



# Coeur d'Alene

## CITY COUNCIL MEETING

*February 6, 2007*

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**MEMBERS OF THE CITY COUNCIL:**

**Sandi Bloem, Mayor**

**Councilmen Edinger, Goodlander, McEvers, Reid, Hassell, Kennedy**

# CONSENT CALENDAR

MINUTES OF A REGULAR MEETING OF THE CITY  
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,  
HELD AT COEUR D'ALENE CITY HALL,  
JANUARY 16, 2007

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 Hall, January 16, 2007 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Al Hassell	)	Members of Council Present
Woody McEvers	)	
Loren Edinger	)	
Dixie Reid	)	
Mike Kennedy	)	
Deanna Goodlander	)	

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

**INVOCATION** was led by Pastor Paul Peabody, Grace Bible Church.

**PLEDGE OF ALLEGIANCE:** Councilman Kennedy led the pledge of allegiance.

**PRESENTATIONS:**

PRESENTATION- "2006 Disability Advocate Awards": Amy Dreps from the Community Action Center presented two awards for Exemplary Service - one for business and one for volunteers.

PRESENTATION - "ITD Signalization on U.S. 95": Mike Porcelli, for ITD District 1 Traffic Engineer, presented an overview of Highway US 95 noting that the current route through Coeur d'Alene began in 1974. At that time speed limits were at 55 mph; however, over the years traffic signals were added to US 95 starting north of Appleway which has caused congestion on both US 95 and city roadways. He noted that the access management policy is based on the Administrative Rules of ITD. Mr. Porcelli then explained how signal timing is determined. He noted that over the years ITD has completed timing review studies on US 95 as well as having studies conducted by other entities such as University of Idaho, W&H Pacific, and Kittelson. Councilman Reid noted that KMPO is working on intersection closures on US 95 and invited any citizen interested in working on a subcommittee to contact her. Councilman Edinger asked if there were going to be public hearings on any proposed intersection closure. Mr. Porcelli noted that there will be some public input including public workshops.

**PUBLIC COMMENTS:**

NEW FIREFIGHTERS: Kenny Gabriel, Fire Chief, 311 Mill Avenue, introduced the five new firefighters who are currently training but have minimum Level 1 standard for firefighters and a basic EMT level of experience.

SANDERS BEACH: Barb Crumpacker, 1015 Lakeside, voiced her concern that the East Lakeshore property owners want to eliminate public access at 11<sup>th</sup> Street and 15<sup>th</sup> Street. She also voiced her concern of allowing boats docking along that shoreline due to swimmers in the area. City Attorney Mike Gridley reported that the Department of Lands denied Mr. Franks' request for a dock at E. Lakeshore.

ARTS CENTER PROPOSAL: Teresa Colwes, 854 Victorian Drive, asked the City to utilize the former Library site as an Arts Center or the use of some other centrally located city-owned building. The purpose of this building is to provide a space for an art center and classes for children. Funding would come from grants and donations. She requested the Council authorize her to form a committee to complete research on possible funding sources, develop an annual budget and create a timeline. Councilman Edinger commended her for taking on such a big task.

EAST MULLAN HOMEOWNERS ASSOCIATION AND HISTORIC DISTRICT: Rita Snyder, 818 Front Avenue, representing the East Mullan Homeowners Association, announced that her group is in the process of developing a charter to establish their area as a historic district. She noted that her group has some concerns regarding the infill regulations and its impact on her neighborhood. In particular, there are an increasing number of requests for variances to the height limitations. She also noted that residents in the East Mullan Homeowners Association area were not made aware of the impact of infill regulations. She recounted an incident whereby a neighbor on Bancroft is being pressured to sell her home so a developer can construct a very large building on her site. The area of the East Mullan Homeowners Association encompasses 8<sup>th</sup> to 11<sup>th</sup> and from Mountain Avenue to the alley on Lakeside. She requested 10 minutes on the February 1<sup>st</sup> agenda of the City Council/Planning Commission workshop so the neighborhood could present their ideas on proposed regulations. Councilman McEvers commended the residents for developing a homeowners association. Councilman Hassell also commended the group for their efforts. Mayor Bloem directed that this item be added to the Council workshop on February 1, 2007. Councilman Kennedy asked if the group has any information to provide for council review prior to the meeting. Councilman Reid noted that if Mrs. Snyder provided the City Clerk with a copy of their information, that the City Clerk would distribute it to the Council.

GRAFFITI ON EAST LAKESHORE DRIVE SEAWALLS: Gerald Frank, 1415 East Lakeshore, requested that the City clean any graffiti that appears on his seawall. He noted that he has filed police reports on this graffiti. Councilman Kennedy asked what the city's code is for graffiti on private property. City Attorney Mike Gridley noted that the code basically says private property is the responsibility of the owner unless the Council provides for the City to maintain private property. Doug Eastwood responded that the City has only maintained public property and has not maintained any private

property. Councilman Reid apologized on behalf of all the citizens for the nature of the graffiti painted on his seawalls. Councilman Goodlander directed that the Police Department increase patrol of this area in order to curb this activity. Mr. Frank urged the Council, in view of the Supreme Court decision, to talk to the homeowners of East Lakeshore Drive regarding public access to their beach. He noted that he is willing to discuss the option of keeping his property open to the public and he believes that some of the other property owners are willing to discuss this issue with the City. Also, in regard to the statements previously made during public comments, he is not aware of any actions by the East Lakeshore property owners to eliminate public access at 11<sup>th</sup> Street and 15<sup>th</sup> Street. Councilman Hassell commented that if the City cleaned his graffiti then the City would need to clean all the graffiti on all private businesses and private property.

Linda Davis, 8381 Montrose Court, Hayden, Idaho, representing Copper Basin Construction announced that her organization and other developers will be having educational displays regarding housing information for this area. This event will take place February 22nd at the Cd'A Inn from 6:00 p.m. to 8:00 p.m. and she invited the public to attend.

**CONSENT CALENDAR:** Motion by Reid, seconded by Edinger to approve the Consent Calendar as presented.

1. Approval of minutes for January 2, 2006.
2. Setting of the Public Works Committee and General Services Committee meetings for January 22, 2007 at 4:00 p.m.
3. RESOLUTION 07-006: A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING CHANGE ORDER #1 TO THE CONTRACT WITH G.D. LONGWELL-ARCHITECTS, PLLC, FOR THE FIRE STATION NO. 2 REMODEL PROJECT.
4. RESOLUTION 07-002: A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AGREEMENTS FOR PARK AND POND OPERATION AND MAINTENANCE WITH RIVERSTONE WEST, ITS PRINCIPAL PLACE OF BUSINESS AT 104 SOUTH DIVISION STREET, SPOKANE, WA. 99204.
5. Authorizing the City to quitclaim a right-of-way easement located on Armstrong Park Hill.
6. Approval of Bills as submitted and on file in the Office of the City Clerk.
7. Setting of Public Hearings: ZC-1-07 - Zone Change at Beehive Homes for February 20, 2007.
8. Authorizing the Fire Department to negotiate a contract for the construction of the Training Facility.
9. SS-26-06 - Final Plat approval for Rainbow Ridge Condominiums.

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

**COUNCIL ANNOUNCEMENTS:**

COUNCILMAN REID announced that on March 22<sup>nd</sup> Milton Creagh will be in town speaking on substance abuse. He will be speaking at both high schools and the juvenile detention center.

COUNCILMAN HASSELL announced that there will be a Parks Master Planning public workshop on Jan. 24<sup>th</sup>, at 11:30 a.m. to be held at the Lake City Senior Center for our senior population and then another workshop on Thursday, January 25<sup>th</sup>, at 6:30 p.m. at Woodland Middles School for families, adults and children.

COUNCILMAN GOODLANDER reported that the Library group is selecting furnishings for new building. It is anticipated that the opening of the new library will be the end of July or first part of August. She also announced that the Library's proposed interior artwork is on display at the Art Spirit Gallery for the public to view and make comment.

COUNCILMAN KENNEDY announced that January 25th is the Association of Idaho Cities' Day at the Capital and Council members and staff will be attending this function. He added that although a majority of the Council will be traveling to Boise, they will not be deliberating towards any decisions.

**RESOLUTION NO. 07-007**

**A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR A WATER RATE AND CAPITALIZATION FEE STUDY WITH INTEGRATED UTILITIES GROUP, INC.**

Motion by Reid, seconded by Kennedy to adopt Resolution 07-007.

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

**PUBLIC HEARING - O-4-06 - NEW ZONING DISTRICT REGULATIONS:**

Mayor Bloem read the rules of order for this public hearing. City Planner, Dave Yadon, gave the staff report.

Mr. Yadon presented a request for the creation of two zoning districts: "*The Neighborhood Commercial District*" and "*The Community Commercial District*".

*The Neighborhood Commercial District* is intended to allow for the location of enterprises that mainly serve the immediate surrounding residential area and that provide

a scale and character that are compatible with residential buildings. It is expected that most customers would reach the businesses by walking or bicycling rather than driving.

*The Community Commercial District* is intended to allow for the location of enterprises that mainly serve the surrounding residential areas and that provide a scale and character that are compatible with residential buildings.

Both districts include a purpose, permitted uses, maximum building height, maximum floor area ratio, maximum floor area, minimum parking, setbacks, screening, landscaping and design standards.

Mr. Yadon noted that this action does not change the zoning of any property in the city.

Following two public workshop on August 16, 2006 and September 12, 2006, the Planning Commission recommended approval of the proposed amendments on December 12, 2006.

**PUBLIC COMMENTS:** Mayor Bloem called for public comments with none being received.

**DISCUSSION:** Councilman McEvers asked for an example where these regulations might apply. Mr. Yadon gave the example of a request a few years ago where a professional group had requested a zone change to allow their service in a residential area and at the time this was not allowed by zoning code. Mr. Yadon noted that these regulations restrict the height and size of buildings to those currently allowed in the residential zones. Councilman Kennedy asked if there were any unintended consequences to these proposed zoning changes. Mr. Yadon responded that this was discussed with the Consultant and the Planning Commission and they believe that the unintended consequences are much less with these regulations than the current zoning regulations.

**MOTION:** Motion by Goodlander, seconded by Hassell to approve the proposed changes to the zoning district regulations.

**DISCUSSION:** Councilman McEvers believes that the Commission has worked hard on these changes and it is worth at least trying the proposed changes.

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

**RECESS:** Mayor Bloem called for a brief break at 7:55 p.m. The meeting reconvened at 8:00 p.m.

**PUBLIC HEARING - O-5-06 - AMENDMENT TO CONDOMINIUM AND FINAL PLAT ORDINANCES:** Mayor Bloem read the rules of order for this public hearing. Deputy City Attorney Warren Wilson gave the staff report.

Mr. Warren Wilson reported that the Planning Commission has expressed interest in changing the process for approving condominium projects since the impacts created by these developments are addressed at building permit issuance rather than at a hearing before the Commission. In addition, staff has been working to prepare amendments to tighten requirements for final plats to ensure that pedestrian and bicycle improvements depicted on the preliminary plats are reflected on the final plats and are ultimately built.

He noted that by adopting the proposed amendments it will streamline the condominium approval process without changing the level of City review of the plat. The proposal would have staff review the impacts of the development at building permit as happens currently and the condominium plat would go directly to the City Council as a final plat.

The changes to the final plat process will help to ensure that any proposed ped/bike improvements that are shown on a preliminary plat are ultimately built by requiring that these elements are contained in the final plat.

These proposals were reviewed by the Planning Commission on December 12, 2006 and the Commission is recommending approval of these amendments. He did note that the Commission did not recommend a provision dealing with consent of all interest holders of platted property; however, staff is recommending this provision and added this is standard practice in several other municipalities.

**PUBLIC COMMENTS:** Mayor Bloem called for public comments with none being received.

ORDINANCE NO. 3281

COUNCIL BILL NO. 07-1003

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTIONS 16.04.015, 16.10.030, 16.10.045, 16.10.050, 16.10.060 AND 16.12.020 TO REQUIRE THAT PROPER PROVISION IS MADE IN SUBDIVISIONS FOR SIDEWALKS AND PEDESTRIAN/BICYCLE FACILITIES AND TO REQUIRE THAT FINAL PLATS INCORPORATE ALL SUBSTANTIVE ELEMENTS OF APPROVED PRELIMINARY PLATS; ADOPTING A NEW SECTION 16.08.157 TO DEFINE CONDOMINIUM PLATS; AMENDING SECTION 16.12.060 TO REQUIRE THAT ALL PLATS BE ACCOMPANIED BY A CERTIFICATE SHOWING THE CONSENT OF ALL PERSONS HOLDING AN INTEREST IN THE PROPERTY; AMENDING SECTIONS 16.36.010, 16.36.040 AND 16.36.060 TO REMOVE REFERENCES TO CONDOMINIUM PLATS AND TO ESTABLISH PROCEDURAL REQUIREMENTS



FOR PROCESSING SHORT PLATS; ADOPTING A NEW CHAPTER 16.37 TO REGULATE CONDOMINIUM PLATS; ADOPTING NEW SECTIONS 16.37.010, 16.37.020, 16.37.030,16.37.040, 16.37.050, 16.36.060.16.36.070, 16.36.080 AND 16.37.090 TO ADOPT PROCEDURAL RULES FOR REVIEWING AND APPROVING CONDOMINIUM PLATS INCLUDING APPLICATION REQUIREMENTS, REQUIRED IMPROVEMENTS AND CERTIFICATES, APPROVAL BY THE CITY ENGINEER AND CITY COUNCIL AND ADDITIONAL REQUIREMENTS FOR PHASED CONDOMINIUMS; REPEALING SECTIONS 16.12.050, 16.32.030, 16.36.015 AND 16.36.070; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

Motion by Edinger, seconded by Hassell to pass the first reading of Council Bill No. 07-1003.

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

Motion by Kennedy, seconded by McEvers to suspend the rules and to adopt Council Bill No. 07-1003 by its having had one reading by title only.

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

**EXECUTIVE SESSION:** Motion by Reid, seconded by McEvers to enter into Executive Session as provided by Idaho Code 67-2345 SUBSECTION C: To conduct deliberations concerning labor negotiations or to acquire an interest in real property, which is not owned by a public agency; and SUBSECTION F: To consider and advise its legal representatives in pending litigation or where there is a general public awareness of probable litigation.

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

The Council entered into Executive Session at 8:17 p.m. Those present were the Mayor, City Council, City Administrator, and City Attorney. Matters discussed were those of property acquisition and litigation.

No action was taken and the Council returned to regular session as 8:35 p.m.

**ADJOURNMENT:** Motion by Edinger, seconded by Goodlander to recess to January 22, 2007 at 5:30 p.m. for a joint meeting with the School District 271 Board, then recess to January 23, 2007 at 12:00 noon for joint workshop with Arts Commission and then

recess to February 1, 2007 at 12:00 noon for a joint workshop with the Planning Commission. Motion carried.

The meeting recessed at 8:37 p.m.

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Sandi Bloem, Mayor

ATTEST:

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Susan K. Weathers, CMC  
City Clerk

**MINUTES OF A CONTINUED MEETING OF THE CITY  
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,  
HELD IN THE COUNCIL CHAMBERS,  
January 23, 2007**

The Mayor and Council of the City of Coeur d'Alene met in a continued session of said Council in the Council Chambers on January 23, 2007 at 12:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

CITY COUNCIL MEMBERS PRESENT: A. J. "Al" Hassell, III, Loren Edinger, Dixie Reid, Woody McEvers, Deanna Goodlander

ARTS COMMISSION MEMBERS PRESENT:

Elisabeth Garland, Chairman, Janet Launhardt, Iris Siegler, Rann Haight, Eden Moreland

STAFF PRESENT:

Wendy Hague, City Administrator  
Amy Ferguson, Exec. Assistant/Deputy City Clerk  
Troy Tymesen, Finance Director  
Jon Ingalls, Deputy City Administrator  
Steve Anthony, Arts Commission Liaison  
Renata McLeod, Project Coordinator  
Mike Gridley, City Attorney  
Dave Yadon, Planning Director

CALL TO ORDER: Mayor Bloem called the meeting to order and welcomed everyone. Introductions were made.

**POWER POINT PRESENTATION/MASTER PLAN DISCUSSION/PUBLIC ART POLICY/UPDATE ON LIBRARY PUBLIC ART PROPOSALS:**

Steve Anthony, Arts Commission Liaison, presented a Powerpoint introduction to the Arts Commission, including information regarding it's history, the work that has been done so far, and discussing the new draft "Art in the Heart" document. Mr. Anthony commented that he felt that the workshop with Council was a good starting point since the Arts Commission was in the process of reviewing their Master Plan.

Councilman McEvers questioned how the Arts Commission promotes the development of industry and growth as stated in the Powerpoint presentation. Chairman Garland commented that there are studies which show that the growth of art in a community goes hand in hand with the growth of a community. Mr. Anthony commented that, for example, the recent fountains project brought a lot of tourists to the downtown area.

Chairman Garland comments that the commission's funding mechanism is widely acclaimed throughout Idaho, and that Coeur d'Alene was the first city to do a "percent for arts" program. She also explained that the Arts Commission started out with their first public arts projects at the request of the Parks Department working with tree stumps that were left after the 1996 ice storm.

Chairman Garland mentioned that the new Cherry Hill helmet project is unique for the Arts Commission in that it is also a functional piece. The Arts Commission collaborated with the Parks Department on this project.

The Summer Arts Program for Youth was also discussed. Commissioner Siegler commented that the program was held at the First Presbyterian Church for many years, but this past year it moved to the Harding Center. She stated that the Harding Center is the perfect location in that it allows for recess for the children who participate. It has been a very fun program, and the attendance numbers really increased this year.

