

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT THE LIBRARY COMMUNITY ROOM
DECEMBER 2, 2008**

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, December 2, 2008 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

John Bruning)	Members of Council Present
A. J. Al Hassell, III)	
Deanna Goodlander)	
Mike Kennedy)	
Woody McEvers)	
Loren Ron Edinger)	

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

INVOCATION was led by Pastor Phil Muthersbaugh, Lifesource Community Church.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was led by Councilman Bruning.

PUBLIC COMMENTS:

PARKS FOUNDATION FUNDING: Susan Snedaker, 821 Hastings, would like the the item of providing \$7,500 to the Parks Foundation be removed the Consent Calendar for further discussion based on the issues that they are a nonprofit organization and that their past costs have not exceeded \$3,000 per year and that this would be a precedent that other Foundations such as the Library Foundation, Tubbs Hill Foundation and Centennial Trail Foundation may also ask for permanent funding from the City. She also expressed her gratitude for the excellent work done by the Street Department.

SCHOOL WALKING ROUTES: Roy Wargi, 2022 E. Coeur d'Alene Ave, voiced his concern regarding the lack of sidewalks in the area of Fernan Elementary and corresponding school cross walks. He thanked the Police Department for checking cars in the school zones. He voiced his concern that since snow will be here soon and there is a lack of sidewalks on the east side 21st Street from Fernan Elementary down to Coeur d'Alene Avenue the Council should add more sidewalks along the east side of 21st Street. Councilman Kennedy asked if an ad hoc committee could review this issue and report back to Public Works Committee. Mayor Bloem directed staff to review the issue and report back to the Public Works Committee.

VARIOUS CONCERNS: Harold Hocker, 1314 E. Spokane Avenue, complained that he was refused what he felt was appropriate care from Kootenai Medical Center for a

recent infection he had contracted in that he had requested an IV but the nursing staff said he didn't need one. He noted that he believes that 15th Street is a "raceway" and believes it is due to a shortage of officers and every year LCDC continues to cheat the public out of other things such as additional police officers. He noted that in Sacramento, CA they enacted a law that requires builders to pay property taxes on new construction within a year, where here property taxes are not paid until the house is sold and one developer had 400 houses that didn't sell in a year and thus robbed the taxpayers of their money.

FEES IN LIEU OF PARKING: Art Williams, 718 E. Sherman Avenue, spoke in opposition to the fees in lieu of parking in that he feels additional parking spaces are needed in the downtown area. He believes that the city's parking requirements are very minimal and fees in lieu of parking will allow for less than adequate parking spaces. Deputy City Attorney Warren Wilson noted that the City Council will be holding a public hearing on January 6, 2009 on this matter. Councilman Goodlander noted that the Council will be setting a public hearing tonight on this matter and that it would be helpful if Mr. Williams would return at that time.

CONSENT CALENDAR: Motion by Kennedy, seconded by McEvers to approve the Consent Calendar as presented with the removal of Item 4 (miscellaneous allocation of the Parks Capital Improvement Funds).

1. Approval of minutes for November 18, 2008.
2. Setting the General Services Committee and the Public Works Committee meetings for Monday, December 8th at Noon and 4:00 p.m. respectively.
3. RESOLUTION 08-062: 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 APPROVAL OF AN AGREEMENT WITH LANDMARK LANDSCAPE ARCHITECTS FOR LANDINGS PARK, PHASE II; APPROVAL OF AN AMENDMENT TO DESIGN AGREEMENT FOR WWTP PILOT STUDIES; APPROVAL OF A MAINTENANCE AGREEMENT FOR TRAFFIC SIGNAL AT ATLAS AND PRAIRIE AND APPROVAL OF A MAINTENANCE AGREEMENT FOR TRAFFIC SIGNAL AT RAMSEY AND PRAIRIE.
4. ~~Approval of miscellaneous allocations of the Parks Capital Improvement Funds.~~
(removed from Consent Calendar)
5. Approval of participation in an intersection study with the City of Dalton Gardens for the intersection at 4th and Dalton Av.
6. SS-13-07 – Final plat approval of Verizon Office Condo's
7. Approval of beer/wine license for Shari's Restaurant at 331 Ironwood Drive
8. Setting of public hearing: O-8-08 – Amending fees in lieu of parking regulations for January 6, 2009.

