

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

January 5, 2021

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 January 5, 2021, at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

Woody McEvers)	Members of Council Present
Dan Gookin)	
Christie Wood)	
Dan English)	
Kiki Miller)	
Amy Evans)	

CALL TO ORDER: Mayor Widmyer called the meeting to order.

INVOCATION: Quannah Matheson, Director of Cultural Affairs, with the Coeur d'Alene Tribe provided the invocation.

PLEDGE OF ALLEGIANCE: Councilmember McEvers led the Pledge of Allegiance.

**PRESENTATION REGARDING THE KOOTENAI COUNTY INTEGRATED
REGIONAL MOBILITY APP FOR TRANSPORTATION.**

Tim Hibbard, Vice President of Technology for Passio Technologies noted that they have created a mobility smart phone application for Kootenai County. This smart phone app will allow users to track bus line stops and anticipated arrival times. Since there are multiple transportation providers, with different hours of operations, and service areas between Citylink, Kootenai Health and the Coeur d'Alene Tribe, it was important to find an application that could work for all, with integrated information. Riders will be able to compare routes, costs, and availability and it will be available around the Fall of 2021. He clarified that the payment portion will be integrated into the system by Spring 2022. Councilmember Gookin asked how much the application cost the tax payers. Jody Bieze, Director of Kootenai County Public Transportation, noted that they were awarded a \$150,000 grant with a \$30,000 match and they have been working on the project for about 8 months. Councilmember English noted that this type of system may be good for health care rides; however, he felt it might be too large for a system of our size. Ms. Bieze noted that the app will integrate all the transportation resources in one spot, including White Tail, and give options to all riders.

COUNCIL COMMENTS:

Councilmember Miller reminded the community that the City will be holding a Historic Preservation Commission meeting on January 14, 2021, at 5:30 p.m. Zoom links are located on the city's webpage at www.cdavid.org.

Councilmember McEvers noted that the city has updated equipment in the studio, which should enhance the Zoom watching experience, as we can now broadcast the same camera angles as the CDATV Channel that is rebroadcast through YouTube.

Councilmember Gookin reminded citizens that it is illegal to discharge a firearm in the city limits.

CONSENT CALENDAR:

1. Approval of Council Minutes for the December 15, 2020, Council Meeting.
2. Approval of General Services/Public Works Subcommittee Minutes for the December 21, 2021, Meeting.
3. Setting of General Services/Public Works Committee Meeting for January 11, 2021.
4. Approval of Bills as Submitted.
5. Approval of Final Plat: SS-20-11, Thanthitima Addition.
6. **Resolution No. 21-001** - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AN AGREEMENT WITH SPECIALTY PUMP SERVICE, INC., FOR THE ATLAS WELL PUMP REHABILITATION PROJECT.

MOTION: Motion by McEvers, seconded by Evans, to approve the Consent Calendar as presented, including **Resolution No. 21-001**.

ROLL CALL: English Aye; Wood Aye; Evans Aye; Miller Aye; McEvers Aye; Gookin Aye.
Motion carried.

RESOLUTION NO. 21-002

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING THE SOLE SOURCE PROCUREMENT OF A CERTIFIED RECIRCULATION PUMP SYSTEM FROM MARS COMPANY IN THE AMOUNT OF \$133,585.00, AND AUTHORIZING THE CITY CLERK TO PUBLISH THE NOTICE OF A SOLE SOURCE PROCUREMENT AS REQUIRED BY IDAHO CODE § 67-2808(2).

STAFF REPORT: Assistant Water Superintendent Kyle Marine explained that the Atlas well was originally drilled in July 1971, to 350' deep and went into operation in September 1972, and has a tested production capacity of nearly 5000 gpm. The production well is 20" in diameter and cased or screened to the bottom. He noted that the well needs a recirculation pump, and that the Water Department has budgeted \$98,000 through the operations and maintenance budget and no additional engineering services are required for this project. One bid was received for the project, with a base bid of \$88,100 received from Specialty Pump Service Inc. Options were

included in the bid packet for potential replacement of the pump columns, stainless steel shafts; brass spider bearings in the event undue wear is detected. Exercising all options would bring the total bid to \$143,860, approximately 16.4% over budget. While staff anticipates there may be a need to replace at least some of the pump column based on previous history, it is not anticipated to have to replace everything. Therefore, staff is proposing approval for the base bid of \$88,100 and a contract not to exceed the budget amount of \$98,000.00, should additional replacements be required. Staff proposes to have the pump assembly removed, cleaned, inspected, and replace any necessary parts. Options were included in the bid should any of the assembly components exhibit undue wear. The stainless-steel shafts shall be inspected and straightened as necessary to ensure factory tolerances. Once removal is approved to begin, staff anticipates that the project should be complete within 120 business days barring any unanticipated problems such as damaged or defective equipment or materials.