Mr. Anthony reviewed the main points of the Art in the Heart document through his Powerpoint presentation. He stated that the council had previously granted funds to do an Arts master plan. The draft of the master plan was completed by the city's consultant, Barney & Worth. During the process of creating the master plan, the consultants met with community leaders, community groups, and held two public meetings.

In regard to the issue of adequate support of the arts collection as specified in the Art for the Heart document, Mr. Anthony commented that maintenance of the art by properly qualified individuals is something that they haven't done much with to date. He indicated that he believes at some point the feathers and other art projects will need some maintenance and the City will probably have to bring in somebody who is qualified to do it. Councilman Goodlander commented that when they were working with the consultants, they were talking about a conservator for the art. There are people you can hire that have the expertise to assist with maintenance. Chairman Garland stated that the commission could also go back to the artist to see what they suggest in regard to maintenance. Some of the artists have come in and done minor repairs and that the Parks & Recreation Department does assist with maintenance.

Mr. Anthony commented that he has received calls from both Post Falls and Hayden Lake regarding the city's art ordinances. Chairman Garland also stated that she has received extensive requests for information from Boise, Idaho Falls and smaller cities in Montana.

Councilman Hassell asked if anything has been done about an art map. Councilman Goodlander responded that the commission has not done anything yet, and that she was not sure that there are enough pieces of art yet. Councilman Hassell stated that he thought it was appropriate to make it a reasonably high priority. Commissioner Moreland stated that she felt it was a function of tourism and that the Commission should partner with the CVB to produce a map.

As part of the Powerpoint presentation, the discussion centered around using signature pieces of art that can be identified with the City. Commissioner Haight commented that he felt that the art piece for the new Chamber building is as close to an icon as we can get. He stated that what he felt was great about the project is that they wrote a performance specification for the art piece – that it had to be loved by the community, and had to have people want to get their picture taken with it. Commissioner Haight stated that the artists for this project “nailed” all of the requested specifications. In describing the art piece, Commissioner Haight stated that it would be made of copper and filled with sand, so that it is not too hot to touch in the summer. The project is funded and will be installed by the Rotary Group. It is a zero maintenance project. Commissioner Haight commented that the artist also did the “mit” located at Safeco Field. He further commented that the artist created the heart in negative, in that you will see the lake in a heart-shaped picture frame. They had a selection committee of about 15 people and the vote was unanimous for this piece.

Councilman Edinger asked where the art piece would be located. Commissioner Haight stated that it was to be somewhere at the intersection of Northwest and Lakeside. They are still working on its orientation. The intent is to have a “kodak” picture location. They will go out on the site and make a paper mockup and move it around until it is in the right place.

Councilman Goodlander commented that one of the consultants on the master plan (Peggy Kendellan) mentioned that she was on a 25 member arts commission in the Portland area and that it was a revolving committee with term limits. The commission was very effective.

Mr. Anthony stated that once the commission has received all of the comments on the master plan, at that point a recommendation will be made to the Council. Barney & Worth envision the final “Art in the Heart” document in a poster form so that it can be distributed. Mr. Anthony stated that they would like to bring the master plan to the Council sometime in May.

Councilman McEvers asked how the Arts Commission decides if something fits or how an art piece feels. How do you decide if you like the art piece? Commissioner Haight explained that the term “like” is a lot more vague than the criteria that was established. In the process of asking artists to submit proposals, the selection committee wrote their intent as to what they wanted to do. In Commissioner Haight’s opinion, you don’t judge art as being good or bad or valid. The question is does it perform the function you want it to do. Those are qualities that you can logically define and logically judge. It is not necessarily whether you think it is neat or you like the color. The specifications help you to bring it to a logical level instead of an emotional level. For example, Commissioner Haight stated that on the library external art piece, they had to decide if they wanted the piece to be flashy or subtle. The piece was selected because it produces a subtle atmosphere. Commissioner Launhardt commented that you have to look at the location of the art piece and determine if it will fit.

Commissioner Haight stated that the Chamber art attracted big name, world famous artists. Once the piece is in place, then other high end artists will want to “join the group.”

Councilman McEvers asked whether, in the case of the library art, all of the artists received the same information. The commission responded that they did. Councilman Goodlander stated that they did a national call and that the artists are from all over the country.

Mr. Anthony commented that one thing that was different about the library project is that the call to artists went out before the project was completed. There has been an effort to get the artists involved with the architect from the beginning (unlike the Police Department eagle.)

Councilman McEvers commented that he noticed that in the infill area, there seems to be art attached to the new projects, and questioned if the Arts Commission guides that. Councilman Goodlander stated that the commission hasn't had anything major come along yet, but that LCDC does have a project that has not gone beyond the talking stage yet. If the artists choose to put art on a private building, they can do so. The only time the Arts Commission has a responsibility or a say on the art and maintenance is when it is located on public property.

Councilman McEvers asked how the money works, and how does the Commission decide how much to spend on a project. Chairman Garland stated that when they send out a call to artists, they specify how much they are willing to spend on the art piece, which includes installation and the maquette. Commissioner Launhardt stated that the commission receives a financial statement at every meeting which gives them an idea of how much money is available. The commission determines how much money they want to spend for a project.

Councilman Edinger commented that the Arts Commission and the Percent for Arts program was started by former Councilman Nancy Sue Wallace. He has seen projects in the city that have been done by the Arts Commission that he thinks are great, and that the Arts Commission does a great job..

Mayor Bloem commented that in the survey that was done by the consultants, it appears that some of the citizens want some of the dollars spent on the performing arts. She questioned if the commission has spent any money on the performing arts at this point? Chairman Garland responded that she attended a workshop in Sandpoint that was sponsored by the Idaho Commission on the Arts. At the workshop, they were instructed that performing arts are best funded by private organizations, banks, etc., because you get into questions of insurance that are completely prohibitive for cities and towns to handle. They were instructed that arts commissions in cities and towns should concentrate on visual arts. The commission did look into concerts in the parks and there were many issues regarding insurance questions. The commission can do a call to artists to compose a piece to commemorate something, but the actual performance of that piece becomes

very difficult. Mayor Bloem commented that she felt it was important to provide that information to the public.

Mayor Bloem asked the commission if they have funded any partnerships, and who they are partnering with as far as other arts organizations are concerned at this point. Chairman Garland responded that they partner with LCDC, and they were one of the organizations involved in the Arts and Culture Alliance. She also commented that Commissioner Moreland sits in on the Chamber arts committee.

Mayor Bloem commented that the biggest criticism that she hears in the community is that there are all these different things going on and we don't coordinate. She stated that she feels it is important to reiterate and explain to the public how the Arts Commission partners with other groups. Perhaps there are dollars available for the performing arts if you partner with other groups. She would like to see those kinds of partnerships.

Councilman Hassel commented on the new amphitheatre that is being constructed at the new Riverstone park and how that would be a venue that could be used for the performing arts. Perhaps the commission could participate in some way. Councilman Hassell also commented that perhaps the commission could participate in the construction and decoration of the amphitheatre that is proposed for McEuen Park.

Mayor Bloem asked if the commission has sponsored any temporary art exhibits, but their ordinance and policy allow them to do so. Chairman Garland responded that the commission can do temporary art exhibits, but has not done so yet. The Excel Foundation did the moose, and Eden Moreland did the fountains. The Mayor stated that she thought it would be a good idea. Chairman Garland stated that there is a sidewalk art project scheduled for this summer that Steve Gibbs is working on.

Mr. Anthony asked the council to look through the Public Art Policy and let the commission know if they have any comments. He also thanked Renata for all of her help on the library project. Councilman Goodlander thanked Amy for her work in keeping the selection committee organized.

#### **MAYOR'S ARTS AWARDS:**

Chairman Garland stated that the Mayor's Awards in the Arts are extremely important to the Arts Commission and to the community. After the council budget workshop was aired and the awards were cut, she received many calls. Chairman Garland requested that the council find some way to reinstate the awards this year. She commented that the awards create good will and enthusiasm among the artists. In addition, one artist is commissioned each year to create the awards. She stated that she would hate to be a city that did not have an arts awards – it is a national program. In addition, she has been asked by the Chamber whether they will do it again this year.

Councilman Hassell asked if there was any reason that the arts funds could not be used for the Mayor's Awards in the Arts. Mayor Bloem commented that she didn't think there

was an intent to eliminate Mayor's Awards from happening. It was the desire of the Council to get the expense off of the General Fund budget.

Mr. Tymesen commented that the challenge would be determining whether the current ordinance allows for the Mayor's Awards. Mr. Gridley stated that the ordinance could be amended if necessary. Mayor Bloem asked Mr. Gridley to look at the ordinance to see if the Mayor's Awards could be funded from the arts fund. If not, then the ordinance should be amended. She expressed her support of the Mayor's Awards in the Arts. Councilman Goodlander stated that with some time and energy expended, she believes that the costs for the awards ceremony could be minimized.

Mayor Bloem thanked the members of the Arts Commission for all of their donated time and expressed her belief that the community is beginning to see the results.

**ADJOURNMENT:** Motion by Edinger, seconded by Hassell, to recess the meeting to February 1<sup>st</sup>, at 12:00 p.m., for a joint council workshop with the Planning Commission. Motion carried.

The meeting adjourned at 1:07 p.m.

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Sandi Bloem, Mayor

ATTEST:

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Amy Ferguson, Deputy City Clerk



RESOLUTION NO. 07-008

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 THE IDAHO OFFICE OF TRAFFIC AND HIGHWAY SAFETY GRANT AGREEMENT FOR THE POLICE DEPARTMENT C.A.R.E. TEAM; APPROVAL OF CHANGE ORDER NO. 7 WITH CONTRACTORS NORTHWEST, INC FOR THE WWTP PHASE 4B PROJECT; APPROVAL OF AN AGREEMENT WITH THE INSTITUTE FOR ADVANCED DEVELOPMENT FOR TRAINING ENTITLED "TEAM EFFECTIVENESS & PARTNERING STRATEGIES"; APPROVAL OF S-11-06 ICE PLANT SUBDIVISION FINAL PLAT APPROVAL AND SUBDIVISION IMPROVEMENT AGREEMENT & AUTHORIZING THE DESTRUCTION OF RECORDS AS REQUESTED BY THE POLICE DEPARTMENT.

WHEREAS, it has been recommended that the City of Coeur d'Alene enter into the contract(s), agreement(s) or other actions listed below pursuant to the terms and conditions set forth in the contract(s), agreement(s) and other action(s) documents attached hereto as Exhibits "1 through 5" and by reference made a part hereof as summarized as follows:

- 1) Approval of the Idaho Office of Traffic and Highway Safety Grant Agreement for the Police Department C.A.R.E. team;
- 2) Approval of Change Order No. 7 with Contractors Northwest, Inc for the WWTP Phase 4B project;
- 3) Approval of an Agreement with the Institute for Advanced Development for training entitled "Team Effectiveness & Partnering Strategies";
- 4) Approval of S-11-06 Ice Plant Subdivision Final Plat Approval and Subdivision Improvement Agreement;
- 5) Authorizing the Destruction of Records as requested by the Police Department;

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 agreements or other actions; NOW, THEREFORE,

BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene that the City enter into agreements or other actions for the subject matter, as set forth in substantially the form attached hereto as Exhibits "1 through 5" and incorporated herein by reference with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said agreements or other actions so long as the substantive provisions of the agreements or other actions remain intact.

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

DATED this 6<sup>th</sup> day of February, 2007.

\_\_\_\_\_  
Sandi Bloem, Mayor

ATTEST

\_\_\_\_\_  
Susan K. Weathers, City Clerk

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

ROLL CALL:

COUNCIL MEMBER REID Voted \_\_\_\_\_

COUNCIL MEMBER GOODLANDER Voted \_\_\_\_\_

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

COUNCIL MEMBER HASSELL Voted \_\_\_\_\_

COUNCIL MEMBER KENNEDY Voted \_\_\_\_\_

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

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



# Coeur d'Alene Police

*Protect and Serve*

3818 SCHREIBER WAY  
COEUR D'ALENE, IDAHO 83815  
(208)769-2291 – FAX (208)769-2344  
www.cdapolicy.org

**To:** Captain Childers  
**From:** Sgt. Brainard  
**Subject:** 2007 Grant Agreement  
**Date:** 01/12/07

Catpain,

Attached is a copy of the final grant agreement as well as the budget page, and staff report. Do you see any issues with this, or can we proceed and get this thing finalized?

Thanks,  
K38

Feb 6 11



# Coeur d'Alene Police

*Protect and Serve*

3818 SCHREIBER WAY  
COEUR D'ALENE, IDAHO 83815  
(208)769-2291 – FAX (208)769-2344  
www.cdapolicy.org

To: Wendy Gabriel  
City Administrator

From: Wendy Carpenter  
Chief of Police

Subject: Request to enter into a Grant Acceptance of Conditions with:  
**State of Idaho Office of Traffic and Highway Safety**

Date: January 12<sup>th</sup>, 2007

---

**Decision Point:** Authorization for the City of Coeur d'Alene and the Coeur d'Alene Police Department to enter into an Acceptance of Conditions with the Office of Traffic and Highway Safety. The Acceptance of Conditions allows the Coeur d'Alene Police Department to agree with the Office of Traffic and Highway Safety, upon the conditions set forth for the receipt of Federal grant monies.

**History:** In the past the city of Coeur d'Alene has ranked number 1, among other Idaho cities with a population between 15,000 and 39,000, as having the highest fatal or injury accident rate in the State of Idaho. In an effort to reduce the injury accident rate, the Coeur d'Alene Police Department has, historically, partnered with the Office of Traffic and Highway Safety in formulating a Collision Reduction Program. The Acceptance of Conditions will allow the City of Coeur d'Alene and the Coeur d'Alene Police Department to continue in that partnership.

**Financial Analysis:** Two vital elements of the Collision Reduction Program are the monetary commitments of the City of Coeur d'Alene and Coeur d'Alene Police Department, and the Office of Traffic and Highway Safety. The total project cost will be One Hundred and One Thousand, Five Hundred Dollars (\$101,500.00) and the monetary commitments of each entity will consist of the following:

1. The monetary commitment of the City of Coeur d'Alene and Coeur d'Alene Police Department will consist of the regular salaries and benefits of the already employed officers assigned to the Community Accident Reduction through Education (C.A.R.E.) Team, in the amount of Eighty Four Thousand Dollars. (\$84,000.00)
2. The financial commitment of the Office of Traffic and Highway Safety will consist of Federal grant monies in the amount of seventeen thousand five hundred dollars. (\$17,500.00) These monies will be used to pay for overtime expenses related to specified aggressive driving emphasis patrols, training, and/or accident area signage.

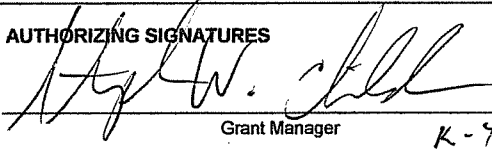
**Performance Analysis:** Specified performance objectives comprised of enforcement activity, multi-agency emphasis patrols, community education programs, media relations, community information sources, have been agreed on and will be monitored, and documented on a daily, weekly, monthly, quarterly and annual basis.

**Quality of Life Analysis:** Due to the rapidly increasing volume of vehicular traffic continued emphasis must be placed on the safety of all motorists in the City of Coeur d'Alene. This agreement and the funds provided will make it possible for officers assigned to the C.A.R.E. Team to work towards the goal of reducing the number of injury accidents, therefore making Coeur d'Alene a safer city in which to live and visit.

**Decision Point:** Authorization to enter into an Acceptance of Conditions with the above listed agency and to contribute our share of the project cost, which would take effect during the 2006-2007 budget year.