ROLL CALL: Kennedy, Aye; McEvers, Aye; Bruning, Aye; Edinger, Aye; Hassell, Aye; Goodlander, Aye. Motion carried.

MISCELLANEOUS ALLOCATIONS FROM PARKS CAPITAL

IMPROVEMENT FUND: Parks Director Doug Eastwood reported that 20 years ago the City had agreed to build the Centennial Trail and at that time he knew it would require some future capital repairs to the trail. Thus, each entity set aside some funds into the Centennial Trails Joint Powers Fund. These funds have since been exhausted. The City did the same thing with Tubbs Hill with the funds being held in the Parks Capital Improvement Fund which is reported on the monthly reports from the Tubbs Hill Foundation. The Parks Foundation was formed in 2004 to hold land in trust for future parks development. When the Landings parks property was acquired, the Foundation incurred some costs such as recording fees. The Foundation then asked the City if they would pay those costs. Since the City denied that request, the Foundation asked the property owner who donated the land to provide an additional \$1,000 to record the property. He reported that it is being recommended that \$7,500 be allocated to the Parks Foundation; however, those funds are to remain in the Parks Dept. budget and each request from the Parks Foundation would be reviewed and approved by the Parks Department and the Parks and Recreation Commission. He noted that the major purpose of the formation of the Parks Foundation was to allow the City to use the full value of donated park property in order to apply for grants. He added that if this foundation was not formed the City could not use the value of the land as a grant match and would have to come up with a cash match for grant applications.

Mr. Eastwood noted that the Federal grant funds to the Idaho Land and Conservation Fund has diminished to the point where a specific park such as the Landings could not be funded through grants.

Councilman Kennedy noted that the City has a Strategic Planning process and wanted to know why this issue was not brought up as part of that process. Mr. Eastwood responded that he received this after the planning process. He also noted that this is not a general fund item. Mr. Eastwood also noted that he is requesting a modification to the Foundation's request in that instead of giving the \$7,500 per year directly to the Foundation that the funds be placed in the Parks Budget so each request for funds can be reviewed and approved. Councilman Hassell expressed his support of having the funds remain with the Parks Department until funding requests can be validated by either the Parks Department or the Parks and Recreation Commission. Councilman McEvers asked if it is okay for the City to give money to non-profit organizations. Deputy City Attorney Warren Wilson responded that the City can give money to certain non-profits, but feels more comfortable that these funds stay in-house.

PUBLIC COMMENTS: Susan Snedaker, 821 Hastings, criticized the acoustics in the Library Community Room for her inability to hear what Councilman Hassell says. She commented that she understands Mr. Eastwood's comments but still feels it is a little "murky" for the City to be giving money to a non-profit foundation. She asked if the donated park land's title was in the name of the City or the Foundation. Mr. Eastwood responded that there were three parcels in the Landings Subdivision; two of the parcels had been given to the City but the 3rd parcel came in late since the school did not want the land but it will be transferred to the City.

MOTION: Motion by Goodlander, seconded by Hassell to approve a line item for the Parks Foundation for up to \$7,500 annually with the funding to remain in the Parks Capital Improvement fund until a request is made from the Foundation and approved by the Parks Dept and Parks and Recreation Commission.

DISCUSSION: Councilman Edinger noted that Steve Wetzel, an attorney, and Steve Flerchinger, an accountant, serve on the Parks Foundation and believes that the Foundation is in good hands. Councilman Kennedy asked how he could bring a request forward for the North Idaho Housing Coalition to allocate \$7,500 to cover their costs of doing business. Mayor Bloem responded that she believes he can make such a request. Councilman Kennedy asked how is the Council to differentiate between any non-profit that comes to the City and which ones they can authorize funds for and which ones they cannot.

ROLL CALL: Kennedy, No; McEvers, Aye; Bruning, Aye; Edinger, Aye; Hassell, Aye; Goodlander, Aye. Motion carried.

COUNCIL ANNOUNCEMENTS:

COUNCILMAN GOODLANDER: Councilman Goodlander announced that the Kroc Center still has room on their Donor Wall and reminded citizens that there is still time to make a contribution to the Kroc Center.

COUNCILMAN EDINGER: Commended the Hagadone Corporation and the Downtown Association for the great fireworks display and parade last Friday.

