreement, pursuant to terms and conditions set forth in said agreement, a copy of which is attached hereto as Exhibit "A" and by reference made a part hereof; and

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof to enter into such agreement; NOW, THEREFORE,

BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene that the City authorize the funding and enter into a Letter of Agreement, in substantially the form attached hereto as Exhibit "A" and incorporated herein by reference with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said agreement to the extent the substantive provisions of the agreement remain intact.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk be and they are hereby authorized to execute such agreement on behalf of the City.

DATED this 15<sup>th</sup> day of July, 2014.

\_\_\_\_\_  
Steve Widmyer, Mayor

ATTEST:

\_\_\_\_\_  
Renata McLeod, City Clerk

Motion by \_\_\_\_\_, Seconded by \_\_\_\_\_, to adopt the foregoing resolution.

ROLL CALL:

COUNCIL MEMBER GOOKIN Voted \_\_\_\_\_

COUNCIL MEMBER MCEVERS Voted \_\_\_\_\_

COUNCIL MEMBER MILLER Voted \_\_\_\_\_

COUNCIL MEMBER EVANS Voted \_\_\_\_\_

COUNCIL MEMBER ADAMS Voted \_\_\_\_\_

COUNCIL MEMBER EDINGER Voted \_\_\_\_\_

\_\_\_\_\_ was absent. Motion \_\_\_\_\_.

**PUBLIC TRANSIT LETTER OF AGREEMENT**

THIS AGREEMENT is entered into between the county of Kootenai, hereinafter "COUNTY" and the city of Coeur d'Alene, hereinafter "CITY", and shall be effective on the date all parties have affixed their signatures to this Agreement.

WHEREAS, the Urbanized Area of Kootenai County has been designated to include lands within the cities of Coeur d'Alene, Post Falls, Hayden, Dalton Gardens and Huetter; and

WHEREAS, federal funds under a Federal Transit Administration (FTA) grant are available to provide public transportation services including public transportation administration and planning within the Urbanized Area; and

WHEREAS, the COUNTY has been designated by the Governor of the state of Idaho as the grantee for Federal Transit Administration (FTA) funds; and

WHEREAS, having access to public transportation is a benefit to the citizens within the Urbanized Area; and

WHEREAS, municipalities are authorized to participate in the funding of public transportation;

NOW THEREFORE, It is agreed as follows:

1. The COUNTY shall be responsible for contracting with public transportation service providers, providing transportation planning, administration, and distribution of the Section 5307 or other United States Department of Transportation or Federal Transit Administration grant monies in order to provide for public transportation within the Urbanized Area of Kootenai County.
2. The CITY agrees to provide funding in the amount of \$43,983 (Forty Three Thousand, Nine Hundred and Eighty Three Dollars) as part of the match that is required for USDOT/FTA grants for the fiscal year beginning on October 1, 2013 and ending on September 30, 2014. The CITY further agrees to provide one-half of said funding on or before the 28th day of February, 2014, with the balance due no later than the 31<sup>st</sup> day of July 2014.

IN WITNESS WHEREOF, the parties hereto have affixed the signature of their duly authorized official.

\_\_\_\_\_  
Todd Tondee, Chairman  
Kootenai County Commissioners

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Jim Brannon, County Clerk

\_\_\_\_\_  
Steve Widmyer, Mayor  
City of Coeur d'Alene, Idaho

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Renata McLeod, City Clerk

OTHER BUSINESS

## Finance Department Staff Report

**Date:** July 15, 2014  
**From** Troy Tymesen, Finance Director  
**Subject:** 2014-2015 Fiscal year Financial Plan (Annual Appropriation)

**Decision Point:** To approve Resolution No. 14-030 which sets the public hearing date and the high dollar amount (\$76,030,372) in expenditures for the 2014-2015 Fiscal year Financial Plan (Annual Appropriation).

**History:** Each year Idaho code requires that the City Council approve an appropriations ordinance. The purpose of the ordinance is to establish a ceiling for expenditures and disclose the potential property tax revenue necessary to balance the budget at this time. The financial plan or budget is the guide and detailed report for establishing these numbers.