Wendy Carpenter  
Chief of Police

## IDAHO HIGHWAY SAFETY GRANT

<p style="text-align: center;"><b>OFFICE OF TRAFFIC AND HIGHWAY SAFETY</b></p> <p style="text-align: center;">PO Box 7129 Boise, ID 83707-1129 Phone: (208) 334-8100</p>	<p><b>FOR OTHS USE ONLY</b></p>																														
<p><b>1. AGENCY</b>      Coeur d'Alene Police Department</p> <p>Address      3818 Schreiber Way Coeur d'Alene, Idaho 83815</p>	<p><b>Grant Project Name:</b>      Coeur d'Alene Crash Reduction Project</p> <p><b>Grant Project Number:</b>      SPT0713</p> <p><b>Effective Date:</b>      From      10/01/2006      To      09/30/2007</p>																														
<p><b>2. GRANT MANAGER</b>      Captain Steve Childers</p> <p>Title      Captain</p> <p>Address      3818 Schreiber Way Coeur d'Alene, Idaho 83815</p> <p>Phone      769-2320      FAX      769-2307</p> <p>E-mail Address      <a href="mailto:SCHILDERS@cdaid.org">SCHILDERS@cdaid.org</a></p>	<p style="text-align: center;">CFDA# 20.6 State and community Highway Safety</p> <p style="text-align: center;"><b>GRANT REVISION SUMMARY</b></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%; text-align: center;">Date</th> <th style="width: 30%; text-align: center;">Type*</th> <th style="width: 40%; text-align: center;">By</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table> <p>*Type:      BCC = Budget Category Change               IFF = Increase In Federal Funds               PPC = Participation Percentage Change               AC = Activity Change               GMC = Grant Manager Change               DFF = Decrease in Federal Funds</p>	Date	Type*	By																											
Date	Type*	By																													
<p><b>3. GOVERNMENT UNIT/AUTHORIZING OFFICIAL</b></p> <p>Name      Sandi Bloem</p> <p>Title      Mayor</p> <p>Address      710 Mullan Ave. Coeur d'Alene, Idaho 83814</p> <p>Phone      769-2300      FAX      769-2366</p>																															
<p><b>4. GRANT INFORMATION</b></p> <p>Source of Matching Fund:      Local      Benefit of:      State      Local:      100%</p> <p>Federal Share:      75 %      Federal Funds:      17,500</p>																															
<p><b>5. ACCEPTANCE OF CONDITIONS:</b>      It is understood and agreed by the below-signed that a grant received as a result of this application is subject to Public Law 89-564 as amended (Highway Safety Act of 1966) and Idaho State statutes and all administrative regulations governing grants established by the U.S. Department of Transportation and the State of Idaho. It is expressly agreed that this grant constitutes an official part of the state's Highway Safety Program and that said applicant agency will meet the requirements as set forth herein, including accompanying Schedules A and B, which are incorporated herein and made a part of this contract. It is further agreed that the applicant agency will be bound to those requirements set forth in the <i>Highway Safety Grant Procedures Manual</i>, published by the Idaho Office of Traffic and Highway Safety. These requirements include Equal Opportunity assurances, provisions of the Hatch Act, and OTHS provisions for equipment purchase and maintenance, and propriety of copyrights, inventions and patents. The Office of Traffic and Highway Safety makes no representation nor guarantee regarding the availability of federal highway safety funds, and reimbursement of applicant agency costs is subject to such availability.</p>																															
<p><b>6. AUTHORIZING SIGNATURES</b></p> <p style="text-align: center;"> _____ Grant Manager      K-4</p>	<p style="text-align: center;">_____ Authorizing Official, Title Governmental Unit</p>																														
<p style="text-align: center;">_____ Date Approved</p>	<p style="text-align: center;">Brent Jennings, P.E. Highway Operations and Safety Engineer</p>																														

## ITEMIZATION OF BUDGET

		State/Local Match	Federal
<b>Personnel Costs (HS.H901)</b>			
Police Officer Overtime		84000	12000
	Subtotal Personnel Costs	\$84,000	\$12,000
<b>Travel (HS.H902)</b>			
	Subtotal Travel	\$0	\$0
<b>Contractual (HS.H903)</b>			
	Subtotal Contractual	\$0	\$0
<b>Commodities (HS.H904)</b>			
Accident Area Signage			2500
	Subtotal Commodities	\$0	\$2,500
<b>Other Direct Costs (HS.H905)</b>			
Training Expenses			3000
	Subtotal Other Direct Costs	\$0	\$3,000
<b>Indirect Costs (HS.H906)</b>			
	Subtotal Indirect Costs	\$0	\$0
		<b>State/Local Match</b>	<b>Federal</b>
<b>Total</b>		<b>\$84,000</b>	<b>\$17,500</b>
<b>Total Project Cost</b>		<b>\$101,500</b>	
Federal Share not to exceed	\$17,500	Revision #	Date
Project Title	Coeur d'Alene Crash Reduction Project	Project #	SPT0713

**PUBLIC WORKS COMMITTEE  
STAFF REPORT**

**DATE:** January 22, 2007  
**FROM:** David E. Shults, Capital Program Manager *DES*  
**SUBJECT:** Change Order #7 to Agreement with Contractors Northwest for WWTP Phase 4B

**DECISION POINT:**

The City Council is requested to approve Change Order #7, for an increased cost of \$210,770 to the City's agreement with Contractors Northwest, Inc. for a total construction contract amount of \$11,642,185.

**HISTORY:**

Substantial completion has been achieved for the 21 month Phase 4B project. The City's wastewater department is now operating the new pump station and screening facilities. The contractor and subcontractors are completing punchlist activities and resolving issues that are typical of this complex project. Several changes to the specifications and drawings were necessary to allow the project to progress, and to provide additional features requested by the City. Proposed Change Order #7 addresses these issues, and is described in the attached letter that describes each of the separate change items to the construction contractor's work. An additional summary is attached that itemizes the change order items that are not specifically associated with the planned improvements for Phase 4B, but that are added-value items necessary for the utility's equipment replacement program and for repairs and improvements for operations.

**FINANCIAL ANALYSIS:**

Early Effluent Pumping Improvements	108,000
Phase 4B Design	\$1,090,000
Construction Engineering, Inspection, Startup	1,429,000
Initial Construction Bid	10,949,000
Previously approved Change Orders #1, #2, #3, #4, #5, #6	482,415
<b>Proposed Change Order #7</b>	<b>210,770</b>
Centrifuge Prepurchase	324,000
Utility Relocation and Additional Power Feed	178,000
<u>Admin Expenses</u>	<u>107,373</u>
Total Phase 4B	14,878,558
Project estimate at bid time, including 5% contingency	14,827,000
Budget	2006/2007 City Budget (Year 6 of 6) 2,300,000
Funding	Wastewater cash reserves and loan from Idaho DEQ payable at 3.75% interest over 20 years

**DISCUSSION:**

Change Order #7 includes a total of 27 changes. One item was for extra work due to encountering conditions that were unknown at the time of design. Thirteen items are necessary to resolve design conflicts with added materials and labor. Ten items add improvements for better operation and safety of the facilities. And three items deleted work for credits to the project cost. Wastewater staff and the City's consulting engineer negotiated the proposed changes and costs with CNI to allow the project to advance without undue delay. The changes required no increase to the allowable time for the contractor to reach final completion. The changes presented are considered to be normal for this type of construction, and the project is tracking closely to the engineer's estimated cost for the project. The total change order percentage to date, expressed as a comparison to the original construction bid amount, is 6%. 3% of the extra cost is attributable to using the existing contractor and specialty subcontractors to repair existing facilities, to add safety features for operations, and to install equipment and components necessary for the utility's equipment replacement program that is normally funded from the wastewater reserve fund that is established for this purpose. Using services of the existing Phase 4B consultant and contractor saves time and expense for the utility for packaging and procuring the services outside or after the Phase 4B project.

Finalizing Change Order #8 is being prepared as the contractor completes the project work. The additional Change Order #8 costs are estimated at this time to be approximately \$70,000 to 90,000. Added-value work in that change order includes repair of the existing grit basin and installation of the replacement polymer equipment. At the completion of Phase 4B, total change orders are expected to be approximately 7% of the original construction cost of \$10,949,000. Approximately 3.5% is a result of necessary changes associated with unknown site conditions and resolving design and constructability issues typical of this type of construction project. The remaining portion is attributed to discretionary value-added improvements for equipment replacement and facility repairs, and will amount to approximately 3.5%.

**DECISION POINT/RECOMMENDATION:**

The City Council is requested to approve Change Order #7, for an increased cost of \$210,770 to the City's agreement with Contractors Northwest, Inc. for a total construction contract amount of \$11,642,185.

Attachment



des1205



08042...24390/5.2.10/C.O. #7

January 3, 2007

Mr. Dave Shults, Capital Program Manager  
City of Coeur d'Alene Wastewater Division  
710 E. Mullan Ave.  
Coeur d'Alene, Idaho 83814

**RE: City of Coeur d'Alene Wastewater Treatment Plant  
Phase 4B Upgrade and Expansion Project  
Change Order No. 7**

Dear Dave:

Please find attached, for your review and approval, the recommended Change Order No. 7 for the above referenced project. This Change Order incorporates the following proposed change items, including Change Proposal Requests (CPRs).

**CPR 045A - Pipe insulation in Solids Building breezeway.** The floor drain piping located below the centrifuge level in the Solids building was replaced with ABS piping under the original contract. This piping is exposed to outside above the solids breezeway at the truck loadout bay and was not shown to be insulated under the original contract. It was determined that this piping should be insulated to prevent freezing problems during cold weather periods. This change item resulted in an additional cost of \$1,693 to the project.

**CPR 058 – Relocate scum beach washwater solenoids at primary clarifiers.** This change item adds several #3W washwater piping modifications to the primary clarifiers. The original primary clarifiers included spray washdown at the scum troughs within the basins. The original contract showed that these items would be removed and replaced in their original location. Due to the location of the solenoid valves, it was determined during construction that the better location to install the scum beach solenoid valves was outside the new clarifier covers. Also, during the installation of the replaced piping, the City added separation of the existing washdown hose bibs from the solenoid operation. This required additional new piping to extend the solenoids outside the clarifier covers, additional piping for separation of the hose bibs, and additional insulation and heat tracing to protect the piping from freezing. This change item resulted in an additional cost to the project in the amount of \$18,442 for the revised plumbing for the two clarifiers.

**CPR 68 – Installation of north Effluent Generator.** The City elected to purchase a new, larger and permanent generator to serve the effluent pumping station, chlorination and NPW systems, and other critical unit processes at the north end of the treatment plant site. This change item completes this value added process and maintenance enhancement by installing the new generator set and automatic transfer switch at the effluent pumping station. This change item includes all materials and labor, in the amount of \$21,591, for installation of the engine generator purchased under the City’s power generation pre-purchase contract.

**CPR 71 – Add 6 IN PSC force main connections.** The project planset originally planned for keeping the existing primary scum pit and pumping system, even after transitioning the new primary scum pumping systems to pump directly to the anaerobic digesters. During construction it was determined that the existing primary clarifier scum pumping pit and pumping system could be eliminated from continued use by extending the scum drain pipeline from the existing pre-aeration basin scum skimming trough to the new Primary Clarifier No. 1 scum pit. This change item provided for installation of a new scum pipeline serving the existing pre-aeration basin scum trough, including penetration into the new primary scum pit wall.

In addition, the contract documents did not show connection of the new scum force main piping from the new scum pits to the scum force main that extends to the digesters. This change item also provided the two buried connections for the scum force mains to enable direct delivery of scum from the new scum pits to the digesters. This change item resulted in a cost to the project in the amount of \$25,097, and enabled elimination of the old existing primary scum pit pumping system from operation.

**CPR 93 – Cut down the centrate valve vault flush with the manhole and asphalt.** The new centrate pumping station needed to be re-located on site due to the location of unknown buried utilities. This meant the station could no longer be installed in a landscape area as originally planned. As a result, the station precast concrete riser was too tall, and needed to be lowered to allow for the drive and parking area to remain unobstructed. This change item, at an additional cost of \$2,227 to the project, involved cutting down the valve vault walls to the grade needed to match the adjacent paved surfaces.

**CPR 100 – Additional lighting in the primary clarifiers.** The new primary clarifier covers were designed with a single light located at the clarifier mechanism centerwell. During construction, the City determined that the lighting from the single light fixture at the center of the basins would not provide sufficient lighting for operation and maintenance safety within the newly covered basins. This value-added change item, at an additional cost to the project of \$36,632, added eight light fixtures along the basin perimeter launders in each clarifier to provide for safe lighting levels within the basins.

**CPR 112 – Add metal roofing snow brakes.** The architectural metal roofing systems for the IPS Building, Screenings Building and Primary Clarifiers were not originally specified to include snow brakes to prevent large snow accumulations to slide off the

roofs onto the working areas below. During construction, it was determined that snow brakes should be installed at these building locations to provide for a safer work area below. This change item resulted in the addition of metal snow brakes at a cost of \$5,749 to the project.

**CPR 114 – Add Screenings/Grit unit bagging systems.** The contract documents did not include polyethylene bagging systems on the influent screenings washer/compactors and influent grit classifiers that are located in the Screenings Building. To provide for better operations hygiene, cleaner screenings and grit operations, and more acceptable solids product from the system, plastic baggers were added at the four equipment discharge points at an additional cost of \$9,315. This value-added change item also provided for the purchase of spare plastic bags for the operation of these systems.

**CPR 115 – Add Screening Building platform northeast stairway.** The original design of the metal access platform at the screenings trough and equipment did not provide for an access between the north and south work areas. Staff would need to exit doors and walk around to get to the opposite site of the operating area. An additional stair access from the north side of the access platform was added at an additional cost to the project of \$4,734. This access provides for better access for operations, and provides for safer operating conditions within the screenings and grit processing areas.

**CPR 116 – Digester #3 access replacement.** The original contract documents showed demolition of the Utilidor corridor adjacent to Digester No. 3 but did not include demolition of the concrete digester access sump. Removal of the digester access sump was completed as part of Section 13922 of the contract to enable installation of the Utilidor. The contractor was required to replace the concrete access sump to pre-construction conditions as part of this change item. During installation, it was also determined that a drain pipeline that drains to the thickener overflow in the Utilidor would be the proper way to drain this work area. Since the contractor was able to eliminate a portion of the required shoring in this area because the sump was completely removed, they agreed to reduce their costs for re-construction of the concrete access area by 50%. This change item was reduced in cost accordingly and resulted in an additional cost to the project of \$12,802.

**CPR 122 – Trim PC2 drop frame & weld diagonal tube to miss scum box concrete.** During installation of the primary clarifier superstructure steel perimeter truss on Primary Clarifier No. 2, it was noted that the clarifier scum box would interfere with the truss installation. This was not shown on the contract drawings, and field modification of the truss was required to complete the installation. This change item provided for revision of the perimeter truss system to miss the scum box and resulted in an additional cost of \$1,560 to the project.

**CPR 126A – Solenoid valves and water hammer arrestors.** The City operations staff expressed concern over the high #3W water pressure and the potential for damage of the PVC water piping in the IPS Building and Screenings Building due to water hammer. The City has installed water hammer arrestors and slow closing solenoid valves at other

locations throughout the project site and requested that eight solenoid valves be replaced with slow closing type valves and nine hose hydrants be equipped with water hammer arrestors. In addition, this change item also included repair of existing chlorine lines at Primary Clarifiers No. 1 and No. 2. This change item resulted in an additional cost of \$11,305 to the project.

**CPR 129 – IPS Pump mechanical seal water modifications.** During installation of the IPS pumps, it was learned that the maximum flow delivery for the pump mechanical seals was insufficient and the seal water rotameters needed to be upsized. This change item provided for replacement of internal parts within the three rotameters serving the IPS pumps at an additional cost of \$5,311 to the project.

**CPR 130Rev1 – Centrate Pumping Station and yard hydrant #3W addition (CPR 133 is electrical portion).** The City requested that a spray water system be added to the Centrate Manhole to better control buildup of foam from the dewatering process. The system also included installation of a yard hydrant in the vicinity of the centrate pumping station that could be used for washdown of the station and Digester No. 4 as well. This change item involved excavation of the centrate manhole and location of the existing 8IN #3W pipeline for connection of the #3W water service at a cost of \$12,161 to the project. Additional electrical work will be added at a later date to provide for automated solenoid operation of the spray water foam suppression system.

**CPR 135 – Install Utilidor lid bond breaker.** During installation of the Utilidor paving, it was determined that a bond breaker between the concrete Utilidor cover and adjacent paving was needed to provide for easier Utilidor cover in the future. This change item provided for installation of a 40 mil bond breaker at the Utilidor perimeter at a cost of \$2,761 to the project.

**CPR 136 – Relocate fence, delete mow strip and repair new east swing gate.** This change item involved clarification of the south fence line location and deletion of the concrete mow strip along the south fence line at a credit to the project equaling \$821.

**CPR 139 – Site fence modifications.** During installation of the site fencing, the perimeter fence at the switchboard was determined to not be needed and was eliminated. In addition, two new man access gates were added and repair of the center access gate along the east site perimeter was repaired from damage not caused by the Contractor. This change item resulted in a \$91 credit to the project.

**CPR 140 – Add thrust compression thrust restraint for one 22-1/2 and 45 degree elbows in the 30” RS pipe.** During installation of the 30 IN RSFM, three mechanical couplings were added to the force main piping system to better enable pipeline installation and address layout issues associated with the original pipeline design and Utilidor layout. This change item added steel and concrete compression thrust blocks at three locations within the Utilidor and provided for re-positioning of the 30 IN force main after pressure testing of the pipeline failed. The pipe pressure test failure was related to the need for additional pipe support for the system. This change item resulted in an additional cost of \$17,030 to the project.

**CPR 142 – Add tension thrust restraint for one 22-1/2 and one 45 degree elbows in 30” RS pipeline.** The contractor incurred an additional \$10,500 in costs associated with repair of stainless steel pipe supports and adding additional tension thrust restraint supports on the 30 IN FM within the Utilidor. These repairs and additions were included as part of the modifications made in CPR 140 and were required following pressure testing of the pipeline. The contractor agreed to participate in the costs for repair of the 30 IN FM pipe supports and thrust restraint as a team approach to settling a disagreement on responsibility for the issue. The result was a no-cost change to the contract for this change item.

**CPR 143 – Repair the FA discharge duct at the trickling filter.** This change item provided the City with repair assistance to the existing odor control system and included disassembly, repair and reassembly of existing foul air duct on site that was leaking condensate. This change item, at a cost of \$3,511 to the project, included installation of new gaskets in the duct.

**CPR 144 – Door lock cylinder coordination.** This change item, at a cost of \$1,601, involved replacing door locks within the Screenings Building and Influent Pump Station with hardware cylinders to match the City’s existing keying system.

**CPR 146 – Add foul air duct hangers at primary clarifiers.** Following construction of the foul air duct exhaust systems on Primary Clarifiers No. 1 & 2, it was determined that duct support in addition to what was originally shown on the contract drawings would be required to protect and support the duct installations from icing conditions. This change item added an additional cost of \$3,051 to the project.