APPOINTMENT – PEDESTRIAN/BICYCLE COMMITTEE: Motion by Kennedy, seconded by Hassell to appoint Mike Dolphin to the Pedestrian/Bicycle Committee. Motion carried.

ADMINISTRATOR’S REPORT: Deputy City Administrator Jon Ingalls announced the current job openings with the City. He congratulated Police Sergeants Walther and Walton for their recent promotions. Mr. Ingalls commended the Chamber of Commerce, Downtown Assoc. and Hagadone Corp. as well as the City’s Parks, Streets, Fire and Police Departments for all their work on the success of the Lighting Ceremony and parade conducted last Friday. He announced that the Library will have Santa Claus at the Library on Dec. 14th and the Library is currently hosting a traveling Smithsonian exhibit entitled “Between Fences”. He noted that the Recreation Dept. has been awarded a grant called the “Sticks for Kids” program which provides an opportunity for area youth to participate in a city youth golf program.

DECLARATION OF SOLE SOURCE PROCUREMENT FOR FIRST STAGE RAMPS AT THE FREESTYLE BMX PARK: Councilman McEvers reported that he has been working with the group of youth who participate in Freestyle BMX cycling. Motion by McEvers, seconded by Goodlander to accept the declaration of a sole source

procurement and direct staff to proceed with the purchase of the First Stage Ramps for the Freestyle BMX Park including having an additional \$5,000 taken from the Parks Capital Improvement fund for payment of the ramps. Motion carried.

2008-2009 CITY SNOW PLAN: Tim Martin, Streets Superintendent, presented the City 2008-2009 Snow Plan and noted that the City has a brochure which contains a review the plan and it is available to interested citizens. Mr. Martin noted that he has presented the snow-gates program to the National ADWPA convention. He reported that he has had a tremendous response from other countries such as Canada and Europe inquiring into our snow gate program. Councilman Edinger asked why the snow gates are not used on 4th Street but rather the snow was pushed into the middle of the road up to Foster and then the snow is pushed off to the side of the road north of 4th and Foster. Mr. Martin responded that last winter's unusually large amount of snow did not give the Street Dept. the time, manpower, or equipment to keep up with the removal the snow so they had to split the snow and plow it to either side of the roadway on 4th Street. He did note that they did go back later and pick up the snow that had been plowed to the sides of the road on 4th Street. As for not using snow gates on 4th Street, Mr. Martin noted that the gates are only on one side of the blade and so they cannot cover two lanes of one-way traffic without going against the flow of traffic. Councilman Hassell asked why we don't tow cars that are in the streets when snow plows come through. Mr. Martin responded that they do address those vehicles that do become a danger to street crews and traffic flow. Jon Ingalls also noted that Steve Roberge from Waste Management had gone door to door last winter asking residents who have alleys to place their garbage cans at the street. Motion by Kennedy, seconded by Edinger to approve the 2008-2009 City Snow Plan. Motion carried.

RESOLUTION 08-063

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN AGREEMENT FOR ADVANCED WATER RECLAMATION FACILITY PHASE 5 EXPANSION, WITH HDR ENGINEERING, INC., ITS PRINCIPAL PLACE OF BUSINESS AT 418 SOUTH 9TH STREET, SUITE 301, BOISE, IDAHO 83702.

Sid Fredrickson, Wastewater Superintendent, presented the proposal of the amendments to the contract with HDR Engineering, Inc. for engineering design services for the Phase 5A of the WWTP expansion and all of the Phase 5B and pre-design of Phase 5C of the WWTP expansion.

Motion by Hassell, seconded by Goodlander to adopt Resolution 08-063.

ROLL CALL: Goodlander, Aye; Kennedy, Aye; Edinger, Aye; Hassell, Aye; Bruning, Aye; McEvers, Aye. Motion carried.

**ORDINANCE NO. 3347
COUNCIL BILL NO. 08-1024**

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTION 18, TOWNSHIP 50, NORTH, RANGE 3W, BOISE MERIDIAN; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED; CHANGING THE ZONING MAPS OF THE CITY OF COEUR D'ALENE; AMENDING SECTION 1.16.160, COEUR D'ALENE MUNICIPAL CODE, BY DECLARING SUCH PROPERTY TO BE A PART OF PRECINCT #50; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

Motion by Goodlander, seconded by Bruning to pass the first reading of Council Bill No. 08-1024.