DISCUSSION: Councilmember McEvers noted that the intent of the purchase of the meter bench was to save some money on the testing of meters, and asked if it was working. Mr. Marine confirmed they expected a savings over a 5-year period; however, they are happy with the current results. Councilmember McEvers asked if this current request would include a yearly fee. Mr. Marine stated that equipment is a one-time cost; however, there will be yearly software updates that will have costs.

MOTION: Motion by McEvers, seconded by Evans to approve **Resolution No. 21-002;** declaring MARS Company as the Sole Source Provider for the purchase of a certified Recirculation Pump System.

ROLL CALL: Wood Aye; Evans Aye; Miller Aye; McEvers Aye; Gookin Aye; English Aye.
Motion carried.

COUNCIL BILL NO. 21-1000

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF SECTIONS 10.20.010(A), 10.22.100(C), AND 10.24.020(A) OF THE COEUR D'ALENE MUNICIPAL CODE; PROVIDING FOR THE REPEAL OF SECTION 10.20.060(C) OF THE COEUR D'ALENE MUNICIPAL CODE; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

STAFF REPORT: City Administrator Troy Tymesen explained that the parking regulations of the City are found in several places in the Municipal Code, including Chapters 10.20, 10.22, 10.24, and 10.27. Parking Commissioner Stephen Peterson took the time to review the Code, as well as State law and regulations, in detail and submitted recommendations to the City Administrator. The recommendations are intended to clarify the Code and make certain provisions more consistent. The City Administrator and Legal Department reviewed the recommendations and forwarded several of them to the Parking Commission. On December 8, 2020, the Parking Commission considered the proposed amendments and approved them. During that meeting, Commissioner Peterson made a motion to add four words and delete one

word in the amended Municipal Code § 10.20.010(A)(5), but the motion failed for lack of a second. Staff believes that the motion did not garner a second because of poor audio during the Zoom meeting. The added/deleted words do not change the intent of the amendment, but may add clarity. Accordingly, staff believes that the four words should be added and the one word deleted, clarifying the parking from a corner and/or cross walk or fire hydrant.

DISCUSSION: Councilmember Miller asked if the setback for the parking near a fire hydrant is applicable even if curbs are not painted. Mr. Tymesen confirmed that they are and clarified that the City does not intend to paint curbs due to cost and maintenance. Councilmember Wood asked Fire Chief Gabriel what happens when someone parks in front of a hydrant when it is needed. Fire Chief Gabriel noted that they are neighborly and do not break windows like you see in the movies; however, it does not work well for the firefighters to have to wrap the hose around the vehicle.

MOTION: Motion by Evans, seconded by McEvers, to dispense with the rule and read **Council Bill No. 21-1000** once by title only.

ROLL CALL: Evans Aye; Miller Aye; McEvers Aye; Gookin Aye; English Aye; Wood Aye.
Motion carried.

MOTION: Motion by Evans, seconded by Miller, to adopt **Council Bill No. 21-1000**.

ROLL CALL: Evans Aye; Miller Aye; McEvers Aye; Gookin Aye; English Aye; Wood Aye.
Motion carried.

RESOLUTION NO. 21-003

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING THE TRANSFER OF A 3.8 ACRE PARCEL OF PROPERTY, WHICH IS A TRIANGULAR-SHAPED PARCEL FRONTING SELTICE WAY AND ADJACENT TO THE ATLAS MILL WATERFRONT PROPERTY, OWNED BY THE CITY, TO IGNITE CDA FOR INCLUSION IN THE ATLAS WATERFRONT DEVELOPMENT.