**CPR 147 – Install metal wall closures at Primary Clarifier walkways.** The contract documents did not show filler panels in the perimeter architectural metal walls for Primary Clarifiers No. 1 and 2 at the clarifier access walkways. This change item adds two wall filler panels including architectural metal wall skins and insulation to provide closures at each clarifier access walkway. This change item resulted in an additional cost of \$4,055 to the project.

**CPR 151 – Repair frozen dampers on clarifier foul air exhaust.** Following installation of the foul air exhaust fans and duct at Primary Clarifiers No. 1 & 2, the motor operated dampers were bound shut from condensation within the duct freezing and the dampers were damaged. Damper linkage operation has been changed to eliminate this problem. This change item included removal and repair of the damaged dampers and resulted in an additional cost of \$3,528 to the project.

**CPR 152 – Delete aerial photos from contract.** The contractor originally was required to provide two aerial photos during the project to record construction progress. The contractor did not perform the aerial photographs and the city elected to complete post construction photos of the WWTP project site and the city’s compost facility. This

change item provides a credit of \$789 to the project for elimination of the contractor provided aerial photos.

**CPR 155 – Add piping insulation.** At six separate locations on site, existing pipeline insulation required repairs that were completed by this change item. On several locations, some of the insulation was damaged previous to construction activities and some areas were damaged by construction. In order to resolve this item, the contractor agreed to share 50/50 the costs for insulation with the City. This change item resulted in an additional cost of \$3,280 to the project.

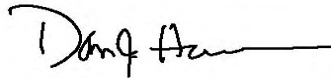
**CPR 156 – Add additional allowance items.** During site piping completion, several additional areas where existing yard piping was either not shown or shown incorrectly impacted construction activities and required additional contractor work. These areas included the revision of the 4 IN and 6 IN scum line bypass at the Primary Clarifier No. 1 scum pit, removal and replacement of chlorine pipelines at Primary Clarifier No. 1, repair of the 6 IN rainwater leader at the SW corner of the Solids Building extending to the manhole/catch basin in the Solids Building driveway, exposing and hand digging at the 10 IN, 4 IN, and 1-½ IN piping at the north end of the Utilidor. This change item also added a concrete containment curb below the centrifuge to provide for better housekeeping and cleanup of the work area below the centrifuge. This change item added \$5,032 to the project.

**Change in Contract Time.** No additional time will be added to the project as a result of this change order.

I trust that the above provides sufficient summary of the change items associated with Change Order No. 7. Please contact me immediately if you require additional explanation or information.

Sincerely;

HDR ENGINEERING, INC.



Dan J. Harmon, P.E  
Project Engineer

c. Bob Boucher, HDR  
Chris Kelly, HDR

**CHANGE ORDER NO. 7**

**OWNER:** City of Coeur d'Alene, ID

**DATE:** January 3, 2006

**CONTRACTOR:** Contractors Northwest, Inc.

**HDR NO.** 08042-038-103/..24390

**PROJECT:** City of Coeur d'Alene Wastewater Treatment Plant  
Phase 4B Upgrade and Expansion

**CONTRACT DATE:** May 19, 2005 NTP

It is agreed to modify the Contract referred to above as follows:

Provide all labor and materials necessary for installation of the work outlined in CPR Items 45A, 58, 68, 71, 93, 100, 112, 114, 115, 116, 122, 126A, 129, 130Rev1, 135, 136, 139, 140, 142, 143, 144, 146, 147, 151, 152, 155, and 156. The cost summary of this Contract modification is as follows:

<u>CPR/PCO</u>	<u>Description</u>	<u>Cost</u>
45A	Pipe insulation in Solids Bldg breeze way.	\$1,693
58	Relocate scum beach washwater solenoids at Primary Clarifier.	\$18,442
68	Installation of north effluent generator.	\$21,591
71	Add 6IN PSC Force Main Connections.	\$25,097
93	Cut down the centrate valve vault flush with the manhole and asphalt.	\$2,227
100	Additional lighting in the primary clarifiers.	\$36,632
112	Add metal roofing snow brakes.	\$5,749
114	Add Screenings/Grit Unit Bagging Systems.	\$9,315
115	Add Screening Building Platform northeast stairway.	\$4,737
116	Digester #3 Access Replacement.	\$12,802
122	Trim PC2 drop frame & weld diagonal tube to miss scum box concrete.	\$1,560
126A	Solenoid valves and water hammer arrestors.	\$11,305
129	IPS Pump Mechanical Seal Water Modifications.	\$5,311
130Rev1	Centrate Pumping Station and Yard Hydrant #3W Addition. (CPR 133 is electrical portion).	\$12,161
135	Install Uilidor Lid Bond Breaker.	\$2,761
136	Relocate fence, delete mow strip & repair new east swing gate.	(\$821)
139	Site fence modifications.	(\$91)
140	Add thrust restraint for one 22-1/2 and one 45 degree elbows in 30" RS pipe.	\$17,030
142	Additional Thrust Restraint for one 22-1/2 and one 45 degree elbows in 30" RS pipeline.	\$0
143	Repair the FA discharge duct at the trickling filter.	\$3,511
144	Door Lock Cylinder Coordination.	\$1,601
146	Add Foul Air Duct Hangers at Primary Clarifiers.	\$3,051
147	Install Metal Wall closures at Primary Clarifier Walkways	\$4,055
151	Repair frozen dampers on clarifier foul air exhaust.	\$3,528
152	Delete aerial photos from contract.	(\$789)
155	Add piping insulation	\$3,280
156	Add additional allowance items	<u>\$5,032</u>

**Change Order No. 7                      Total Amount                      \$210,770**



**PART 1 - CHANGE ORDER SUMMARY**

**Original Contract Price:** **\$10,949,000**  
 Contract Price prior to this Change Order **\$11,431,415**  
 Net Increase/Decrease of this Change Order **\$210,770**

**Revised Contract Price with All Approved Change Orders** **\$11,642,185**

**Contract Time:**

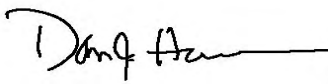
	<b>Bid Item No. 2 Substantial Completion</b>	<b>All Other Work Substantial Completion</b>	<b>Final Completion of All Work</b>
Contract Time Prior to this Change Order	347 Calendar Days	545 Calendar Days	620 Calendar Days
Net Increase of this Change Order	0 Calendar Days	0 Calendar Days	0 Calendar Days
<b>Revised Contract Time With All Approved Change Orders</b>	<b>347 Calendar Days</b>	<b>545 Calendar Days</b>	<b>620 Calendar Days</b>

There is no change in contract time as a result of this Change Order.

**PART 2 - CHANGE ORDER APPROVAL**

This Change Order, when executed by the parties to the Contract, amends the Contract and, as so amended, all terms and conditions of the Contract remain unchanged and in full force and effect. Payment and any time extension provided in this Change Order are full and complete compensation to the Contractor for the change(s) to the work, deleted work, modified work, direct or indirect impact on the Contractor's schedule, and for any equitable adjustment or time extension existing at the time of the execution of this Change Order to which the Contractor may be entitled, pursuant to the Contract between the Owner and Contractor or any other basis whatsoever. The changes included in this Change Order are to be accomplished in accordance with the terms, stipulations and conditions of the original contract as though included therein.

Accepted for Contractor By: \_\_\_\_\_ Date: \_\_\_\_\_, 2007

Approved for HDR Engineering By:  Inc. Date: **January 3, 2007**

Approved for Owner By: \_\_\_\_\_ Date: \_\_\_\_\_, 2007

Distribution: Owner, Contractor, Office, Field, Other

## MEMORANDUM

DATE: JANUARY 16, 2007

TO: THE GENERAL SERVICES COMMITTEE

FROM: RENATA MCLEOD, PROJECT COORDINATOR

RE: TRAINING AGREEMENT WITH THE INSTITUTE FOR ADVANCED DEVELOPMENT

---

### **DECISION POINT:**

To approve the Training Agreement with The Institute for Advanced Development for the following training course: "Team Effectiveness & partnering Strategies." The course will be held in two session, that will be 4 hours each held April 26, 2007, in the City Council Chambers.

### **HISTORY:**

The training to be provided is based on feedback from the Executive Team and represents identified needs. The courses will be held for approximately 60 Department Heads and Supervisors.

### **FINANCIAL:**

The training cost is approximately \$2725.00, plus hotel expenses (unknown at this time estimated to be \$200.00) and supplies (estimated to be \$50.00). The cost will be approximately \$50.00 per person per session, which is cost effective and will be covered by each department's training budget.

### **PERFORMANCE ANALYSIS:**

The City Council has established training as high priority goal for the city of Coeur d'Alene; the executive team reviewed this proposed training and felt it would be beneficial to the City.

### **DECISION POINT/RECOMMENDATION:**

To approve the Training Agreement with The Institute for Advanced Development for the following training course: "Team Effectiveness & partnering Strategies." The course will be held in two session, that will be 4 hours each held April 26, 2007, in the City Council Chambers.

# The Institute for Advanced Development

Larry Iverson PhD, Director

10826 Auburn Ave. S.

Seattle, WA. 98178

(206) 772-9277

January 11<sup>th</sup>, 2007

## Training Agreement

This is an agreement for services rendered by Dr. Larry Iverson of The Institute for Advanced Development, for training with the City of Coeur d'Alene (CDA) and/or the executives, management or staff working within CDA.

Authorization for Services: Sandi Bloem, Mayor  
City of Coeur d'Alene  
710 East Mullan  
Coeur D' Alene, ID 83814-3964  
(208) 769-2203

Sandi Bloem, acting on behalf of City, agrees to the fee and payment schedule listed below for The Institute for Advanced Development services rendered. Fees are due net 30 days, after the training sessions are performed, travel expenses due 30 days after receipt of invoice.

### **Training: Team Effectiveness & Partnering Strategies-- Moving Teams from Their Seats to Their Feet**

Fee for 2 half-day trainings on April 26<sup>th</sup>, 2007 \$2725  
Program from: 8:00am to 11:30am, and 12:30pm to 4:00pm.  
(This fee includes all expenses, except the City will pay for Dr. Iverson's hotel room in CDA.)  
Program Development (6 hours @ \$200 per hour = \$1200) <No Charge>

*(Printing of the attendee handouts will be done by the City from masters provided (free of charge) by IAD.)*

The persons signing this training agreement are authorized to do so on behalf of the City and The Institute for Advanced Development. They agree to the above fee and payment schedule, and agree that this is a fair and equitable contract. The above fee schedule may be changed only if agreed upon by both the City and The Institute for Advanced Development. Any additions or deletions to the above services agreement will be in writing and signed by persons authorized to do so for both organizations.

#### Authorizing Signatures:

\_\_\_\_\_ for the City of Coeur D' Alene Date \_\_\_\_\_  
(Sandi Bloem, Mayor)

\_\_\_\_\_ for The Institute for Advanced Development Date \_\_\_\_\_  
(Larry Iverson PhD)

**CITY COUNCIL  
STAFF REPORT**

**DATE:** February 6, 2007  
**FROM:** Christopher H. Bates, Project Manager   
**SUBJECT:** Ice Plant, Final Plat, Subdivision Agreement and Security Approval

---

**DECISION POINT**

Staff is requesting the following:

1. City Council approval of the final plat of the Ice Plant subdivision, a 24 unit residential townhouse development.
2. City Council approval of the subdivision agreement and security.

**HISTORY**

- a. Applicant: Dave Schreiber  
Ice plant Development, Inc.  
303 N. Park Drive  
Coeur d'Alene, ID 83814
- b. Location: Southwest corner of Mullan Avenue and 11<sup>th</sup> Street.
- c. Previous Action:
  1. Preliminary plat approval by the CdA Planning Commission, November 2006.

**FINANCIAL ANALYSIS**

The developer has supplied a Letter of Credit in the amount of \$26,205.00 to guarantee the installation of the remaining outstanding items required by the subdivision ordinance.

**PERFORMANCE ANALYSIS**

The installation of the required public improvements is approximately 90% complete. Per the signed agreement, the developer has agreed to have the outstanding items completed by the 1<sup>st</sup> day of June 2007.

**QUALITYOF LIFE ANALYSIS**

The final plat approval will allow the developer to proceed with the sale of the units.

**DECISION POINT RECOMMENDATION**

1. Approve the final plat of the Ice Plant subdivision.
2. Approve the subdivision agreement and accompanying security.

## AGREEMENT TO PERFORM SUBDIVISION WORK

THIS AGREEMENT made this \_\_\_\_ day of February, 2007, between the Ice Plant Development, Inc., with David Schreiber as President, whose address is 303 N. Park Drive, Coeur d'Alene, ID, 83814, 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 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 Ice Plant subdivision, a twenty four (24) lot residential subdivision in Coeur d'Alene, situated in the northeast quarter of Section 24, Township 50 North, Range 4 West, B.M., Kootenai County, Idaho, and has agreed that the final plat may be recorded; NOW, THEREFORE,

### IT IS AGREED AS FOLLOWS:

The Developer agrees to complete the following public improvements: standard concrete curb, concrete sidewalk, pedestrian ramps w/ detectable warning panels, driveway approaches and lot monumentation as required under Title 16 of the Coeur d'Alene Municipal Code, on or before the 1<sup>st</sup> day of June, 2007. Said improvements are more particularly described on the subdivision improvement plans entitled "Civil Plan, Ice Plant Development", dated March 24, 2006, stamped by Russell D. Helgeson, Jr., PE, #6864, on file in the City Engineer's office and incorporated herein by reference.

The Developer, prior to recording the plat, shall deliver to the City a Letter of Credit or other form of security that is acceptable to the City Attorney, in the amount of Twenty Six Thousand Two Hundred five and No/100 Dollars **(\$26,205.00)** securing the obligation of the Developer's to complete the subdivision improvements referred to herein. The term of the security shall extend at least one year beyond the time within which the improvements are to be completed as provided herein, and a copy of such security is marked Exhibit "A" attached hereto and by reference made a part hereof. The security shall provide that upon failure of the Developer's to complete the improvements within the time herein provided, the City may demand the funds represented by the security and use the proceeds thereof 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 posted 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.

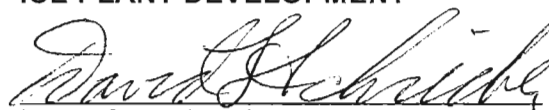
**CITY OF COEUR D'ALENE**

\_\_\_\_\_  
Sandi Bloem, Mayor

ATTEST:

\_\_\_\_\_  
Susan K. Weathers, City Clerk

**ICE PLANT DEVELOPMENT**

  
\_\_\_\_\_  
David Schreiber, President

Request for Destruction of  
Semi-permanent or Temporary Records  
For the Coeur d'Alene Police Department

**Date of request:** 1/30/07

**Type of Record:** Semi-permanent

**Dates of Records:** October of 1996 through December 1996

**Description of Records:** Adult semi-permanent crime reports

**Type of Record:** Temporary

**Dates of Records:** November of 2001 through January 2005

**Description of Records:** Impounds

**Type of Record:** Temporary

**Dates of Records:** April 2004 through January 2005

**Description of Records:** Requests for Records

**Type of Record:** Semi-permanent

**Dates of Records:** December 1994 through August 1995

**Description of Records:** Officer reports –Complaint request forms for NSF CKs



**PUBLIC WORKS COMMITTEE  
STAFF REPORT**

**DATE:** January 22, 2007  
**FROM:** Christopher H. Bates, Project Manager  
**SUBJECT:** **Vacation of Existing, and, Replacement with New, Emergency Access Easement in the Graystone Subdivision**

---

**DECISION POINT:**

Wade P. Jacklin, applicant and representative for the owners of Lot 8, Block 1, is requesting the vacation and relocation of the emergency access easement adjoining the southerly boundary of their property in the Graystone subdivision.

**HISTORY:**

The easement was placed on the noted plat and was recorded in December 2003 (attached). The purpose of easement was to provide a means of emergency access to a development that had only one point of ingress and egress. This alternate access is through the easement which is accessed via a County (Lakes Hwy Dist.) road, Herb's Lane, along the easterly boundary of the subdivision. It is intended strictly for emergency access should the point of ingress/egress be blocked.

**FINANCIAL ANALYSIS:**

There would be no financial impact to the City if the vacation request were approved.

**PERFORMANCE ANALYSIS:**

The existing twenty foot (20') easement, is currently platted entirely on Lot 9, Block 1 of the development. The noted easement also contains a utility transformer, phone boxes and large trees which drastically limit its effectiveness. The applicant is proposing a new easement to replace the one that was platted that would be more effective, clear of obstacles and centered on the common property line for Lots 8 and 9. The new easement cannot be "conditioned" on the vacation of the existing easement, however, it is recommended that the new easement (attached, which has been drawn up and agreed upon) be recorded prior to the vacation hearing for the one on the plat document. This proposed easement, as the original, is not intended to have any "roadway" or "hard surface" application, it is solely a documented easement that would allow legal access in case of emergency. After a visit to the site, the Deputy Fire Chief for the City indicated that even though the access is not developed, it would be beneficial to retain an easement solely for the legal access.

**SUMMARY:**

The applicant is requesting the vacation of an emergency access easement that was placed on the subdivision plat between Lots 8 & 9 of Block 1 for the Graystone development. The applicant is proposing an alternate easement that would more effectively suit the adjoiners and site conditions. It is recommended that the applicant record the new easement prior to the vacation hearing to maintain an easement "in place". It is recommended that the Public Works Committee direct staff to proceed with the vacation process per Idaho State Code, Section 50-1306A, and,

recommend the setting of a public hearing on the vacation request before the City Council for March 6, 2007.