ROLL CALL: Hassell, Aye; Goodlander, Aye; Kennedy, No; McEvers, Aye; Bruning, Aye; Edinger, No. Motion carried.

Motion by Goodlander, seconded by McEvers to suspend the rules and to adopt Council Bill No. 08-1024 by its having had one reading by title only.

ROLL CALL: Hassell, Aye; Goodlander, Aye; Kennedy, No; McEvers, Aye; Bruning, Aye; Edinger, No. Motion carried.

RECESS: Motion by Goodlander, seconded by Edinger to call for a 5 minute recess. Motion carried. The meeting recessed at 7:40 p.m. The meeting reconvened at 7:47 p.m.

PUBLIC HEARING – LID 149 – CREATION OF LID AND ACCEPTANCE OF PRELIMINARY ASSESSMENT ROLL FOR 4TH STREET IMPROVEMENTS: Mayor Bloem read the rules of order for this public hearing. Gordon Dobler, Engineering Services Director, gave the staff report.

Mr. Dobler reported that in January of this year the Council directed staff to pursue funding options for the improvements of 4th street, from Lakeside Ave to Harrison Ave. Lake City Development Corporation (LCDC) agreed to participate and they held stakeholder meetings this summer to identify place making alternatives and costs. As a result, LCDC has agreed to provide partial funding for the project. Staff has completed the preliminary cost estimates and the Engineers Report establishing the preliminary assessments. All of the adjacent property owners have been notified of the public hearing and of their respective preliminary assessments as required by Idaho Code.

The total project cost is estimated to be \$2,904,000. The City of Coeur d'Alene portion is \$1,000,000 (34%), LCDC will contribute \$1,654,000 (57%), and the LID will provide \$250,000 (8%). The City's funding sources are \$600,000 from the Overlay account, \$200,000 from the Stormwater utility, and \$100,000 from both Water and Wastewater utilities. Individual property assessments were calculated based on frontage foot and benefits derived. Properties adjacent to the Midtown place making improvements were assessed an additional amount. The base assessment for all properties was \$32/lineal foot and the additional assessment for Midtown properties was about \$15/lineal foot. Those assessments will be paid off over ten years, the term of the financing.

Mr. Dobler added that the project includes removal and replacement of all the paving, sidewalks, street trees, curbing, reconstruction of the storm sewer system, and upgrades to the water and wastewater facilities. In addition, the midtown place making improvements include pedestrian bulbs at selected intersections, accent paving at Foster, Roosevelt, Boise, Montana, and Miller, accent concrete on the sidewalks, widened sidewalks and a narrower road section from Roosevelt to Boise, accent street lights, additional street trees, benches and trash cans.

DISCUSSION: Councilman Edinger asked Mr. Dobler about Mr. McGray's comments of putting this project off a couple of years. Mr. Dobler responded that costs would increase and he could not be guaranteed that LCDC would provide the same funding. Councilman Goodlander asked about the sidewalk repairs that already have been made and are these property owners going to get a credit on their LID assessed amount. Mr. Dobler responded that assessments in the past were for improvements made but this LID is based on the benefit of the full project and not on removal and replacement of sidewalks or landscaping that is in place. He reiterated that the LID is only 8% of the total project cost and 92% of the costs are being paid through the City and LCDC. Councilman Bruning asked about the time line of the project. Mr. Dobler responded that there is a time-frame and the goal is to begin the work in March and to have all of the work done before Ironman which is June 21, 2009. If all the work is not completed by June 21st, work will be split and the remaining work will be held off until after the summer season so businesses will have the least amount of impact.

MOTION: Motion by Hassell, seconded by Bruning to accept the protests into the record from Gerry G. McCray, Williene Gagnon, and Ryan Averett, DPM . Motion carried.

PUBLIC COMMENTS:

Don Thompson, business owner at 701 N. 4th, opposes the LID in that he believes that LCDC should be paying for all of the improvements to 4th Street as he believes that LCDC was formed to pay for these types of projects. Councilman Kennedy noted that LCDC is also paying an additional \$800,000 to put in additional parking and workforce housing in the midtown area. Mayor Bloem noted that the urban renewal district is also for job creation and not just for infrastructure improvements and noted that businesses along Sherman Avenue pay into the urban renewal district and they are not getting a direct benefit for these roadway improvements.