STAFF REPORT: Mr. Tymesen explained the process of transferring land ownership to ignite cda (ignite), and noted that it is staff's recommendation to utilize that same process. He reminded Council that this item was discussed at its last meeting where Council had requested additional information, which will be presented tonight by Mr. Boyd, including the review of the financials for the two options for development of the triangle parcel. One option was for the city to take the lead on the development of that parcel; however, taking the parcel through ignite makes more sense, who will process proposals through the request for proposal process already established. Mr. Tymesen noted that there are two options being presented Option 1 plans for residential only uses and Option 2 includes a mix of use. Option 1 is estimated to bring in an additional \$228,000 in land sales and \$450,000 less in tax increment over time. Option 2 would net a higher tax increment overall. The triangle piece is estimated to bring in \$2 million in net land sale revenue, and the southern tip would allow a reconfiguration of the development and an

increase in density, which would net approximately \$1.1 million. Phil Boyd, President of Welch Comer Engineering, provided a history of how the City came into ownership of the Atlas property, noting the City's intent to protect the water front for public access/use. The concept included development of the upland area for residential, commercial, and mixed uses through a partnership with ignite. The City then transferred the site to ignite because, by statute, ignite can more efficiently and effectively develop and dispose of the property. The City later acquired the triangle parcel through a land exchange with River's Edge Development. With River's Edge project approval, the City agreed that the special use permit for R-34 density on the parcel would expire. In addition, the City indicated to the Planning Commission that its intent, if the land exchange took place, was for the triangle parcel to be incorporated into the Atlas Waterfront project. Council requested that ignite provide additional information on the development options prior to Council approving the transfer of the triangle parcel to ignite.

Mr. Boyd noted that after further evaluation following the December 1, 2020, Council presentation, it became apparent that the financial benefit to the City by taking the lead in development and disposition of the triangle parcel was overstated, as there would be the same or additional land preparation expenses, including grading, infrastructure, and platting, as well as staff time to manage the sale of the platted properties. Additionally, selling land through the surplus process would likely result in lower prices than through the proposed ignite disposition and sale process. The two viable options available were evaluated in terms of land sale revenue and tax increment. Option 1 is for the parcel to be developed as entirely single-family residential and Option 2 is for the parcel to be developed as a mix of single-family residential and townhouses. Option 1 is projected to generate an additional \$228,000 in land sales initially, but would generate \$453,000 less in tax increment value, resulting in \$225,000 less revenue over 20 years. Option 2, would net a higher tax increment and overall value than Option 1. Ignite's analysis indicates the triangle parcel will generate an additional \$2,520,000 in net land sale revenue. Additionally, the triangle "tip" will allow ignite to reconfigure the Atlas Waterfront Development layout, increasing saleable land area and density, which is anticipated to generate an additional \$1,145,000. Ignite has agreed to include the triangle parcel in its Atlas Waterfront PUD Amendment #2 at no cost to the City. Ignite is submitting its PUD #2 Amendment to the City in January 2021. The purpose of the amendment is to revise its current development standards in order to improve land sales without negatively impacting the development. Therefore, the timing is ideal to transfer the triangle parcel so that it can be included in the PUD #2 Amendment for the Atlas Waterfront project. Including the triangle parcel in the Atlas Waterfront PUD would be beneficial in several ways. It would allow the parcel to be developed without being subject to the restrictions of the hillside ordinance. If the parcel were to remain under the hillside ordinance, some of the lots may need to be increased in size to allow for development which would result in fewer lots and less revenue. Adding the property to the PUD would also allow the parcels to be smaller than standard lots, have reduced setbacks, and different heights than standard zoning. Incorporating the triangle parcel into the PUD would also protect the investment of the developers and builders in Phase 1 of Atlas Waterfront as well as all future phases of the Atlas Waterfront project because the character and quality of the project would be ensured. Developing the triangle parcel outside the PUD process and separate from the Atlas Waterfront project could have unintended negative consequences related to reduced developer confidence in the project that may also impact tax increment. Mr. Boyd noted that neighbors would not be happy about large amounts of dirt moving. Therefore, they decided to

shrink the phases that includes dirt moving to earlier stages and noted that there was some economy of scale to continue working the contractor rather than up and down startups. Mr. Boyd discussed the concepts for the look of Mt. Hink, including moving it around and leaving it in a natural shape with trails. Another option would be to process the material to generate revenue and use it throughout the project. The hillside ordinance will impact the lots, however, the future lots will be less steep after using it as fill. He noted that within the PUD process they will add some items that are included in the hillside ordinance, but gives more flexibility than what the hillside ordinance allows.