# **CITY COUNCIL STAFF REPORT**

**DATE:** February 6, 2007  
**INITIATED BY:** Richard Suchocki, Project Manager  
**SUBJECT:** Authorization to Bid Ramsey Rd Reconstruction

---

## **DECISION POINT**

Staff is requesting City Council to authorize staff to bid the Ramsey Road Reconstruction project from Hanley north to Prairie.

## **HISTORY**

Staff is prepared to go to bid for the Ramsey Road reconstruction project from Hanley Ave north to Prairie Ave. This is a joint project with Lakes Highway District. J U B Engineers are provided the plans for the north 962 feet of the project. A copy of the construction plans are available in the ante room at City Hall. The estimated cost of this project is 1.4 million.

## **FINANCIAL ANALYSIS**

This is a budgeted project. Water, wastewater and storm water utilities are contributing a share for their utility. The highway district is contributing approximately \$227,000 for their share of the construction. The remainder will be covered with impact fees.


## **PERFORMANCE ANALYSIS**

When this project is complete, Ramsey road will be 5 lanes from Appleway to Prairie Ave.

## **SUMMARY / RECOMMENDATION**

Staff recommends a motion to authorize the bidding of the Ramsey Road Reconstruction Project.

# CITY COUNCIL STAFF REPORT

**DATE:** February 6, 2007  
**FROM:** Christopher H. Bates, Project Manager   
**SUBJECT:** **Acceptance of Right-of-Way Dedication on Marie Avenue**

---

## **DECISION POINT**

The City Council must accept all dedications on behalf of the City.

## **HISTORY**

Charles Morgan and Associates, dba the Falls Creek Apartments, LLC, received a Special Use Permit for a R-34 residential density in a C-17 commercial zone, to allow for the construction of a 7 building, 170 unit apartment complex at the southwest corner of Marie Avenue and Julia Street. One condition of that approval was the dedication of an additional five feet (5') of r/w on Marie Avenue to bring the width up to current City standards. The submitted and recorded r/w deed satisfies that condition.

## **FINANCIAL ANALYSIS**

There is no financial impact to the City for the r/w acquisition or dedication.

## **PERFORMANCE ANALYSIS**

The appropriate party has dedicated the required right-of-way and previously recorded the document. Acceptance by the City Council will legitimize the dedication and acceptance.

## **RECOMMENDATION**

Accept the furnished dedication of right-of-way.

This instrument was prepared by, and the recorded original should be returned to:

Inland Group  
1620 North Mamer Road, Bldg B  
Spokane, WA 99216  
Attention: Jason Matheny

**RIGHT OF WAY DEED**

Grantor: **FALLS CREEK APARTMENTS, LLC**  
a Washington limited liability company

Grantee: **GOVERNMENT, CITY OF COEUR D ALENE**  
710 E. MULLAN, COEUR D'ALENE, ID 83814

Abbreviated Legal: The N 5.00 Feet of Lots 3 and 4, Block 1, Eagle Addition, according to the plat recorded in the Office of the County Recorder in Book "I" of Plats, at Pages 6 and 6A, records of Kootenai County, Idaho

Assessor's Parcel No: C-2470-001-003-0 and C-2470-001-004-0

For and in consideration of Mutual Benefits, grants and conveys to City of Coeur d' Alene, the following described parcel of land, situated in the City of Coeur d' Alene, the County of Kootenai, and the state of Idaho, to-wit:

Pursuant to the Legal Description and Exhibit A herein affixed and made a part of this document hereof.

TO HAVE AND TO HOLD the same, unto the said City of Coeur d' Alene for the purposes of a public road forever.

IN WITNESS WHERE OF, the undersigned has caused this instrument to be executed on this 15<sup>th</sup> day of January, 2006.

Grantor(s): Falls Creek Apartments LLC

By: [Signature]

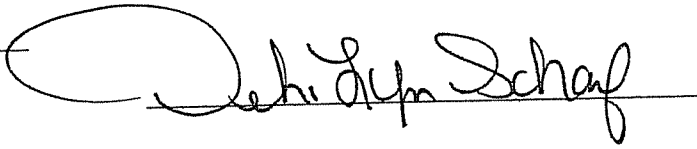
Its: MEMBER OF GP

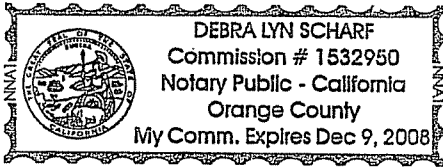
ACKNOWLEDGMENT

STATE OF CALIFORNIA     )  
  ) ss.  
COUNTY OF ORANGE     )

On January 15, 2007 before me, Debra Lyn Scharf, Notary Public personally appeared Michael Gancar personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or entity upon behalf of which the person acted, executed the instrument.

DATED 1-15-2007





Print Name: Debra Lyn Scharf

Residing at: Newport Beach, CA

My appointment expires: 12-9-2008

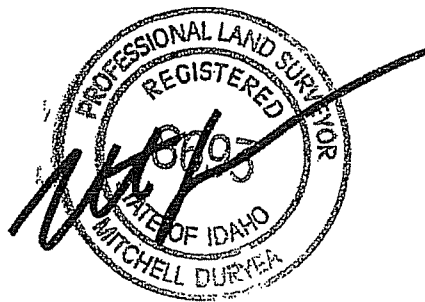
December 11, 2006

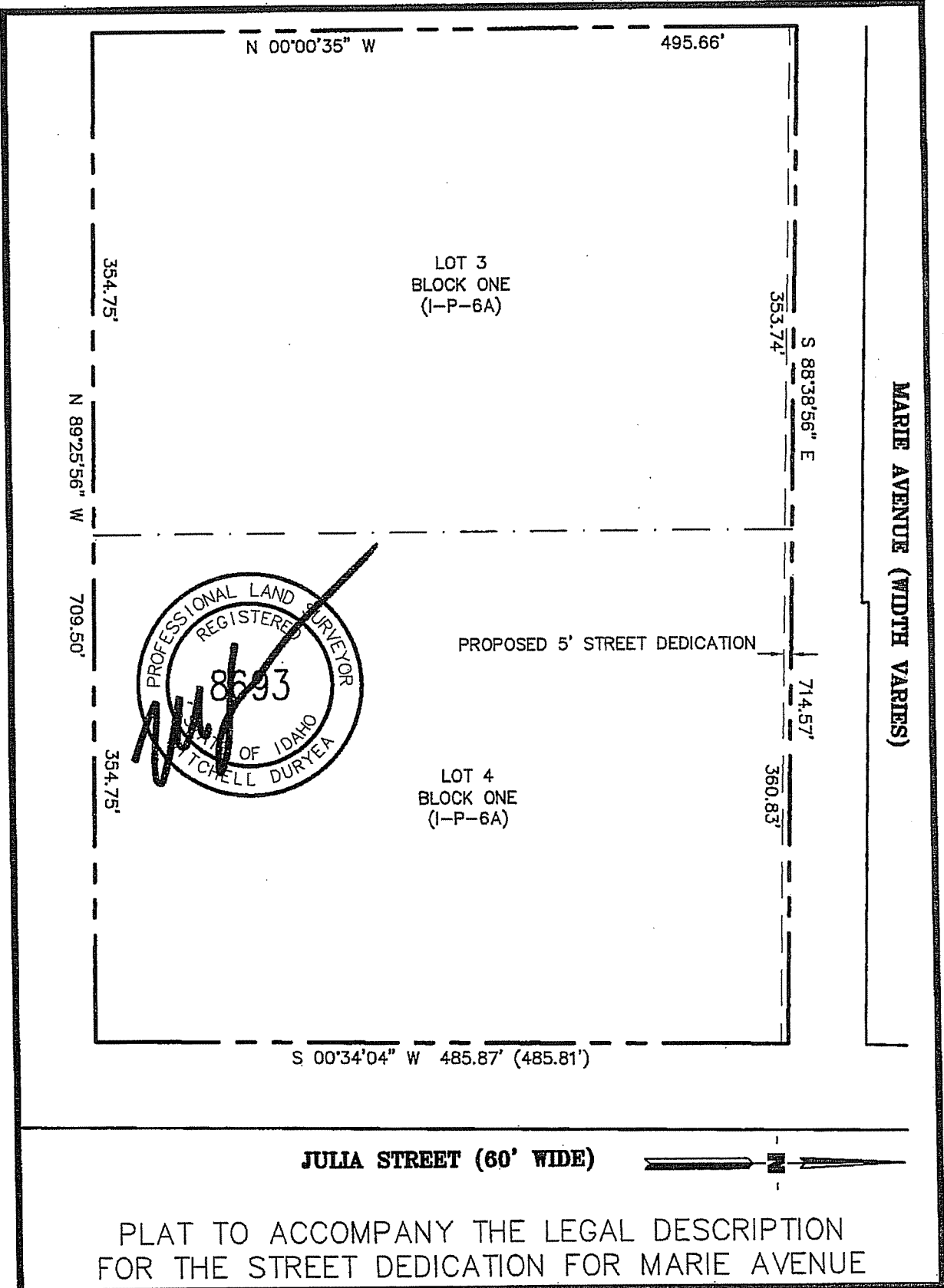
Job No. 06-1052

**LEGAL DESCRIPTION  
PROPOSED STREET DEDICATION  
FOR MARIE AVENUE WIDENING  
TO THE CITY OF COEUR D' ALENE**

All that certain real property situate in the City of Coeur 'd Alene, Kootenai County, Idaho, and being described as follows:

The North 5.00 feet of Lots 3 and 4, Block 1, Eagle Addition, according to the plat recorded in the Office of the County Recorder in Book "T" of Plats, at Pages 6 and 6A, records of Kootenai County, Idaho.







**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 25  
Rec No 0243405  
Date 1/11/07  
Date to City Council: \_\_\_\_\_  
Reg No. \_\_\_\_\_  
License No. \_\_\_\_\_  
Rv \_\_\_\_\_

TRANSFERRED FROM DJS ALL AMERICA  
TO HARRY'S FOOD MARKET

**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 checked="" type="checkbox"/>	Transfer of ownership of a City license with current year paid	\$ <u>2500</u>

Business Name	HARRY'S FOOD MART		
Business Address	<del>1501</del> 1501 E. SHERMAN AVE		
City State Zip	CDA - ID 83814		
Business Contact	Telephone Number:	Fax:	
Manager Name	D.S KHEHRA		
Manager Home Address	750 N. SKYE CT. POST FALLS		
Manager Information	Social Security No.	Date of Birth	
Manager Contact	Telephone:	Cell:	e-mail:
Manager Place of Birth	INDIA		
License Applicant	KAWALJIT S. KHAHERA		
Filing Status (circle one)	Sole Proprietor	Corporation	Partnership LLC Other
Address of Applicant	750 N. SKYE CT POST FALLS ID - 83854		
Applicants Prior Address for past five years	14005 E. 25TH AVE VERADALE WA-99037		
Applicants Prior Employment for past 5 years			

CEMETERY LOT TRANSFER/SALE/REPURCHASE PROCEDURE AND ROUTING SLIP

Request received by: Municipal Services / Kathy Lewis / 1/19/07  
Department Name / Employee Name / Date

Request made by: William Chiappi / 303 242-2710 (cell)  
Name / Phone  
358 West Burgundy Street / Highlands Ranch, CO 80129  
Address

The request is for:  Repurchase of Lot(s)  
/ / Transfer of Lot(s) from \_\_\_\_\_ to \_\_\_\_\_

Niche(s): \_\_\_\_\_  
Lot(s): 314, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_. Block: C Section: Riverview

Lot(s) are located in / / Forest Cemetery  Forest Cemetery Annex (Riverview).

Copy of / / Deed or / / Certificate of Sale must be attached.

Person making request is  Owner / / Executor\* / / Other\* \_\_\_\_\_

\*If "executor" or "other", affidaviats of authorization must be attached.

Title transfer fee (\$ N/A ) attached\*\*.

\*\*Request will not be processed without receipt of fee. Cashier Receipt No.: \_\_\_\_\_

**ACCOUNTING DEPARTMENT** Shall complete the following:

Attach copy of original contract.

Wanda Jensen  
Accountant Signature

**CEMETERY SUPERVISOR** shall complete the following:

- 1. The above-referenced Lot(s) is/are certified to be vacant: / / Yes / / No
- 2. The owner of record of the Lot(s) in the Cemtery Book of Deeds is listed as:

3. The purchase price of the Lot(s) when sold to the owner of record was \$ 500.00 per lot.

RDE / 1/30/07  
Supervisor's Init. / Date

**LEGAL/RECORDS** shall complete the following:

- 1. Quit Claim Deed(s) received: / / Yes / / No.

Person making request is authorized to execute the claim: MCG / 1/29/07  
Attorney Init. / Date

I certify that all requirements for the transfer/sale/repurchase of cemetery lot(s) have been met and recommend that that transaction be completed.

\_\_\_\_\_  
City Clerk's Signature / Date

**COUNCIL ACTION**

Council approved transfer/sale/repurchase of above-referenced Lot(s) in regular session on: \_\_\_\_\_  
Mo./ Day /Yr.

**CEMETERY SUPERVISOR** shall complete the following:

Change of ownership noted/recorded in the Book of Deeds: / / Yes / / No  
Cemetery copy filed / / ; original and support documents returned to City Clerk / /

\_\_\_\_\_  
Cemetery Supervisor's Signature / Date

Distribution: Original to City Clerk  
Yellow copy Finance Dept.  
Pink copy to Cemetery Dept.

CEMETERY LOT TRANSFER/SALE/REPURCHASE PROCEDURE AND ROUTING SLIP

Request received by: Municipal Services Kathy Lewis 01-22-07  
(son) Department Name / Employee Name / Date  
Request made by: Terry Schneider for Maxine Nagrone 773-8365  
Name / Phone  
2874 West Riverbend Avenue Post Falls, ID (Maxine)  
Address

The request is for:  Repurchase of Lot(s)  
/ / Transfer of Lot(s) from \_\_\_\_\_ to \_\_\_\_\_

Niche(s): \_\_\_\_\_  
Lot(s): 11, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_. Block: F Section: Riv

Lot(s) are located in / / Forest Cemetery / / Forest Cemetery Annex (Riverview).

Copy of /  Deed or /  Certificate of Sale must be attached.

Person making request is /  Owner / / Executor\* / / Other\* Via son & hospice

\*If "executor" or "other", affidaviats of authorization must be attached.

Title transfer fee (\$ N/A ) attached\*\*.

\*\*Request will not be processed without receipt of fee. Cashier Receipt No.: \_\_\_\_\_

**ACCOUNTING DEPARTMENT** Shall complete the following:

Attach copy of original contract.

Vonnie Jensen  
Accountant Signature

**CEMETERY SUPERVISOR** shall complete the following:

1. The above-referenced Lot(s) is/are certified to be vacant: / / Yes / / No
2. The owner of record of the Lot(s) in the Cemtery Book of Deeds is listed as:
3. The purchase price of the Lot(s) when sold to the owner of record was \$ 400.00 per lot.

RDE 1/29/07  
Supervisor's Init. Date

**LEGAL/RECORDS** shall complete the following:

1. Quit Claim Deed(s) received: / / Yes / / No.
- Person making request is authorized to execute the claim [Signature] 1-20-07  
Attorney Init. Date

I certify that all requirements for the transfer/sale/repurchase of cemetery lot(s) have been met and recommend that that transaction be completed.

\_\_\_\_\_  
City Clerk's Signature Date

**COUNCIL ACTION**

Council approved transfer/sale/repurchase of above-referenced Lot(s) in regular session on: \_\_\_\_\_  
Mo./ Day /Yr.

**CEMETERY SUPERVISOR** shall complete the following:

Change of ownership noted/recorded in the Book of Deeds: / / Yes / / No  
Cemetery copy filed / /; original and support documents returned to City Clerk / /

\_\_\_\_\_  
Cemetery Supervisor's Signature Date

Distribution: Original to City Clerk  
Yellow copy Finance Dept.  
Pink copy to Cemetery Dept.

# ANNOUNCEMENTS

# Memo to Council

DATE: January 30, 2007

RE: Appointments to Boards/Commissions/Committees

The following re-appointments are presented for your consideration for the February 6th Council Meeting:

DEANNA GOODLANDER	LCDC
ERIC CHILDRESS	Sign Board
BETTY NELSON	Noise Abatement Board
DAVID WAGNER	Noise Abatement Board
AARON ROBB	Noise Abatement Board
MIKE PATANO	Arts Commission
ELISABETH GARLAND	Arts Commission
DAVE PATZER	Parks & Recreation Commission
JIM LIEN	Parks & Recreation Commission
MIKE MCDOWELL	Parks & Recreation Commission

Copies of available data sheets are in front of your mailboxes.

Sincerely,

Amy Ferguson  
Executive Assistant

cc: Susan Weathers, Municipal Services Director  
Tony Berns, LCDC Executive Director  
Steve Anthony, Arts Commission Liaison  
Doug Eastwood, Parks & Recreation Liaison  
Steve Anthony, Parks & Recreation Liaison

OTHER COMMITTEE MINUTES  
(Requiring Council Action)

**GENERAL SERVICES COMMITTEE  
MINUTES**

January 22, 2007  
4:00 p.m., Council Chambers

**COMMITTEE MEMBERS PRESENT**

Deanna Goodlander, Chairman  
Ron Edinger  
A.J. "Al" Hassell, III

**STAFF PRESENT**

Anna Eckhart, Deputy City Attorney  
Troy Tymesen, Finance Director  
Renata McLeod, Project Coordinator

**Item 1.** Council Bill No. 07-1004 / Amending Title 10 - Parking and Traffic Control.  
**(Agenda Item)**

Anna Eckhart, on behalf of the Parking Commission, is requesting approval of an amendment to Title 10 of the City's Municipal Code which governs Vehicles and Traffic. Anna noted the following benefits to revising this Title.