James Koonis, 1006 N 4th, commented that his alley way drainage is not hooked up to the sewer and wanted to know if he will be required to hook up to the new sewer. Mr. Dobler noted that the stormwater system should take care of his water drainage.

Teresa Capone, 751 N. 4th, asked if there would be electrical outlets to the trees and if the LID does not cover it, can the property owners pay for that inclusion. Mr. Dobler responded that electrical outlets were not extended to trees but it could be added to the design on a case by case basis. Mrs. Capone noted that they are planning on remodeling her facility and wanted to know the specific dates that the project will be at her property so she can coordinate the two projects. She asked about sandwich signs directing traffic to their businesses. Mr. Dobler responded that he would work with owners regarding directional signage. She asked about the costs for improvements going around the corner of her business. Mr. Dobler responded that all costs have been included in the assessments and that would not change their assessment.

Don Regal, 505 N. 4th, noted that he has a dirt alley behind his business and asked if the alleys were going to be paved and taken care of. Mr. Dobler responded no.

DISPOSITION OF WRITTEN PROTESTS: Motion by Edinger, seconded by Hassell to deny the written protests received from Paris Flea Market, 4th Street Podiatry Clinic and Antique Corner. ROLL CALL: Goodlander, Aye; Kennedy, Aye; Bruning, Aye; McEvers, Aye; Edinger, Aye; Hassell, Aye. Motion carried.

**ORDINANCE NO. 3346
COUNCIL BILL NO. 08-1025**

AN ORDINANCE CREATING LOCAL IMPROVEMENT DISTRICT NO. 149 OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO; DESCRIBING AND SETTING FORTH THE BOUNDARIES OF SAID LOCAL IMPROVEMENT DISTRICT; PROVIDING FOR THE IMPROVEMENTS TO BE MADE THEREIN; AUTHORIZING THE ADVERTISING FOR BIDS FOR SAID WORK AS PROVIDED BY LAW; PROVIDING FOR THE PAYMENT OF COSTS AND EXPENSES OF SAID IMPROVEMENTS TO BE ASSESSED AGAINST THE PROPERTY WITHIN THE DISTRICT BENEFITED THEREBY AND THE METHOD OF ASSESSMENT; PROVIDING FOR THE ISSUANCE OF LOCAL IMPROVEMENT DISTRICT BONDS AND WARRANTS; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Motion by Hassell, seconded by Goodlander to pass the first reading of Council Bill No. 08-1025.

ROLL CALL: Goodlander, Aye; Kennedy, Aye; McEvers, Aye; Bruning, Aye; Edinger, Aye; Hassell, Aye. Motion carried.

Motion by Edinger, seconded by McEvers to suspend the rules and to adopt Council Bill No. 08-1025 by its having had one reading by title only.

ROLL CALL: Goodlander, Aye; Kennedy, Aye; McEvers, Aye; Bruning, Aye; Edinger, Aye; Hassell, Aye. Motion carried.

PUBLIC HEARING – AMENDING/CREATING CERTAIN CITY FEES: Mayor Bloem gave the rules of order for this public hearing. Troy Tymesen, Finance Director, gave the staff report.

Mr. Tymesen reported that City Departments recently completed a review of their fee structures to assure that the various fees are current with the actual cost for services/materials being provided. As a result of that review the following fees are being recommended for adoption.

FIRE/POLICE TRAINING TOWER FACILITY FEES: This is a new set of fees requested by the Fire Department and Police Department to cover the administrative and maintenance costs for the use of the Training Tower by other agencies. It is noted that the departments would like to reserve the right to waive these fees at any time for such reasons they so deem, which include the use/renter allowing the departments' employees to attend said classes training or seminars. The proposed fees for normal business hours are: Audio/Visual Classroom - \$35/hr (\$150/day); Maneuvers/Mat Room - \$25/hr (\$110/day); Weight Room - \$25/hr (\$110/day); Training Tower - \$50.00/hr (\$300/day); Training Grounds - \$25/hr (\$100/day). Additionally, non-business hours usage would require an additional \$50.00 maintenance fee.

FINGERPRINTING: The Police Department is recommending that the fee for fingerprinting be changed from \$5.00 for the card and \$5.00 for the second card to \$10.00 for the first card and \$5.00 for the second card.