**Financial analysis:** The financial plan is an estimate of revenues and expenditures (including interest and principal payments on debt) for the upcoming year. The expenditures are classified by department as well as by fund or service and the revenues are classified by source. Included in the budget as per Idaho Code 50-1002 are actual revenues and expenditures from the prior two fiscal year, budgeted revenues and expenditures for the current fiscal year, and proposed revenues and expenditures for the upcoming fiscal year. The revenue includes the full 3% increase in property tax revenue, no foregone property taxes and new growth from property taxes.

**Decision Point:** To approve Resolution No. 14-030- which sets the public hearing date and the high dollar amount for the 2014-2015 Fiscal year Financial Plan (Annual Appropriation).

RESOLUTION NO. 14-030

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ESTABLISHING A NOTICE OF TIME AND PLACE OF PUBLIC HEARING OF THE PROPOSED BUDGET FOR FISCAL YEAR 2014-2015, AND INCLUDING PROPOSED EXPENDITURES BY FUND AND/OR DEPARTMENT, AND STATEMENT OF THE ESTIMATED REVENUE FROM PROPERTY TAXES AND THE TOTAL AMOUNT FROM SOURCES OTHER THAN PROPERTY TAXES OF THE CITY FOR THE ENSUING FISCAL YEAR AND LISTING EXPENDITURES AND REVENUES DURING EACH OF THE TWO (2) PREVIOUS FISCAL YEARS, AND PROVIDING FOR PUBLICATION OF THE SAME.

WHEREAS, it is necessary, pursuant to Idaho Code 50-1002, for the City Council of the City of Coeur d'Alene, prior to passing the Annual Appropriation Ordinance, to list expenditures and revenues during each of the two (2) previous fiscal years, prepare a Budget, tentatively approve the same, and enter such Budget at length in the journal of the proceedings and hold a public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene, that the following be and the same is hereby adopted as an Estimate of Expenditures and Anticipated Revenue of the City of Coeur d'Alene for the fiscal year beginning October 1, 2014:

	FY 2011-12	FY 2012-13	FY 2013-2014	FY 2014-15
	ACTUAL	ACTUAL	BUDGET	PROPOSED
<b>GENERAL FUND EXPENDITURES:</b>				
Mayor and Council	212,343	212,564	\$ 224,206	\$ 237,027
Administration	518,724	355,570	388,505	294,883
Finance Department	701,441	665,024	713,702	735,744
Municipal Services	1,372,554	1,389,954	1,411,958	1,572,290
Human Resources	239,002	277,807	274,471	246,929
Legal Department	1,405,891	1,435,417	1,481,826	1,515,048
Planning Department	443,586	487,582	442,225	549,988
Building Maintenance	489,465	389,617	422,261	480,102
Police Department	9,219,551	9,799,043	10,503,340	11,216,460
Drug Task Force	18,334	76,085	70,256	25,710
ADA Sidewalks	207,147	212,635	248,844	265,657
Byrne Grant - Police Dept	340,749	291,124		
COPS Grant - Police Dept	221,325	79,046	116,206	169,690
Fire Department	7,470,876	7,838,051	7,930,411	8,265,708
General Government	2,439,298	942,467	216,920	49,150
Engineering Services	1,221,329	1,374,698	1,265,481	1,287,825
Streets/Garage	2,129,874	2,317,317	2,457,859	2,666,577
Parks Department	1,703,819	1,766,407	1,925,661	1,992,380
Recreation Department	700,389	699,757	755,235	796,341
Building Inspection	698,512	743,973	893,846	877,057
<b>TOTAL GENERAL FUND EXPENDITURES:</b>	<b>\$ 31,754,209</b>	<b>\$ 31,354,138</b>	<b>\$ 31,743,213</b>	<b>\$ 33,244,566</b>