DISCUSSION: Councilmember McEvers asked for clarification regarding the \$3 million land value. Mr. Boyd clarified that the \$3 million is based on the sale of land at four lot increments after the infrastructure is completed. Mayor Widmyer noted that in the cash flow model the addition of the triangle piece brings more revenue forward and it will allow for payback sooner. Councilmember Miller asked about the reasoning behind pulling the retail out of the triangle piece. Mr. Boyd noted that there should be something in the corner to activate the area with some sort of retail; however, developers have not been too keen on the concept, so they are still exploring options such as a mixed-use development with housing on upper floor and lower floor as retail, but it will be based on the market. Mayor Widmyer noted that the final revenue comes in a year earlier at 2024, since the completion date has shrunk by one year. He also noted that the original schedule would be May 2021, with the debt paid back sooner rather than later, which would be his preference.

Mayor Widmyer noted that Mt. Hink is too expensive to remediate it enough to make it buildable, but maybe there would be an opportunity in that area for a potential future fire station. Mr. Boyd noted that there are two potential sites within pit 1 and pit 2, noting that the road creates a nice dividing line between residential and another use. He noted a potential site near pit 2 might provide a better location for a fire station. Councilmember Gookin noted that he has discussed options with the Fire Department and the School District, as he feels the commitment to the community should be extended to those uses. Councilmember Wood noted that she likes the idea of trees for an arboretum and future baseball field options in the future. Councilmember English concurred that down the road there will be a need for a fire station, noting it would add value to the city as a cost avoidance from buying another parcel.

Councilmember Gookin noted that the hillside ordinance was adopted with a lot of discussion and it seems like the PUD process would be circumventing the ordinance. Mr. Boyd noted that it is unique because this is a City project, which is the entity that adopted the ordinance. Mr. Gridley noted that the rules that are in place at the time of development would be met, and that Council can always review rules and change them as they see fit. Community Planning Director Hilary Anderson noted that the hillside ordinance allows for deviations through PUD's. She clarified that this slope is a pocket with the Atlas area that is not consistent with the other hillsides located in the City and/or annexed into the City. She noted that the concept behind the ordinance is to protect the integrity of the hillside and to avoid landslides. Councilmember Gookin expressed concern that this would set a precedent for future requests. Ms. Anderson clarified that this deviation process is allowed to any developer within the code, so this is not outside what others could also ask for today. Councilmember English concurred that the PUD is an option for all, and appreciates options for the greater good and tradeoffs that are worth it.

Discussion ensued regarding the shoreline ordinance and hillside developments, the reasons behind the ordinances; including appearance of hillside and road collapse/mud slides and public tradeoffs of PUD's.

Councilmember Wood noted that the decision seems to be short term versus long term tax increment and she supports the plan for the future and Option 2 is a better long-term plan. Mr. Boyd concurred and explained that the intent would be to put the RFP out in two ways and see what proposals come in. He reiterated that they will include architectural standards in the proposal packets. Councilmember McEvers asked if within Option 2 will the lots be sold in blocks or individually. Mr. Boyd said that townhomes would be in one big block to ensure consistent architecture, and the single-family would be sold in blocks of 4. Councilmember McEvers asked about the removal of the commercial aspect and expressed concern about the lack of commercial opportunities for a large amount of residential use. Mr. Boyd noted that the developer does not feel it is feasible for commercial on the southern side; however, within Area 13, ignite had upheld the commercial proposal. Mayor Widmyer further explained that commercial space is market driven, so it has to be carefully planned. Councilmember Miller noted that she is supportive of Option 2, with mixed-use. She noted that the production of material at Mt. Hink will be good to make land more valuable and leaves options on the table. Councilmember Evans thanked the team for the presentation and noted that she likes Option 2, which allows various housing option types.

MOTION: Motion by Wood, seconded by Miller to approve **Resolution No. 21-003**, approving a transfer of the triangle parcel to ignite cda with the condition that the parcel to be included in ignite cda's Atlas Waterfront PUD Amendment #2, and to direct staff to draft a land transfer agreement with ignite cda, authorizing the Mayor and City Clerk to execute such agreement.

DISCUSSION: Councilmember Gookin noted that he is good with transferring the parcel to ignite, but does not like townhomes.

ROLL CALL: Miller Aye; McEvers Aye; Gookin Aye; English Aye; Wood Aye; Evans Aye.
Motion carried.

ADJOURNMENT: Motion by McEvers, seconded by Gookin, that there being no other business this meeting be adjourned. **Motion carried.**

The meeting adjourned at 7:43 p.m.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, CMC
City Clerk