- It will ensure the Sections work together and do not contradict each other.
- It will ensure the Title is in compliance with Idaho law.
- It will remove unnecessary or excess wording
- The Sections will be reorganized so that subsections relating to a single topic can be found in one heading rather than interspersed throughout the Title.

Anna also noted that the adoption of these revisions will allow citizens to easily find and read code provisions relating to traffic and parking. Additionally, the City may benefit from increased revenue by an expanded collection procedure for unpaid parking tickets. This will allow Drico to add additional fees for unpaid parking tickets.

Councilmember Edinger requested staff develop a process/pass that will exempt umpires and concession workers from paying parking fees when exiting the McEuen Field parking lot.

**MOTION: THE COMMITTEE is recommending that the City Council approve the recommendation by the Parking Commission by adopting Council Bill No. 07-1004 amending Title 10 of the Municipal Code which governs vehicles and traffic.**

**Item 2.** Council Bill No. 07-1001/Amending the Pedestrian & Bicycle Committee Membership.  
**(Agenda Item)**

Councilmember Goodlander, liaison to the Pedestrian & Bicycle Advisory Committee, reported a concern the Committee has with regard to maintaining a quorum at the committee's monthly meetings. The members often have other commitments that do not allow them to attend the meeting. The current membership allows for representatives from specific areas, which are all valuable members of the committee and it's important to retain them. In addition, the committee has been approached by a number of citizen interested in joining the committee. The goal of the Committee is to add some additional committee member positions to ensure the needed quorum as well as allow the general public to get involved with the committee.

**MOTION: THE COMMITTEE is recommending that the City Council approve the recommendation by the Pedestrian & Bicycle Advisory Committee by adopting Council Bill No. 07-1001 amending Municipal Code Section 2.82.010 to increase the committee member positions from 10 to 15 members.**

**Item 3.** Agreement with Institute for Advanced Development / “Team Effectiveness Partnering Strategies”  
**(Consent Resolution No. 07-008)**

Renata McLeod is requesting approval of an agreement for the training course entitled “Team Effectiveness Partnering Strategies.” The training is based on feedback from the Executive Team and represents identified needs. The course will be held for approximately 60 Department Heads and Supervisors. The training cost is approximately \$2725.00, plus hotel expenses and supplies. The cost will be approximately \$50 per person, based on final expenses, and will be billed to the attendees department training budget.

**MOTION: THE COMMITTEE is recommending that the City Council adopt Resolution No. 07-008 approving the Training Agreement with The Institute for Advanced Development for the training course “Team Effectiveness & Partnering Strategies.”**

The meeting adjourned at 4:20 p.m.

Respectfully submitted,

**DEANNA GOODLANDER, Chairman**

Juanita Van Cleave  
Recording Secretary



**GENERAL SERVICES COMMITTEE  
STAFF REPORT**

DATE: January 9, 2007

FROM: Anna M. Eckhart, Deputy City Attorney

SUBJECT: Amending Title 10 of the Municipal Code related to Parking and Traffic Control  
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**DECISION POINT:**

The Council is requested to adopt amendments to Title 10 of the City Code which govern vehicles and traffic.

**HISTORY:**

Title 10 of the City Code governs traffic laws and parking in the City. Sections of this Title have been amended at various times through the years, but with our growing population and increase in tourism the need to review and update this Title has been necessary.

**FINANCIAL ANALYSIS:**

The costs for implementing these revisions will be minimal and will consist mainly of ensuring proper signs are posted (which for the most part already exist). Additionally, the City may benefit from increased revenue by an expanded collection procedure for unpaid parking tickets.

**PERFORMANCE ANALYSIS:**

Revision of this Title will ensure the sections work together and do not contradict each other. Further, the revisions will ensure the Title is in compliance with Idaho law. Finally, unnecessary or excess wording has been deleted and the Title has been reorganized so that subsections relating to a single topic can be found in one heading rather than interspersed throughout the Title.

**QUALITY OF LIFE ANALYSIS:**

The adoption of these revisions will allow citizens to easily find and read code provisions relating to traffic and parking, and is required to ensure our traffic and parking ordinances are in compliance with Idaho law.

**DECISION POINT/RECOMMENDATION:**

It is recommended a the Council adopt these proposed revisions to Title 10.

COUNCIL BILL NO. 07-1004  
ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING TITLE 10 'VEHICLES AND TRAFFIC' BY ADDING A NEW SECTION 10.02 TO PROVIDE FINDINGS, INTENT AND DEFINITIONS FOR TITLE 10; REPEALING SECTIONS 10.04.010 AND 10.04.020 AND ADDING NEW SECTIONS 10.04.010 AND 10.04.020 TO PROVIDE PLACEMENT AND MAINTENANCE OF TRAFFIC CONTROL DEVICES AND OBEDIENCE OF TRAFFIC CONTROL DEVICES REQUIRED; AMENDING SECTION 10.20.010 PROVIDING THE NEW TITLE OF STOPPING, STANDING OR PARKING, TO PROHIBIT STOPPING, STANDING OR PARKING IN DESIGNATED AREAS, PROVIDING FOR PLACEMENT OF TRAFFIC CONTROL DEVICES AND ADOPTION OF AREAS PROHIBITING STOPPING, STANDING OR PARKING BY RESOLUTION; REPEALING SECTION 10.20.040 REGARDING THE LENGTH OF TIME PARKING IS ALLOWED; AMENDING SECTION 10.20.060 PROVIDING THE NEW TITLE OF MANNER OF PARKING, TO MAKE TECHNICAL CORRECTIONS AND TO PROVIDE A NEW SUBSECTION "D" PRESCRIBING THE MANNER IN WHICH VEHICLES SHALL PARK; AMENDING SECTION 10.20.070 TO DELETE SPECIAL PERMITS FOR DELIVERIES AND PICK UPS; AMENDING SECTION 10.20.080 TO DELETE REFERENCE TO A SPECIAL PERMIT FOR PARKING IN ALLEYS AND LOADING ZONES; REPEALING SECTION 10.20.090 DEALING WITH TRUCKS PARKING IN FIRE DISTRICTS; AMENDING SECTION 10.20.100 TO PROVIDE FOR HANDICAPPED PARKING IN THE DOWNTOWN AREA; AMENDING CHAPTER 10.24 PROVIDING THE NEW TITLE OF LIMITED TIME PARKING SPACES; AMENDING SECTION 10.24.010 PROVIDING THE NEW TITLE OF AUTHORITY TO DESIGNATE LIMITED TIME SPACES AND ZONES, AND TO PROVIDE FOR THE AUTHORITY TO DESIGNATE LIMITED TIME SPACES AND ZONES BY RESOLUTION; AMENDING SECTION 10.24.020 PROVIDING THE NEW TITLE OF LIMITED TIME PARKING SPACES AND ZONES, AND TO PROVIDE FOR ADDITIONAL LIMITED TIME PARKING SPACES AND ZONES BY RESOLUTION; REPEALING SECTION 10.24.030 ENTITLED UNLAWFUL ACTS DESIGNATED; ADDING A NEW SECTION 10.24.030 PROVIDING THE NEW TITLE OF ADDITIONAL PARKING RESTRICTIONS, TO PROVIDE FOR TWO HOUR PARKING SPACES AND PARKING SPACES WITHOUT THE TWO HOUR TIME LIMIT; REPEALING SECTION 10.24.050 DEALING WITH USE OF FUNDS; AMENDING SECTION 10.26.65 TO MAKE HOUSEKEEPING CORRECTIONS AND TO DELETE REFERENCE TO THE PENALTY; AMENDING SECTIONS 10.26.100 AND 10.26.110 PROVIDING THE NEW TITLE OF MCEUEN FIELD PUBLIC PARKING LOT, AND TO DELETE REFERENCE TO THE PENALTY; AMENDING SECTION 10.27.040 TO AMEND REFERENCE TO THE PENALTY; AMENDING SECTION 10.28.010 TO CLARIFY THE AUTHORITY OF THE POLICE DEPARTMENT, TO ESTABLISH AND PROVIDE FOR TOW AWAY ZONES, AND TO AUTHORIZE ADDITIONAL ZONES TO BE ESTABLISHED BY RESOLUTION; ADDING A NEW SECTION 10.28.030 TO PROVIDE FOR HEARING ON IMPOUNDMENT; AMENDING SECTION 10.36.010 TO MAKE HOUSEKEEPING CORRECTIONS AND TO PROVIDE PARKING RESTRICTIONS FOR VEHICLES IN EXCESS OF 26,000 POUNDS GROSS WEIGHT; AMENDING SECTION 10.40.010 TO PROHIBIT THE OPERATION OF MOTOR VEHICLES ON AREAS DESIGNATED FOR PEDESTRIAN AND NON-MOTORIZED VEHICLES; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

WHEREAS, after recommendation by the Parking Commission and the General Services Committee, 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 10.02 entitled Intent, Authorization and Definitions, Section 10.02.010 is hereby added to the Coeur d'Alene Municipal Code as follows:*

**Intent, Authorization and Definitions**

**SECTION 2.** *That a new Section 10.02.010 is hereby added to the Coeur d'Alene Municipal Code as follows:*

**10.02.010: FINDINGS AND INTENT:**

- A. The City finds that parking, movement, and control of traffic on the public rights-of-way should be regulated to promote traffic safety, to enhance the smooth flow of traffic, and to fairly allocate parking spaces among the public.
- B. Limiting parking in some areas of the City helps facilitate commerce by promoting frequent turn-over for shopping, sight seeing, and tourism activities rather than commuter or long-term parking.
- C. Effective enforcement of parking regulations and other traffic control devices is required to meet the objectives of this ordinance, and to protect the health, safety, and welfare of drivers and pedestrians using public rights-of-way.

**SECTION 3.** *That a new Section 10.02.020 is hereby added to the Coeur d'Alene Municipal Code as follows:*

**10.02.020: AUTHORIZATION:**

The provisions of this Ordinance are enacted pursuant to the authority granted to the City under Article XII, Section 2 of the Idaho Constitution and Idaho Code Sections 49-207-209, 50-301, and 50-302.

**SECTION 4.** *That a new Section 10.02.030 is hereby added to the Coeur d'Alene Municipal Code as follows:*

**10.02.030: DEFINITIONS:**

The definitions set forth in Idaho Code 49-101 through 49-124 are incorporated into this section as if fully set forth herein.

**SECTION 5.** *That Coeur d'Alene Municipal Code Section 10.04.010 is hereby repealed and a new Section 10.04.010 is hereby added as follows:*

**10.04.010: PLACEMENT AND MAINTENANCE:**

The Street Superintendent or his designee shall cause to be placed and maintained such traffic control devices and markings upon the streets, alleys, public parks, public parking lots and other public and city owned property to regulate and control traffic pursuant to any state law, city Ordinance, or Resolution of the City Council.

The placement and maintenance of the traffic control devices and markings shall be made in conjunction with the City Engineer and shall comply with the provisions of the most recent edition of the manual on uniform traffic control devices as adopted pursuant to Idaho Code section 49-201 and 209.

**SECTION 6.** *That Coeur d'Alene Municipal Code Section 10.04.020 is hereby repealed and a new Section 10.04.020 is hereby added as follows:*

**10.04.020: OBEDIENCE REQUIRED:**

- A. It shall be unlawful for the driver of a vehicle to fail to obey any traffic control device, sign, or signal erected or maintained pursuant to any state law, city ordinance, or resolution of the city council, unless otherwise directed by a police officer, or when necessary to avoid a collision, or in case of an emergency,
- B. It shall be unlawful for any pedestrian to fail to obey any sign or signal erected or maintained pursuant to state law, city ordinance, or resolution of the city council, unless otherwise directed by a police or traffic officer or when necessary to avoid a collision, or in case of emergency.

**SECTION 7.** *That Coeur d'Alene Municipal Code Section 10.20.010, is hereby amended to read as follows:*

**10.20.010: ~~PROHIBITED; WHERESTOPPING, STANDING, PARKING:~~**

- A. No person shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic, ~~or in compliance with law~~ or at the direction of a police officer or traffic control device, in any of the following places:
  - 1. On a sidewalk;
  - 2. In front of a public or private driveway;
  - 3. Within an intersection;
  - 4. On a crosswalk;
  - 5. Within twenty feet (20') of a crosswalk at an intersection;
  - 6. Between a safety zone and the adjacent curb or within thirty feet (30') of points on the curb immediately opposite the ends of a safety zone, unless the traffic authority indicates a different length by signs or markings;

7. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
8. On a roadway side of any vehicle stopped or parked at the edge or curb of a street;
9. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
- ~~10. At any place where official signs prohibit stopping;~~
- ~~11. In an alley so as to hinder or block traffic; or~~
- ~~12. In front of a mailbox in a manner that would prevent the distribution of mail by the United States postal service. Postal carriers must be able to drive into and out of the delivery area without backing up.~~
12. In a parking space designated for handicapped parking except for a vehicle that is momentarily in the space for the purpose of allowing a handicapped person to enter or leave the vehicle, unless the vehicle is displaying a special license of the handicapped, or official handicapped card issued by the state, or an official temporary handicapped card issued by the state or another state.
13. Upon any officially marked bicycle lane, bicycle path, foot path or other separate right of way specifically set aside for use by pedestrians or non-motorized vehicles except at an intersection or when entering or leaving a roadway at a driveway, private road or alley. This section shall not apply to authorized emergency vehicles meeting the conditions specified in title 49 of the Idaho Code, or authorized maintenance and construction vehicles while actually engaged in work upon a roadway or non-motorized right of way.
14. At any place where traffic control devices regulating stopping, standing, or parking are placed at the direction of the City Council by duly passed Resolution, to regulate the flow of traffic or to ensure the safety of motorists or pedestrians.

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~~B. No person shall drive, operate or park a motorized vehicle upon any officially marked bicycle lane, bicycle path, foot path or other separate right of way specifically set aside for use by pedestrians or nonmotorized vehicles except at an intersection or when entering or leaving a roadway at a driveway, private road or alley. This section shall not apply to authorized emergency vehicles meeting the conditions specified in title 49 of the Idaho Code, or authorized maintenance and construction vehicles while actually engaged in work upon a roadway or nonmotorized right of way.~~

B. No person shall move a vehicle not lawfully under his control into any area where parking, stopping, or standing is prohibited or such prohibited area or away from a curb such distance as is unlawful.

~~D. No person shall park any motorized vehicle in a parking space designated for handicapped parking except for a vehicle that is momentarily in the space for the purpose of allowing a handicapped person to enter or leave the vehicle, unless the vehicle is displaying a special license of the handicapped, or official handicapped card issued by the state, or an official temporary handicapped card issued by the state or another state.~~

~~E. There shall be one required handicapped parking space on each block within the area bounded by Front Avenue, First Street, Seventh Street, and Lakeside Avenue. A "street block" for purposes of this section means a parcel of land bounded on all sides by street rights of way.~~

**SECTION 8.** *That Coeur d'Alene Municipal Code Section 10.20.040, entitled LENGTH OF TIME ALLOWED, is hereby repealed.*

**SECTION 9.** *That Coeur d'Alene Municipal Code Section 10.20.060, is hereby amended to read as follows:*

**10.20.060: PARALLEL MANNER OF PARKING:**

- A.** Motor vehicles shall be parked parallel to the curb or edge of the roadway on all streets and avenues, in the direction of authorized traffic movement, with the right hand wheels within eighteen inches (18") of the curb or edge of the roadway.
- B.** ~~at~~ At locations where there is adequate right of way available, as determined by the city engineer or engineer's designee, and where properly ~~diagonally~~-striped, motor vehicles may shall be park diagonally or perpendicularly, as indicated by the striping, to the curb or edge of the roadway in such a manner that the wheel of the vehicle closest to the curb is not more than eight inches (8") from the curb or edge of the roadway and the other wheel is not more than eight feet (8') from the street edge of the curb.
- C.** Motor vehicles shall not be parked within thirty feet (30') of the point of intersection of the curb lines or within fifteen feet (15') of any fire hydrant unless within a parking space designated pursuant to ~~section Section~~ 10.24.020 of this title, ~~or within fifteen feet (15') of any fire hydrant. On one way streets, motor vehicles shall be parked parallel to the curb on all streets and avenues with either the right hand wheels or the left hand wheels within eighteen inches (18") of the curb.~~
- D.** A motor vehicle shall not be parked so that any portion of it crosses any line or marking of a parking space or be parked in such position that the vehicle shall not be entirely within the area designated by the lines or markings.