<b>SPECIAL REVENUE FUND EXPENDITURES:</b>				
Library Fund	\$ 1,253,860	\$ 1,232,907	\$ 1,327,173	\$ 1,387,111
Community Development Block Grant	255,914	81,579	297,298	359,966
Impact Fee Fund	349,405	1,109,884	731,710	194,956
Parks Capital Improvements	301,461	1,528,058	460,800	244,000
Annexation Fee Fund	133,000	70,000	14,000	68,500
Insurance / Risk Management	3,826,052	243,107	280,000	570,000
Cemetery Fund	211,866	241,446	272,255	284,190
Cemetery Perpetual Care Fund	97,374	97,267	98,000	97,500
Jewett House	22,254	36,742	59,640	67,089
Reforestation/Street Trees/Community Canopy	89,496	65,016	68,500	68,500
Arts Commission	5,974	5,580	6,600	6,750
Public Art Funds	156,945	185,066	250,800	210,600
<b>TOTAL SPECIAL FUNDS:</b>	<b>\$ 6,703,601</b>	<b>\$ 4,896,652</b>	<b>\$ 3,866,776</b>	<b>\$ 3,559,162</b>

<b>ENTERPRISE FUND EXPENDITURES:</b>				
Street Lighting Fund	643,560	524,154	\$ 572,000	\$ 535,600
Water Fund	6,976,312	6,904,414	8,202,517	8,325,955
Wastewater Fund	12,692,249	12,445,162	20,877,169	14,709,771
Water Cap Fee Fund	58,859	255,142	1,100,000	700,000
WWTP Cap Fees Fund	677,649	445,948	900,000	1,913,000
Sanitation Fund	3,291,325	3,405,679	3,499,362	3,560,334
City Parking Fund	859,966	556,108	179,957	220,839
Stormwater Management	1,182,873	867,755	1,016,995	1,179,109
<b>TOTAL ENTERPRISE EXPENDITURES:</b>	<b>\$ 26,382,793</b>	<b>\$ 25,404,362</b>	<b>\$ 36,348,000</b>	<b>\$ 31,144,608</b>

FIDUCIARY FUNDS:	2,474,276	2,540,048	\$ 2,567,700	\$ 2,575,420
STREET CAPITAL PROJECTS FUNDS:	379,135	418,057	2,072,370	3,257,500
DEBT SERVICE FUNDS:	1,504,500	1,302,955	1,255,435	1,249,016
<b>GRAND TOTAL OF ALL EXPENDITURES:</b>	<b>\$69,198,514</b>	<b>\$65,916,212</b>	<b>\$ 77,853,494</b>	<b>\$ 75,030,272</b>

<b>ESTIMATED REVENUES:</b>	<b>FY 2011-12</b>	<b>FY 2012-13</b>	<b>FY 2013-2014</b>	<b>FY 2014-2015</b>
	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>BUDGET</b>	<b>PROPOSED</b>
Property Taxes:				
General Levy	\$15,841,744	\$16,441,980	\$ 16,523,620	\$ 17,290,076
Library Levy	1,216,658	1,218,117	1,189,170	1,273,511
Policeman's Retirement Fund Levy	155,718	155,752	152,000	152,000
Comprehensive Liability Plan Levy	365	15		489,513
Fireman's Retirement Fund Levy	250,000	250,000	250,000	250,000
2006 and 2008 G.O. Bond Levy	1,163,224	1,169,484	1,143,895	1,144,140
<b>TOTAL REVENUE FROM PROPERTY TAXES:</b>	<b>\$18,627,709</b>	<b>\$19,235,348</b>	<b>\$ 19,258,685</b>	<b>\$ 20,599,240</b>

<b>ESTIMATED OTHER REVENUES:</b>				
Interfund Transfers	\$ 4,872,257	\$ 3,520,319	\$ 5,008,967	\$ 5,145,966
Beginning Balance	27,123,124	31,521,071	19,917,074	20,879,658
Other Revenue:				
General Fund	13,299,625	14,152,388	13,121,069	13,903,257
Library Fund	38,286	38,712	39,800	38,600
Community Development Block Grant	255,914	81,621	297,298	359,966
Parks Capital Improvement Fund	606,619	184,381	139,700	142,500
Insurance/Risk Management	3,147	2,717	1,500	
Cemetery	149,888	171,703	155,892	173,592
Annexation Fee Fund	67,554	14,256		
Impact Fee Fund	637,598	1,232,779	553,700	1,302,500
Cemetery Perpetual Care Fund	51,486	626	60,000	43,000
Jewett House	5,520	74,749	61,000	13,000
Reforestation	34,955	9,744	5,000	5,000
Street Trees	49,226	77,874	56,000	56,000
Community Canopy	1,952	1,283	1,500	1,500
Arts Commission	6,279	6,494	7,600	7,700
Public Art Funds	110,431	114,414		113,000
Street Lighting Fund	492,751	498,802	492,000	504,075
Water Fund	4,060,837	4,640,575	4,361,690	4,389,300
Wastewater Fund	6,095,146	6,641,122	14,308,600	6,999,200
Water Capitalization Fees	564,944	1,053,444	551,650	903,200
WWTP Capitalization Fees	1,513,972	1,895,311	800,000	2,002,500
Sanitation Fund	3,266,002	3,252,029	3,849,362	3,560,334
City Parking Fund	326,294	141,911	304,957	220,839
Drainage	96,524	770,044	1,019,297	1,015,320
Fiduciary Funds	2,343,550	2,291,236	2,342,650	2,344,420
Capital Projects Fund	82,638	225,152	1,382,290	2,940,044
Debt Service Fund	104,145	79,765	9,300	8,500