ANIMAL CONTROL FINES: The Police Department is recommending that the fines for running at large increase from \$50.00 to \$75.00 and the fine for not having a current dog license increase from \$50.00 to \$75.00.

CDATV PRODUCTON COSTS: The CDA TV Committee is proposing establishing a \$50.00/hour fee for programming and facility use. Using the cost of the equipment, the number of years of life expectancy of the equipment, staff costs including programming time, the actual cost would be \$297/1st hour and then \$122/hr. each additional hour and if it also included the facility equipment use (projector, Elmo, etc.) the actual cost would be \$308.40/1st hour and then \$133.40/hr. each additional hour.

TAXI CAB COMPANY LICENSE FEES AMENDMENT: Currently the City issues licenses that include the VIN's of the vehicles approved for use by the taxicab companies. With increasing frequency, these companies are amending the license as they discontinue/add new vehicles to their fleets throughout the licensed year. To cover the

administrative and record-keeping costs for these changes, the Municipal Services Department is requesting initiating a \$10.00 fee to cover such costs.

USER FEES FOR USE OF CENTENNIAL TRAIL: We are receiving an increasing number of requests for special events to use the Centennial Trail and the proposed 50¢/user fee would be a means to generate revenue to the upkeep and maintenance of the Centennial Trail.

COPYING DOCUMENTS: The current cost for copying is \$.05/page. Over the 20 years since this fee was established, the cost of materials and equipment has significantly increased. An example of increased costs compared to 20 years ago, the City used to purchase copiers for approximately \$4,000; today, the purchased cost is approximately \$12,000. Thus, to help cover the current costs for copying, staff is requesting that the fee be increased to \$.10/page.

DESIGN REVIEW FEES: The Planning Department is requesting the establishment of Design Review Process fees. The first fee is for review of development proposals by the Design Review Commission. The proposed \$100 fee is for notification of three design review meetings (cost of 3 mailings, posting material/printing, and publication) This fee does not capture staff time as it was council's desire to keep these costs as low as practical to applicants. The second fee is for appeal of Design Review Decision. The proposed \$200 fee is for the appeal of a Design Review Decision. (This is the same as the existing appeal cost of Planning Commission Decision)

WATER FEES:

Charges for replacing damaged property (meter lids, hydrants, etc.)*

Old charge: Actual invoice cost plus labor

New charge: Actual invoice cost plus labor

This charge has historically been made but may not have authorizing Council policy to back it up.

Purpose: When public property is damaged and there is no question as to who is responsible we will bill the party causing the damage. We have done this for many years but would like to formalize the process with Council action. Typically these charges are assessed where someone has hit and damaged a fire hydrant. Occasionally someone will damage a meter box through negligence or vandalism. This category would also include vandalism against our tanks, wells, and other facilities. We do not typically bill for items (especially meter box lids) that need replacement due to normal use or where we cannot clearly identify the person causing the damage.

Justification: We do not want the rate payers to have to subsidize repairs where the need for the repairs has been caused by vandalism, negligence, or misuse and where the responsible party is known.

After hours call out charges:

Existing fees: \$57.00* and \$28.50**

Proposed fees: \$80.00* and \$40.00**

Purpose: These fees cover call outs after normal working hours. The original fee was approved by the Council approximately ten years ago. The fee covers the overtime incurred to call someone back in during off hours. The Council, in setting up the original charges, opted to only charge 50% where the need for the call out was caused by leaks or other emergency problems that could not have reasonably been predicted by the customer.

Justification: The personnel costs have risen over the past ten years. This changes updates the fee to match the actual cost.

*Where the call out was after hours due to customer not making appropriate prior arrangements.

**Where the call out was caused by leaks or other problems that could not have reasonably been predicted by the customer.

Water Hook Up Fees:

Size	Existing	Proposed
¾" meter:	\$1,200	\$1,930
1" meter:	\$1,200	\$2,050
1 ½" meter:	\$1,850	\$4,280
2" meter:	\$2,200	\$4,580

Purpose: This fee is charged when a customer asks us to install a water service. The fee includes tapping the main, running the service line to the box, installing the meter (and ancillary items) and running the pipe out from the back of the meter box. The customer always has the option of hiring their own plumber to do this work. The hook up fees were last updated approximately 10 years ago. A cost breakdown is attached to this report.