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**SECTION 10.** *That Coeur d'Alene Municipal Code Section 10.20.070, is hereby amended to read as follows:*

**10.20.070: DELIVERIES AND PICK UPS:**

Whenever possible all deliveries and pick ups by motor vehicles or by trucks shall be made from alleys; ~~provided, however, that if it is necessary for such trucks to use the streets for that purpose a special permit must be obtained from the chief of police.~~

**SECTION 11.** *That Coeur d'Alene Municipal Code Section 10.20.080, is hereby amended to read as follows:*

**10.20.080: PARKING IN ALLEYS AND LOADING ZONES:**

No motor vehicles shall be parked in the alleys or loading zones described hereinabove except for the purpose of loading or unloading which shall be done as expeditiously as possible and shall not exceed thirty (30) minutes elapsed time in any one block ~~unless a special permit is obtained from the chief of police.~~

**SECTION 12.** *That Coeur d'Alene Municipal Code Section 10.20.090, entitled TRUCKS, is hereby repealed:*

**SECTION 13.** *That Coeur d'Alene Municipal Code Section 10.20.100, is hereby amended to read as follows:*

**10.20.100: PARKING IN HANDICAPPED PARKING:**

- A. Parking a vehicle, on public or private property open to the public, in a space reserved for the handicapped, which space is marked in conformance with the requirements specified in the Idaho Code section 49-213, or any subsequent Idaho Code section which specifies the manner of marking or signing disabled parking, is prohibited, unless a vehicle is momentarily in the space for the purpose of allowing a handicapped person to enter or leave the vehicle, or unless a special license plate, card, or temporary card for the handicapped as prescribed in Idaho Code section 49-410, or any subsequent Idaho Code sections which provide for the issuance of a special license plate, card, or temporary card for person with a disability, is displayed on the vehicle. The registered owner of a vehicle parked in violation of the provisions of this section is guilty of an infraction.
- B. Law enforcement officials are empowered to enter upon private property open to the public to enforce the provisions of this section.
- C. There shall be one handicapped parking space on each block within the area bounded by Front Avenue, First Street, Seventh Street, and Lakeside Avenue. A "street block" for the purposes of this section means a parcel of land bounded on all sides by street rights of way.

**SECTION 14.** *That Coeur d'Alene Municipal Code Chapter 10.24, is hereby amended to read as follows:*

**CHAPTER 10.24**

**PARKING METERS LIMITED TIME PARKING SPACES**

**SECTION 15.** *That Coeur d'Alene Municipal Code Section 10.24.010, is hereby amended to read as follows:*

**10.24.010: AUTHORITY TO DESIGNATE LIMITED TIME SPACES ~~WITHIN ZONES~~ AND ZONES:**

The City Council may, by duly adopted Resolution or Ordinance, establish parking spaces which limit the amount of time a motor vehicle may park in that space. The ~~city~~ City engineer-Engineer or ~~his or her~~ designee is directed and authorized to mark off individual parking spaces and/or zones and/or place signs indicating a time restriction in the limited time parking spaces or zones, designated and described in section 10.24.020 of this chapter, and in such other zones as may hereafter be established, such parking spaces to be designated by lines painted or durably marked on the surface of the street.

**SECTION 16.** *That Coeur d'Alene Municipal Code Section 10.24.020, is hereby amended to read as follows:*

**10.24.020: ~~FIFTEEN MINUTE AND TWO HOUR PARKING ZONES~~LIMITED-TIME PARKING SPACES AND ZONES:**

- A. No owner or operator of any vehicle shall on any day except Sundays and holidays between the hours of nine o'clock (9:00) A.M. and six o'clock (6:00) P.M., allow or cause said vehicle to be continuously parked longer than fifteen (15) minutes in any parking space posted for fifteen (15) minute parking.
- B. No owner or operator of any vehicle shall allow or cause such vehicle to be continuously parked for a period of more than two (2) hours on any day between the hours of nine o'clock (9:00) A.M. and six o'clock (6:00) P.M., except Sundays and holidays, along the following described portions of streets and avenues within the city:

Sherman Avenue from Second Street to Seventh Street;  
The east side of First Street from Sherman Avenue to Indiana Avenue;  
The west side of First Street from Sherman Avenue to the south side of the intersection of First Avenue and Coeur d'Alene Avenue;  
Second Street from Sherman Avenue to Wallace Avenue;  
Third Street from Front Avenue to Indiana Avenue;  
Fourth Street from Front Avenue to Indiana Avenue;  
Fifth Street from Front Avenue to Coeur d'Alene Avenue;  
Sixth Street from Front Avenue to Lakeside Avenue;  
The north side of Indiana Avenue between Third Street and Fourth Street;  
Lakeside Avenue from First Street to Seventh Street;  
The south side of Front Avenue from Fifth Street to Sixth Street;  
The north side of Front Avenue from Third Street to Seventh Street;  
Coeur d'Alene Avenue from First Street to Fifth Street.

Such other spaces and or zones and for such amount of time as may hereafter be established by duly passed Resolution of the City Council.

Within the meaning of this section, the term "holiday" includes the following days only: January 1, the last Monday in May, July 4, the first Monday in September, December 25, and the day designated and set aside as Thanksgiving Day.

**SECTION 17.** *That Coeur d'Alene Municipal Code Section 10.24.030, entitled UNLAWFUL ACTS DESIGNATED, is hereby repealed.*

**SECTION 18.** *That a new Section 10.24.030 is hereby added to the Coeur d'Alene Municipal Code as follows:*

**10.24.030: ADDITIONAL PARKING RESTRICTIONS:**



- A. Two Hour Parking Spaces: Once the two (2) hour limit has expired on a two (2) hour parking space, no owner or operator of the vehicle which occupied that two (2) hours space shall park within three hundred feet (300') of that same parking space.
- B. Parking Spaces Without the Two Hour Time Limit: No vehicle shall be parked continuously at the same location or combination of locations within the same block on any public street or alley in the city for more than twenty-four (24) hours. "Block" shall be defined as a segment of a street bounded by successive cross streets, intersection of a street, street rights of way, parks, undeveloped acreage, unsubdivided acreage, railroad rights of way or a combination thereof.

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**SECTION 19.** *That Coeur d'Alene Municipal Code Section 10.24.050, entitled USE OF FUNDS, is hereby repealed.*

**SECTION 20.** *That Coeur d'Alene Municipal Code Section 10.26.065, is hereby amended to read as follows:*

**10.26.065: SOUTH 3RD STREET PUBLIC WATERCRAFT LAUNCHING RAMP; USE REGULATIONS:**

- A. Rules And Regulations: The following rules and regulations govern the use of the South 3rd Street public watercraft launching ramp within the ~~city~~-City of Coeur d'Alene:
  1. No vehicle other than an emergency vehicle shall be parked on or travel on such public ramp except while in the process of launching or loading watercraft.
  2. No vehicle other than an emergency vehicle shall park or travel on such launching ramp for a period longer than is reasonably necessary to launch or load watercraft.
  3. No vehicle other than an emergency vehicle shall park or travel on such loading ramp for a continuous period of more than fifteen (15) minutes.
  4. No vehicle other than an emergency vehicle shall park or travel on such loading ramp so as to block the ingress or egress of other vehicles launching or loading watercraft in compliance with these regulations.
- B. Watercraft Launching Fees: Watercraft launching fees shall be established by ~~resolution~~ Resolution of the ~~city~~-City ~~council~~Council.

~~It is an infraction for any person to do any act forbidden, or fail to perform any act required under this section, and such an infraction is punishable by a penalty in the amount set for that infraction in the payment schedule adopted annually by the supreme court.~~

The ~~street~~Street ~~superintendent~~Superintendent shall cause appropriate signs and markings to be erected and painted in conspicuous places on the public ramp to carry out the purpose of these regulations set forth in this section.

**SECTION 21.** *That Coeur d'Alene Municipal Code Section 10.26.100, is hereby amended to read as follows:*

**10.26.100: ~~PARK AND RECREATION~~MCEUEN FIELD PUBLIC PARKING LOT; DESIGNATED:**

The following described property situated in the ~~city~~City of Coeur d'Alene, Kootenai County, Idaho:

A parking lot located ~~in front of and adjacent to the city of Coeur d'Alene parks and recreation department office~~immediately West of existing Tennis Courts and more particularly described as follows:

Property situated in Section 13, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, more particularly described as follows:

Beginning at a point which is at the intersection from the west of the south curblineline of Front Street extended from the west and the west curblineline of Fifth Street extended;

Thence, southerly, 150.5 feet, said point being the true point of beginning;

Thence, westerly, 17.5 to the west curblineline of the parking lot as it now exists;

Thence, southerly, 98.5 feet, along the west curblineline, which is adjacent to and runs parallel with the sidewalk as it now exists, to a point;

Thence, easterly, 76.4 feet along the south curblineline of the existing parking lot, to a point;

Thence, northerly, 107.6 feet along the east curblineline of said parking lot, which runs adjacent to and parallel with the sidewalk which abuts the public restroom and public tennis courts, to a point;

Thence, westerly, 58.9 feet to a point;

Thence, southerly, 9.1 feet to the point of beginning

is designated as the ~~park and recreation~~McEuen Field public parking lot and shall be referred to hereafter as the "~~park and recreation~~McEuen Field public parking lot".

**SECTION 22.** *That Coeur d'Alene Municipal Code Section 10.26.110, is hereby amended to read as follows:*

**10.26.110: ~~PARK AND RECREATION~~MCEUEN FIELD PUBLIC PARKING LOT; USE REGULATIONS:**

There are established the following rules and regulations governing the use of the ~~park and recreation~~McEuen Field public parking lot:

- A. Unless a parking space is otherwise designated by the city, no vehicle shall park or be allowed to remain parked longer than two (2) hours in any space in the ~~park and recreation~~McEuen Field public parking lot.
- B. Motor vehicles shall be parked in said parking lot within the places designated by markers and as nearly in the center of the designated stalls as possible.
- C. No vehicle shall be driven in said parking lot on any other than the designated roadways and shall be driven in the direction only as indicated by signs.

- D. No vehicle shall be driven on any roadway in said parking lot at a speed greater than five (5) miles per hour.
- E. No vehicle shall be parked and left unattended on any roadway in said parking lot.
- F. No vehicle shall be driven into or out of said parking lot at other than the designated entrances and exits.
- G. No person shall use any portion of said public parking lot in a manner as to endanger the person or property of another.
- H. No person shall camp or sleep in said parking lot either in, on or near a vehicle during the hours of eleven o'clock (11:00) P.M. and six o'clock (6:00) A.M.
- I. No trailers, including boat trailers, RVs, oversized vehicles, shall be parked in said lot.
- J. The above parking provisions will not apply to city vehicles operated in the normal course of city business, nor to mobile food concessions authorized by the city to park in designated areas of said lot.
- K. No person shall distribute, throw or affix any literature, handbills or fliers in said parking lot into any car while parked in said parking lot or on any car parked in said parking lot.

~~Violation of this section shall be punished by assessed charge and/or infraction pursuant to sections 10.27.010 through 10.27.030 of this chapter.~~

**SECTION 23.** *That Coeur d'Alene Municipal Code Section 10.27.040, is hereby amended to read as follows:*

**10.27.040: FAILURE TO PAY CIVIL PENALTY FOR PARKING VIOLATION:**

- A. In the event any person fails or refuses to pay the civil penalty assessed for a parking violation, the city shall take such action as is necessary for collection of the civil assessment.
- B. ~~Subject to subsection C of this section, collection~~ Collection actions may include, but are not limited to, initiating collection procedures via a debt collection service, ~~and~~ filing a civil lawsuit for collection of the unpaid penalty(ies), ~~and subject to Section C below, filing a misdemeanor complaint.~~ Provided, further, the city shall be entitled to all fees, costs, and attorney fees incurred in the collection of such fees and, upon entry of judgment, the city shall have each, every, and all rights of enforcement of a judgment as provided by Idaho Code.
- C. The failure to pay four (4) or more civil penalties assessed for a parking violation shall constitute a misdemeanor as provided in section 1.28.010 of this code.

**SECTION 24.** *That Coeur d'Alene Municipal Code Section 10.28.010, is hereby amended to read as follows:*

**10.28.010: AUTHORITY OF POLICE DEPARTMENT:**

~~In addition to the provisions set forth in Idaho Code 49-662 and Idaho Code 49-1801, et. Seq., The~~ the Police Department or, to the extent permitted by law, other person(s) designated by the City, are authorized, ~~in their discretion,~~ to immediately remove and impound ~~at such place as may be~~

~~designated by the Police Department any vehicle found abandoned or parked in violation of any provision of this Code with or without citation and without giving prior notice to its owner:~~

- ~~A. Any vehicle parked on the north side of Lakeside Avenue beginning at the alleyway between 3<sup>rd</sup> Street and 4<sup>th</sup> Street and continuing east to the intersection of Lakeside Avenue with 4<sup>th</sup> Street.~~
- ~~B. Any vehicle parked on the west side of 4<sup>th</sup> Street beginning at the intersection of 4<sup>th</sup> Street and Lakeside Avenue and continuing north to the alleyway between Lakeside Avenue and Coeur d' Alene Avenue;~~
- ~~C. Any vehicle parked in front of a fire hydrant.~~

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Provided, further, additional tow away zones may be established by the City Council by duly passed Resolution, in the event such a tow away zone would serve the safety of the community.

**SECTION 25.** *That a new Section 10.28.030 is hereby added to the Coeur d'Alene Municipal Code as follows:*

**10.28.030: HEARING ON IMPOUNDMENT:**

In the event a vehicle is towed under Section 10.28.010, a post-seizure hearing shall be afforded the owner of the vehicle and shall be conducted in accordance with the Coeur d' Alene Police Department policy and procedure pertaining to impounding and sale of seized motor vehicles.

**SECTION 26.** *That Coeur d'Alene Municipal Code Section 10.36.010, is hereby amended to read as follows:*

**10.36.010: DESIGNATED; RESTRICTIONS:**

It is unlawful for any person to drive or operate any vehicle of a gross weight in excess of twenty six thousand (26,000) pounds' gross weight capacity, upon any street or highway within the city except on Interstate 90, Business Loop 90, from Interstate 90 at Potlatch Hill Road to Northwest Boulevard; on Sherman Avenue from Coeur d'Alene Lake Drive east to Interstate 90; on North Twenty-Third Street from Interstate 90 south to Sherman Avenue; on Fifteenth Street from Interstate 90 north to the city limits; on U.S. 95; on Northwest Boulevard to Appleway Avenue; on Appleway Avenue from Ramsey Road to Fourth Street; on Best Avenue from Fourth Street to Fifteenth Street; on Julia Street from Appleway Avenue to the city compost facility; on River Avenue; on Lincoln Way from River Avenue to Northwest Boulevard; on Hubbard Avenue from River Avenue to Northwest Boulevard; on Fourth Street from Front Avenue north to Best Avenue; on Third Street from Front Avenue to the Interstate 90 south ramp terminal on Fourth Street; on Front Avenue from Second Street east to Fourth Street; Dalton Avenue from Government Way to U.S. 95; Pioneer Way from Clayton Avenue to Park Avenue; Clayton Avenue from Pioneer Way to west dead end; Kathleen Avenue from U.S. 95 to Ramsey Road; Ramsey Road from Interstate 90 north to city limits; all streets within the Industrial Park Atlas Road from Seltice north to city limits; Seltice Way from Northwest Boulevard west to the city limits (300 feet west of Atlas Road). It is further provided that:

A. No vehicle in excess of twenty six thousand (26,000) pounds gross weight capacity or licensed capacity shall be allowed to drive ~~or, operate, or park~~ on any street within the corporate limits other than for the purposes of loading or unloading cargo or ~~while~~ lodging temporarily at any "hotel", "motel" or bed and breakfast as defined under subsections [17.02.035B](#), [17.02.065E](#), and [17.02.085I](#) of this code.

~~B. No vehicle in excess of twenty six thousand (26,000) pounds gross weight capacity or licensed capacity shall be allowed to park on any street within the corporate limits other than while actively loading or unloading cargo.~~

~~BC. Commercial and wholesale delivery vehicles will be permitted to make home or retail delivery or pick up to places at any location within the city.~~

~~CD. Emergency vehicles, street maintenance equipment operated by a public entity, vehicles which must be directed through Coeur d'Alene with Coeur d'Alene police escort because of height restrictions on Interstate 90 and vehicles which because of inclement road conditions are directed by a public authority or its agents to utilize alternate routes are exempted from the prohibitory provisions of this chapter.~~

**SECTION 27.** *That Coeur d'Alene Municipal Code Section 10.40.010, is hereby amended to read as follows:*

**10.40.010: DESIGNATED:**

A. Areas Designated: No person shall drive or operate a motor vehicle, as defined by Idaho Code, or snowmobile on city owned or city leased parks, playgrounds or that portion of Tubbs Hill owned or leased by the city except established streets and alleys, or on city owned or leased property posted with signage prohibiting motorized vehicles, without specific authorization of the chief of police of the city.

~~B. No person shall drive or operate a motor vehicle upon any officially marked bicycle lane, bicycle path, foot path or other separate right of way specifically set aside for use by pedestrians or nonmotorized vehicles except at an intersection or when entering or leaving a roadway at a driveway, private road or alley. This section shall not apply to authorized emergency vehicles meeting the conditions specified in title 49 of the Idaho Code, or authorized maintenance and construction vehicles while actually engaged in work upon a roadway or nonmotorized right of way.~~

~~BC. Beautification Area:~~

1. All vehicular traffic along and over that part of First Street south of Sherman Avenue within the city of Coeur d'Alene more particularly described as follows be and the same is hereby discontinued and prohibited, except as provided in subsection B2 of this section:

Commencing at a point where the east line of the Fort Sherman Military Reserve (now abandoned) intersects the south line of Sherman Avenue in said City of Coeur d'Alene, running thence southeasterly along the south side line of Sherman Avenue

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fifty two and eight-tenths (52.8) feet to a point which point is fifty feet (50'), measured at right angles, from the east line of said Fort Sherman Military Reserve (now abandoned), and which is the true point of beginning; thence south parallel with the east line of said Military Reserve two hundred seventy three feet (273'); thence east one hundred twenty seven feet (127'); thence north sixty feet (60'); thence west eighty seven feet (87'); thence north two hundred and thirteen feet (213') to the south line of Sherman Avenue; thence northwesterly along the south line of Sherman Avenue to the said place of beginning.

2. Vehicular traffic is hereby permitted for access to private property abutting on the south of the area described in subsection B1 of this section, and for access to a limited parking area abutting the area described in subsection B1 of this section.