<b>SUMMARY:</b>	<b>FY 2011-12</b>	<b>FY 2012-13</b>	<b>FY 2013-14</b>	<b>FY 2014-15</b>
	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>BUDGET</b>	<b>PROPOSED</b>
<b>PROPERTY TAXES</b>	\$18,627,709	\$19,235,348	\$ 19,258,685	\$ 20,599,240
<b>OTHER THAN PROPERTY TAXES</b>	66,260,664	72,694,522	68,847,896	67,072,971
<b>TOTAL ESTIMATED REVENUES</b>	<b>\$84,888,373</b>	<b>\$91,929,870</b>	<b>\$ 88,106,581</b>	<b>\$ 87,672,211</b>

BE IT FURTHER RESOLVED, that the same be spread upon the Minutes of this meeting and published in two (2) issues of the Coeur d'Alene Press, seven (7) days apart, to be published on July 21, 2014 and July 28, 2014.

BE IT FURTHER RESOLVED, that a Public Hearing on the Budget be held on the 2nd day of September, 2014 at the hour of 6:00 o'clock p.m. on said day, at which time any interested person may appear and show cause, if any he has, why the proposed Budget should or should not be adopted.

DATED this 15th day of July, 2014.

\_\_\_\_\_  
Steve Widmyer, Mayor

ATTEST:

\_\_\_\_\_  
Renata M. McLeod, City Clerk

Motion by \_\_\_\_\_, Seconded by \_\_\_\_\_, to adopt the foregoing resolution.

ROLL CALL:

COUNCIL MEMBER MILLER	Voted _____
COUNCIL MEMBER EVANS	Voted _____
COUNCIL MEMBER GOOKIN	Voted _____
COUNCIL MEMBER EDINGER	Voted _____
COUNCIL MEMBER MCEVERS	Voted _____
COUNCIL MEMBER ADAMS	Voted _____

\_\_\_\_\_ was absent. Motion \_\_\_\_\_.