Justification: Material and labor costs have raised since this fee was last updated. Having the fee too low creates a subsidy from existing customers towards new customers. It also creates unfair competition against local plumbers who cannot compete with the currently outdated fee.

Asphalt Patching Fee:

Existing fee: \$360

Proposed fee: \$950

Purpose: This pays for patching of streets when we create new hookups. It is only charged when patching is required.

Justification: The fee is based on the actual average patching cost. Asphalt cost have risen sharply in the last year.

Bulk Water Setup fees:

New fee: Third and subsequent requests to move a bulk water station will be \$40 each.

Purpose: This covers personnel costs for us to move the fill stations. We include two setups in the bulk water fees.

Justification: We have had problems with some users of the bulk water stations who are asking us to move the station up to several times a day. This charge will help recover the costs of repeatedly moving the station and will encourage the bulk station users to be reasonable in their requests for moving the stations.

Portable Bulk Water Stations Deposits:

Existing deposit: \$600

Proposed deposit: \$1,000

Purpose: This damage deposit is intended to cover the costs to repair broken items in the portable bulk stations. The actual cost for replacement is \$1,700 but we are trying to keep the deposit as low as we can. (We have only had one case where the entire station needs to be replaced). We will be billing the costs beyond the damage deposit in that case and are hopeful that the contractor will pay the full amount without us needing to take further enforcement action. When stations are returned they are inspected. If the station is in good working order the full deposit is refunded. If only parts of the station are damaged we deduct the applicable required amount(s) and refund the rest. In a case where the entire station would need to be replaced, we will bill the actual replacement cost, over and above the damage deposit amount.

Justification: On occasion a contractor will damage part of a bulk station through carelessness or misuse. This deposit allows us to fund the repairs without needing to take further action to collect the money from the user of the station.

Tag / Reconnect Fees:

Old fee: \$20.00

New fee: \$25.00

Purpose: Every time we tag a property for non-payment and every time we turn a service back on after it has been turned off for non-payment it incurs personnel costs. This fee recovers some of that cost. The fee has been unchanged for approximately 10 years.

Justification: We are merely updating this fee to reflect higher personnel costs.

Special Read Fees:

Old fee: None is currently being collected although we may be authorized to charge \$10

New fee: \$25.00

Purpose: This fee is for special meter readings beyond ones that we would normally do. The typical situation is where a landlord wants an extra meter reading.

Justification: There are personnel costs incurred in making these reads. We are proposing that these fees match the tag fees.

FEES IN LIEU OF PARKING: Staff is proposing implementation of the Rich and Associates (parking consultant) recommendations. The fee is designed to be within 20% of the market value of the land with the property value per square foot multiplied by 350 square feet (the size of a parking stall and a portion of the access drive). The proposed Downtown in lieu of parking space fee would be \$10,000.00 per parking space. The Downtown property valuation analysis: $\$33.45/\text{sf} \times 350\text{sf} = \$11,707.50$. (Property valuation determined by reviewing tax assessed valuations.) The proposed Midtown fee

would be \$5,000.00 per parking space. The Midtown property valuation analysis \$14.79/sf X 350sf = \$5,176.50

Additionally, the Downtown fees in lieu recommendations are: 1) One (1) to eight (8) parking spaces required may be met by paying for all spaces in lieu. 2) Nine (9) to twenty (20) parking spaces required may be met by paying for 60% (rounded up to the next space) in lieu. 3) Twenty-one (21) to forty (40) parking spaces required may be met by paying for 50% (rounded up to the next space) in lieu.

Midtown fees in lieu recommendation are: 1) One (1) to eight (8) parking spaces required may be met by paying for all spaces in lieu. 2) Nine (9) to twenty (20) parking spaces required may be met by paying for 60% (rounded up to the next space) in lieu.

GARBAGE SERVICE FESS: Staff is proposed amending the 32-gallon residential cart from \$6.75 per month to \$7.15 per month, commercial 1-can from \$3.95 to \$4.80 per month; establishing a fee for locking/opening gates at \$2.50/pick-up; establishing new commercial 32-gallon cart service at \$4.80/month plus cart fee and a commercial 65-gallon cart service at \$9.60/month plus cart fee.