# BSNF Staff Report to be Hand-Delivered

INFORMATION SECTION

Including

Correspondence

Board, Commission, Committee Minutes

**CITY OF COEUR D'ALENE**  
**Treasurer's Report of Cash and Investment Transactions**

FUND	BALANCE 5/31/2014	RECEIPTS	DISBURSE- MENTS	BALANCE 6/30/2014
<u>General-Designated</u>	\$576,650	\$18,512	\$106,024	\$489,138
<u>General-Undesignated</u>	6,632,215	6,027,852	8,243,929	4,416,138
<u>Special Revenue:</u>				
Library	49,884	49,845	94,648	5,081
CDBG	(27,799)	32,829	5,091	(61)
Cemetery	55,801	19,906	21,522	54,185
Parks Capital Improvements	279,526	106,518	14,670	371,374
Impact Fees	3,155,680	128,976	630	3,284,026
Annexation Fees	68,551			68,551
Insurance	(582,389)	623,175	6,772	34,014
Cemetery P/C	1,775,211	5,385	1,530	1,779,066
Jewett House	50,081	1,362	560	50,883
Reforestation	17,273	373	13,487	4,159
Street Trees	200,250	14,700	5,600	209,350
Community Canopy	2,533			2,533
CdA Arts Commission	4,370	1,994		6,364
Public Art Fund	79,666			79,666
Public Art Fund - LCDC	346,789		14,700	332,089
Public Art Fund - Maintenance	122,023	14,000	57	135,966
<u>Debt Service:</u>				
2002 & 2006 G.O. Bonds	995,434	44,392		1,039,826
LID Guarantee	40,216	172		40,388
LID 130 Lakeside / Ramsey / Industrial Park	51,564		50,490	1,074
LID 146 Northwest Boulevard				
LID 149 4th Street	5,934	5,075		11,009
<u>Capital Projects:</u>				
Street Projects	687,339	47,064	377,934	356,469
<u>Enterprise:</u>				
Street Lights	94,867	52,246	18,106	129,007
Water	(3,686)	367,323	565,137	(201,500)
Water Capitalization Fees	3,263,235	132,122	19,876	3,375,481
Wastewater	5,388,194	984,703	1,198,693	5,174,204
Wastewater-Reserved	1,272,283	27,500		1,299,783
WWTP Capitalization Fees	4,095,449	264,461		4,359,910
WW Property Mgmt	60,668			60,668
Sanitation	(340,501)	337,922	301,393	(303,972)
Public Parking	(103,184)		15,553	(118,737)
Drainage	439,384	88,300	452,536	75,148
Wastewater Debt Service	992,558			992,558
<u>Fiduciary Funds:</u>				
Kootenai County Solid Waste Billing	186,176	210,108	186,176	210,108
LID Advance Payments	845			845
Police Retirement	1,379,485	20,049	14,429	1,385,105
Sales Tax	1,618	1,300	1,618	1,300
BID	139,617	34,205		173,822
Homeless Trust Fund	364	327	364	327
<b>GRAND TOTAL</b>	<b>\$31,454,173</b>	<b>\$9,662,696</b>	<b>\$11,731,525</b>	<b>\$29,385,344</b>

CITY OF COEUR D'ALENE  
 BUDGET STATUS REPORT  
 NINE MONTHS ENDED  
 June 30, 2014

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 6/30/2014	PERCENT EXPENDED
Mayor/Council	Personnel Services	\$212,366	\$166,197	78%
	Services/Supplies	11,840	8,023	68%
Administration	Personnel Services	319,115	224,219	70%
	Services/Supplies	69,390	16,106	23%
Finance	Personnel Services	614,642	455,597	74%
	Services/Supplies	99,060	79,122	80%
Municipal Services	Personnel Services	960,817	711,668	74%
	Services/Supplies	444,141	331,175	75%
	Capital Outlay	7,000	6,836	98%
Human Resources	Personnel Services	244,271	105,078	43%
	Services/Supplies	30,200	15,520	51%
Legal	Personnel Services	1,377,700	1,027,544	75%
	Services/Supplies	104,126	72,604	70%
Planning	Personnel Services	433,125	251,154	58%
	Services/Supplies	9,100	6,413	70%
Building Maintenance	Personnel Services	299,965	211,780	71%
	Services/Supplies	122,296	77,839	64%
	Capital Outlay			
Police	Personnel Services	9,640,019	6,640,862	69%
	Services/Supplies	796,950	525,423	66%
	Capital Outlay	66,372	85,657	129%
Fire	Personnel Services	7,524,974	5,738,727	76%
	Services/Supplies	405,436	293,109	72%
	Capital Outlay			
General Government	Services/Supplies	216,920	816,806	377%
	Capital Outlay			
Byrne Grant (Federal)	Personnel Services			
	Services/Supplies		54,165	
	Capital Outlay			
COPS Grant	Personnel Services	116,206		
	Services/Supplies			
CdA Drug Task Force	Services/Supplies	43,100	19,441	45%
	Capital Outlay	27,156	63,996	236%
Streets	Personnel Services	1,904,608	1,270,712	67%
	Services/Supplies	553,251	404,341	73%
	Capital Outlay		3,573	

CITY OF COEUR D'ALENE  
 BUDGET STATUS REPORT  
 NINE MONTHS ENDED  
 June 30, 2014

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 6/30/2014	PERCENT EXPENDED
ADA Sidewalk Abatement	Personnel Services	210,544	143,865	68%
	Services/Supplies	38,300	28,156	74%
Engineering Services	Personnel Services	523,881	394,879	75%
	Services/Supplies	741,600	1,105,174	149%
	Capital Outlay			
Parks	Personnel Services	1,404,361	830,923	59%
	Services/Supplies	438,300	252,869	58%
	Capital Outlay	83,000	76,101	92%
Recreation	Personnel Services	619,035	397,466	64%
	Services/Supplies	136,200	89,198	65%
Building Inspection	Personnel Services	850,588	569,309	67%
	Services/Supplies	43,258	23,440	54%
Total General Fund		<u>31,743,213</u>	<u>23,595,067</u>	<u>74%</u>
Library	Personnel Services	1,034,823	746,014	72%
	Services/Supplies	182,350	115,691	63%
	Capital Outlay	110,000	77,867	71%
CDBG	Services/Supplies	297,298	88,554	30%
Cemetery	Personnel Services	140,091	108,669	78%
	Services/Supplies	94,164	49,230	52%
	Capital Outlay	38,000	20,757	55%
Impact Fees	Services/Supplies	731,710	328,830	45%
Annexation Fees	Services/Supplies	14,000	14,000	100%
Parks Capital Improvements	Capital Outlay	460,800	102,168	22%
Insurance	Services/Supplies	280,000	280,800	100%
Cemetery Perpetual Care	Services/Supplies	98,000	64,749	66%
Jewett House	Services/Supplies	59,640	19,410	33%
Reforestation	Services/Supplies	2,000	14,463	723%
Street Trees	Services/Supplies	65,000	33,284	51%
Community Canopy	Services/Supplies	1,500	687	46%
CdA Arts Commission	Services/Supplies	6,600	395	6%
Public Art Fund	Services/Supplies	250,800	159,653	64%
Total Special Revenue		<u>3,866,776</u>	<u>2,225,221</u>	<u>58%</u>

CITY OF COEUR D'ALENE  
BUDGET STATUS REPORT  
NINE MONTHS ENDED  
June 30, 2014

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 6/30/2014	PERCENT EXPENDED
Debt Service Fund		<u>1,255,435</u>	<u>250,711</u>	<u>20%</u>

CITY OF COEUR D'ALENE  
BUDGET STATUS REPORT  
NINE MONTHS ENDED  
June 30, 2014

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 6/30/2014	PERCENT EXPENDED
15th Street at Cherry Hill	Capital Outlay	68,370		
Front Avenue Project	Capital Outlay		655,014	
Govt Way - Hanley to Prairie	Capital Outlay	1,300,000	96,590	7%
Levee Certification	Capital Outlay	260,000	226,203	87%
15th Street - Lunceford to Dalton	Capital Outlay			
3rd / Harrison signal	Capital Outlay		213,937	
Atlas Road Widening	Capital Outlay	394,000		
Kathleen Ave Widening	Capital Outlay	50,000		
Total Capital Projects Funds		2,072,370	1,191,744	58%
Street Lights	Services/Supplies	572,000	378,181	66%
Water	Personnel Services	1,652,706	1,200,308	73%
	Services/Supplies	4,219,911	939,845	22%
	Capital Outlay	2,329,900	1,272,889	55%
Water Capitalization Fees	Services/Supplies	1,100,000	190,600	17%
Wastewater	Personnel Services	2,352,374	1,647,441	70%
	Services/Supplies	6,338,854	1,444,596	23%
	Capital Outlay	10,160,300	6,335,638	62%
	Debt Service	2,025,641	528,000	26%
WW Capitalization	Services/Supplies	900,000		
Sanitation	Services/Supplies	3,499,362	2,615,840	75%
Public Parking	Services/Supplies	179,957	86,187	48%
	Capital Outlay			
Stormwater Mgmt	Personnel Services	103,183	76,235	74%
	Services/Supplies	663,812	216,871	33%
	Capital Outlay	250,000	31,318	13%
Total Enterprise Funds		36,348,000	16,963,949	47%
Kootenai County Solid Waste		2,200,000	1,448,017	66%
Police Retirement		175,800	133,449	76%
Business Improvement District		186,000	40,000	22%
Homeless Trust Fund		5,900	3,545	60%
Total Fiduciary Funds		2,567,700	1,625,011	63%
<b>TOTALS:</b>		<b>\$77,853,494</b>	<b>\$45,851,703</b>	<b>59%</b>