Councilman McEvers questioned why the City required gates to be placed on the commercial garbage service and now are asking to charge the customers to open and close the gates. Steve Roberge, Waste Management, responded that this is not an uncommon practice in the industry. He noted that it will affect about 100-150 customers out of the 1,200 commercial customers. He added that it costs about \$6.00 per hour of increased labor to unlock and relock the containers which over a year's period adds several thousand dollars in additional labor costs. Councilman McEvers commented that it appears that residential is subsidizing commercial users. Mr. Roberge noted that what does not appear on this proposal is that the County charges an additional \$4.00 to commercial users, so residential users are really not subsidizing commercial users. Councilman Hassell asked what percentage of residential garbage cans are the smaller residential carts. Mr. Roberge responded that 32% of the cans are the smaller cans. Mr. Tymesen commented that the smaller trash cans do not cash flow and are being subsidized by other users and thus the request for the rate increase.

Councilman Edinger asked why we are asking for the fees-in-lieu-of parking in the Midtown area since we have not had it before. Mr. Tymesen responded that the Midtown businesses have requested this fee since change of use of a building would not meet the existing off street parking requirements. Mr. Edinger asked if the parking lot that LCDC is placing will be a customer-paid parking lot. Mr. Tymesen responded that it could be a paid parking lot. Mr. Edinger commented that there was never any discussion about fees-in-lieu of parking so how did this come up. Mr. Tymesen responded that this issue came through the Parking Commission from the Planning Department since a proposed development could not meet the current off-street parking requirements which prompted the need to establish fees-in-lieu of parking. The Parking Commission endorsed this concept and thus the proposed fees are presented to Council for consideration.

Councilman Kennedy, regarding fees-in-lieu of parking, commented that there is a perception that there is a shortage of parking spaces in the Downtown area; however, the reality is that although there may be a shortage of parking in front of a particular business there is more than adequate parking spaces for the Downtown area. Councilman Hassell asked where the funds go from in-lieu-of parking fees. Mr. Tymesen responded that the money would be placed in the dedicated parking fund that goes toward the acquisition of additional parking and maintenance of existing parking. Councilman McEvers commented that the cost of constructing a parking garage established the cost per space for the fees-in-lieu of parking.

PUBLIC COMMENTS:

Susan Snedaker, 821 Hastings, questioned the timing of the public hearing for fees in-lieu-of parking spaces is in January yet the cost for the fees is being considered tonight. Additionally, she questioned the \$200.00 fee for an appeal of a Design Review decision. Deputy City Administrator Ingalls noted that the public hearing in January is for the regulations on the fees-in-lieu of parking and not the rate to be paid.

Harold Hocker, 1413 E. Spokane Ave. asked if the public is going to have to pay to park in the fees-in-lieu of parking spaces. Mayor Bloem responded that the fees-in-lieu of parking are for the purchase of land for parking spaces, improvements to existing parking and whether or not the public will be charged is something that will be determined at the time these future parking lots are constructed. Mr. Hocker commented that downtown Sacramento, CA went bankrupt because people went to the suburbs to shop where parking was free.

RESOLUTION NO. 08-064

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ESTABLISHING AND AMENDING CERTAIN CITY FEES.

Motion by Hassell, seconded by Bruning to adopt Resolution 08-064.

DICUSSON: Councilman Kennedy reported that the only feedback that he received was that the public was not given enough time to provide feedback on these fees. City Clerk Susan Weathers responded that public notices were published in the newspaper twice – the first notice being published two weeks prior to tonight’s hearing and the second the week preceding tonight’s public hearing. Additionally she noted that the City Council had originally set the public hearing for the fee amendments in October for a November public hearing and then had postponed that public hearing to tonight.

Councilman McEvers asked about the Centennial Trail fees. Doug Eastwood responded that the fees are being established because of the wear and tear on the trail system due to these special events.

Councilman Kennedy noted that the only fees that most residents may be affected by are the garbage user fees.

Councilman Goodlander asked if the building contractors had been contacted about the water fees being proposed. Mr. Ingalls responded that the NIBCA is supportive of the fee adjustments.

ROLL CALL: Bruning, Aye; McEvers, Aye; Edinger, Aye; Hassell, Aye; Kennedy, Aye; Goodlander, Aye. Motion carried.

ADJOURNMENT: Motion by Hassell, seconded by McEvers that, there being no further business before the Council, that this meeting is adjourned. Motion carried.

The meeting adjourned at 9:35 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, CMC
City Clerk