**SECTION 28.** All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 29.** 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 30.** 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 31** 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.

APPROVED, ADOPTED and SIGNED this 6<sup>th</sup> day of February, 2007.

\_\_\_\_\_  
Sandi Bloem, Mayor

ATTEST:

\_\_\_\_\_  
Susan K. Weathers, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. \_\_\_\_\_  
Amending Chapter 10 – Vehicle and Traffic

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING TITLE 10 'VEHICLES AND TRAFFIC' BY ADDING A NEW SECTION 10.02 TO PROVIDE FINDINGS, INTENT AND DEFINITIONS FOR TITLE 10; REPEALING SECTIONS 10.04.010 AND 10.04.020 AND ADDING NEW SECTIONS 10.04.010 AND 10.04.020 TO PROVIDE PLACEMENT AND MAINTENANCE OF TRAFFIC CONTROL DEVICES AND OBEDIENCE OF TRAFFIC CONTROL DEVICES REQUIRED; AMENDING SECTION 10.20.010 PROVIDING THE NEW TITLE OF STOPPING, STANDING OR PARKING, TO PROHIBIT STOPPING, STANDING OR PARKING IN DESIGNATED AREAS, PROVIDING FOR PLACEMENT OF TRAFFIC CONTROL DEVICES AND ADOPTION OF AREAS PROHIBITING STOPPING, STANDING OR PARKING BY RESOLUTION; REPEALING SECTION 10.20.040 REGARDING THE LENGTH OF TIME PARKING IS ALLOWED; AMENDING SECTION 10.20.060 PROVIDING THE NEW TITLE OF MANNER OF PARKING, TO MAKE TECHNICAL CORRECTIONS AND TO PROVIDE A NEW SUBSECTION "D" PRESCRIBING THE MANNER IN WHICH VEHICLES SHALL PARK; AMENDING SECTION 10.20.070 TO DELETE SPECIAL PERMITS FOR DELIVERIES AND PICK UPS; AMENDING SECTION 10.20.080 TO DELETE REFERENCE TO A SPECIAL PERMIT FOR PARKING IN ALLEYS AND LOADING ZONES; REPEALING SECTION 10.20.090 DEALING WITH TRUCKS PARKING IN FIRE DISTRICTS; AMENDING SECTION 10.20.100 TO PROVIDE FOR HANDICAPPED PARKING IN THE DOWNTOWN AREA; AMENDING CHAPTER 10.24 PROVIDING THE NEW TITLE OF LIMITED TIME PARKING SPACES; AMENDING SECTION 10.24.010 PROVIDING THE NEW TITLE OF AUTHORITY TO DESIGNATE LIMITED TIME SPACES AND ZONES, AND TO PROVIDE FOR THE AUTHORITY TO DESIGNATE LIMITED TIME SPACES AND ZONES BY RESOLUTION; AMENDING SECTION 10.24.020 PROVIDING THE NEW TITLE OF LIMITED TIME PARKING SPACES AND ZONES, AND TO PROVIDE FOR ADDITIONAL LIMITED TIME PARKING SPACES AND ZONES BY RESOLUTION; REPEALING SECTION 10.24.030 ENTITLED UNLAWFUL ACTS DESIGNATED; ADDING A NEW SECTION 10.24.030 PROVIDING THE NEW TITLE OF ADDITIONAL PARKING RESTRICTIONS, TO PROVIDE FOR TWO HOUR PARKING SPACES AND PARKING SPACES WITHOUT THE TWO HOUR TIME LIMIT; REPEALING SECTION 10.24.050 DEALING WITH USE OF FUNDS; AMENDING SECTION 10.26.65 TO MAKE HOUSEKEEPING CORRECTIONS AND TO DELETE REFERENCE TO THE PENALTY; AMENDING SECTIONS 10.26.100 AND 10.26.110 PROVIDING THE NEW TITLE OF MCEUEN FIELD PUBLIC PARKING LOT, AND TO DELETE REFERENCE TO THE PENALTY; AMENDING SECTION 10.27.040 TO AMEND REFERENCE TO THE PENALTY; AMENDING SECTION 10.28.010 TO CLARIFY THE AUTHORITY OF THE POLICE DEPARMENT, TO ESTABLISH AND PROVIDE FOR TOW AWAY ZONES, AND TO AUTHORIZE ADDITIONAL ZONES TO BE ESTABLISHED BY RESOLUTION; ADDING A NEW SECTION 10.28.030 TO PROVIDE FOR HEARING ON IMPOUNDMENT; AMENDING SECTION 10.36.010 TO MAKE HOUSEKEEPING CORRECTIONS AND TO PROVIDE PARKING RESTRICTIONS FOR VEHICLES IN EXCESS OF 26,000 POUNDS GROSS WEIGHT; AMENDING SECTION 10.40.010 TO PROHIBIT THE OPERATION OF MOTOR VEHICLES ON AREAS DESIGNATED FOR PEDESTRIAN AND NON-MOTORIZED VEHICLES; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING A SEVERABILITY CLAUSE. 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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Susan K. Weathers, City Clerk



**STATEMENT OF LEGAL ADVISOR**

I, Anna Eckhart, am a Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. \_\_\_\_\_, Amending Chapter 10 – Vehicle and Traffic, 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 6<sup>th</sup> day of February, 2007.

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Anna Eckhart, Deputy City Attorney

**GENERAL SERVICES COMMITTEE  
STAFF REPORT**

DATE: January 22, 2007

FROM: Legal Department

SUBJECT: Amending M.C. Section 2.82.010 Established; Membership; Terms:  
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**DECISION POINT:**

Will the City Council approve a request by the Pedestrian & Bicycle Advisory Committee to increase the committee member positions from 10 members to 15 members.

**HISTORY:**

The City Council established the Pedestrian & Bicycle Advisory Committee July 15, 2003 by Ordinance No. 3123. The current members include one City Council member, one engineer or landscape architect, one representative from school district 271, one representative from the Centennial Trail Foundation, one representative from the walking community, one representative from the running community, one representative from the bicycling community, one person representing Senior Citizens and one person representing the special needs/physically challenged community. One additional member is a high school student.

Frequently, the current members have other commitments that will not allow them to attend the committee's monthly meeting resulting in no quorum.

The committee has been approached by numerous citizens interested in joining the committee. Because the current member positions allow for only specific positions, the committee thought it would prove beneficial to add members from the general public. Allowing for additional members will also be beneficial to ensure a quorum when various members are absent due to other commitments.

**FINANCIAL ANALYSIS:**

The only cost in making this change is the cost of codifying the new ordinance.

**PERFORMANCE ANALYSIS:**

By allowing the 5 additional positions to be from the general public, it will be easier to fill a position(s) when it becomes vacant.

**DECISION POINT/RECOMMENDATION:**

Staff recommends that the City Council approve a request by the Pedestrian & Bicycle Advisory Committee to increase the committee member positions from 10 members to 15 members.

COUNCIL BILL NO. 07-1001  
ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 2.82.010 TO INCREASE THE PEDESTRIAN AND BICYCLE ADVISORY COMMITTEE MEMBER POSITIONS FROM 10 MEMBERS TO 15 MEMBERS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

WHEREAS, and after recommendation by the General Services Committee, 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 Coeur d'Alene Municipal Code Section 2.82.010, is hereby amended to read as follows:*

**2.82.010: ESTABLISHED; MEMBERSHIP; TERMS:**

- A. There is established a pedestrian and bicycle advisory committee in the city which shall consist of ~~ten~~ fifteen (~~10~~15) members who will receive no salary. Members of the committee shall be appointed by the mayor and confirmed by the city council and any members may, in a like manner, be removed. The members shall include one city council member, one engineer or landscape architect, one representative from School District 271, one representative from the centennial trail foundation, one representative from the walking community, one representative from the running community, one representative from the bicycling community, one person representing senior citizens, ~~and~~ one person representing the special needs/physically challenged community and five persons representing the general public. One additional member shall be a high school student, who attends school within the boundary of School District 271, between the ages of fourteen (14) and eighteen (18) years old.
- B. The term of office of each member shall be four (4) years or until his/her successor is appointed and qualified, except for the high school student whose term shall be one year. The terms of office of the other members shall be staggered in such a manner that the terms of seven ~~four~~ (7~~4~~) of those members shall expire at the end of one year, and the terms of the other eight ~~four~~ (8~~4~~) of those members shall expire two (2) years later, the terms of office to coincide with the terms of office of city council members. The mayor shall determine which of the first appointed members' terms of office shall expire at the first council meeting in January 2004, and which shall expire at the first council meeting in January two (2) years thereafter.

C. In case of a vacancy in membership, the committee should forward recommendations for appointment to the mayor for consideration. The vacancy shall be filled by appointment of the mayor, confirmed by the city council, and the appointee shall serve during the unexpired portion of the term of the position that became vacant. The mayor shall not be limited in making the appointment to the persons recommended by the committee.

**SECTION 2.** All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 3.** 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 4.** 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 5.** 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.

APPROVED, ADOPTED and SIGNED this 6<sup>th</sup> day of February, 2007.

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Sandi Bloem, Mayor

ATTEST:

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Susan K. Weathers, City Clerk

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

AMENDING SECTION 2.82.010 TO INCREASE THE PEDESTRIAN AND BICYCLE ADVISORY  
COMMITTEE MEMBER POSITIONS FROM 10 MEMBERS TO 15 MEMBERS

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 2.82.010 TO INCREASE THE PEDESTRIAN AND BICYCLE ADVISORY COMMITTEE MEMBER POSITIONS FROM 10 MEMBERS TO 15 MEMBERS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING A SEVERABILITY CLAUSE. 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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Susan K. Weathers, City Clerk

**STATEMENT OF LEGAL ADVISOR**

I, Warren J. Wilson, am a Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. \_\_\_\_\_, AMENDING SECTION 2.82.010 TO INCREASE THE PEDESTRIAN AND BICYCLE ADVISORY COMMITTEE MEMBER POSITIONS FROM 10 MEMBERS TO 15 MEMBERS, 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 6<sup>th</sup> day of February, 2006.

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Warren J. Wilson, Deputy City Attorney

**January 22, 2007**  
**PUBLIC WORKS COMMITTEE**  
**MINUTES**

**COMMITTEE MEMBERS PRESENT**

Council Member Dixie Reid, Committee Chairman  
Council Member Mike Kennedy  
Council Member Woody McEvers

**CITIZENS PRESENT**

Wade Jacklin, Item #1  
Mike McDonald, Item #1  
Jeff Child, Item #4  
Dan Nicklai, Item #4  
Thomas George, Item #4

**STAFF PRESENT**

Chris Bates, Project Manager  
Jon Ingalls, Deputy City Administrator  
Amy Ferguson, Committee Liaison  
Sid Fredrickson, WW Supt.  
Gordon Dobler, Eng. Svcs. Director  
Dave Shults, Capital Program Manager

**Item 1            Vacation of Existing, and Replacement with New, Emergency Access Easement  
in the Graystone Subdivision**

**Consent Calendar**

Chris Bates, Project Manager, presented a request from Wade P. Jacklin, applicant and representative for the owners of Lot 8, Block 1, for the vacation and relocation of the emergency access easement adjoining the southerly boundary of their property in the Graystone subdivision. Mr. Bates explained in his staff report that the current easement contains a utility transformer, phone boxes, and large trees which drastically limit its effectiveness. The proposed new easement would be more effective, clear of obstacles and centered on the common property line for Lots 8 and 9. Mr. Bates comments that he visited the site with the Deputy Fire Chief, and the Deputy Fire Chief indicated that even though the access is not developed, it would be beneficial to retain an easement solely for the legal access. Discussion ensued regarding the need to vacate the easement before recording the new easement. Councilman Reid suggested that Mr. Bates discuss the issue with the Legal Department. Councilman McEvers questioned whether a fence was going to be installed in the easement. Mr. McDonald indicated that a fence would probably be constructed up to the proposed easement on both lots, but he expressed concern that the "passageway" through the easement would be used as a trail. As a result, a gate would probably be installed.

**MOTION:            RECOMMEND Council direct staff to proceed with the vacation process  
and set a public hearing on the vacation request before the City Council for March 6, 2007**

**Item 2            WWTP Phase 4B Construction Change Order #7**

**Consent Calendar**

Sid Fredrickson, Wastewater Superintendent, and Dave Shults, Capitol Program Manager, presented a request for approval of Change Order #7, for an increased cost of \$210,770 to the City's agreement with Contractors Northwest, Inc., for a total construction contract amount of \$11,642,185. Mr. Fredrickson explained that the total change order percentage to date, expressed as a comparison to the original construction bid amount, is 6%. 3% of the extra cost is attributable to using the existing contractor and specialty subcontractors for discretionary value-added improvements for equipment replacement and repairs. Discussion ensued regarding what a value-added improvement was. Mr. Fredrickson stated that value-added improvements are work items that are beyond the scope of the original project. This approach for using the services of reliable contractors already providing related improvements saves time and expense for the

utility for packaging the design and specifications and procuring the services outside or after the Phase 2B project. Councilman McEvers expressed several concerns regarding elements of the Change Order. He thought that the cost of additional clarifier lights was very high. Mr. Fredrickson told of the special features of the lights and the need for additional safety for the operators. Councilman McEvers also wondered if perhaps the design consultant could be held accountable for the design changes. Mr. Fredrickson explained that when a change order item adds something that is necessary, the contractor adds a cost to the project that was not initially included in the original bid. The City would have been responsible to pay the cost for the item, either in the original bid or in response to a change order. Mr. Shults told of the design team effort expended to anticipate everything that would be required for this very complex project. He point out that, to date, the change order percentage of those work items due to design glitches and unforeseen site conditions amounts to approximately 3%, which he believes is good for this type of project.

**MOTION: RECOMMEND Council approval of RESOLUTION No. 07-\_\_\_ approving Change Order #7 in the amount of \$210,770.00 to the City's agreement with Contractors Northwest, Inc., for a total construction contract amount of \$11,642,185.00**

**Item 3            Standard Drawing for Multi-Use Paths**

Gordon Dobler, Engineering Services Director, presented a request for approval of standard drawings for multi-use paths. Mr. Dobler stated it would be helpful to have standards in order to promote consistency in design and construction. Most paths already conform to these standards, and paths within the right-of-way have been designed to fit within the City's standard right-of-way widths so no additional right-of-way width will be required. Mr. Dobler further stated that he has worked with the Pedestrian & Bicycle Advisory Committee and they are in support of the drawings.

**MOTION: RECOMMEND Council approval of RESOLUTION No. 07-\_\_\_ approving standard drawings for Multi-Use Paths.**

**Item 4            Review of CIP Projects in Quadrant 1  
For Information Only**

Gordon Dobler, Engineering Services Director, presented a report to the committee members regarding the Capital Improvement Plan for Quadrant 1. This report was at the request of the committee following discussion regarding the signalization of the Kathleen & Howard intersection at the November 13<sup>th</sup> Public Works Committee meeting. At the November meeting, Mr. Dobler explained that the Kathleen & Howard intersection competes with other projects in the same quadrant for impact fee funds. Mr. Dobler stated that Quadrant 1 consists of the area west of I-95 and north of I-90. Impact fees are spread into two categories – by quadrant or city wide (projects with regional significance). Funds from the Kathleen & Howard intersection must come from the Quadrant 1 funds. Mr. Dobler explained that intersections have never been regional projects. Citywide, or regional, projects consist of projects on larger arterials that cross the city. Priority projects for the Quadrant 1 funds were discussed. Mr. Dobler explained that there is no money available in the Quadrant 1 funds this year. The annual accrual of impact fees is close to somewhere around \$175,000 - \$200,000. As a result, Mr. Dobler explained that the City would not be able to fund any Quadrant 1 project of significance until the summer of 2008.

Further discussion ensued regarding the effect on the City's Capital Improvement Plan timeline of moving the Kathleen & Howard intersection forward. Councilman McEvers suggested possibly pursuing



a portion of the “Safe Routes to Schools” grant money for the signalization. Mr. Dobler explained that it would be worth looking into, but that part of the requirement was that the project would need to be constructed this summer. Mr. Dobler stated that he felt it could be done.

Other possible solutions for fund raising were discussed. Councilman Reid instructed staff to submit for grant funds through the “Safe Routes to Schools” grant, and to visit with the Meadow Ranch developer regarding a possible contribution toward the Kathleen & Howard signal when the time is right to do so. Councilman Reid asked Mr. Dobler to keep the interested parties advised of the progress of this agenda item.

**MOTION: NO MOTION. For information only.**

The meeting adjourned at 5:00 p.m.

Respectfully submitted,

Amy C. Ferguson  
Public Works Committee Liaison

# **PUBLIC WORKS COMMITTEE**

## **STAFF REPORT**

**DATE:** January 17, 2007  
**FROM:** Gordon Dobler, Engineering Services Director  
**SUBJECT:** Adoption of standards for Multi-use paths

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### **DECISION POINT**

Staff is requesting the adoption of standards for multi-use paths

### **HISTORY**

Currently we have no adopted standards for multi-use paths. Several new larger subdivisions have constructed these paths. It would be helpful to have standards in order to promote consistency in design and construction. We have worked with the Ped-Bike committee over the last few months to develop these standards.

### **FINANCIAL ANALYSIS**

The financial impact is minimal. Most paths already conform to these standards. Paths within the right-of-way have been designed to fit within our standard r/w widths so no additional right-of-way width will be required.

### **PERFORMANCE ANALYSIS**

Adoption of these standards will promote consistency in design and construction of multi-use paths.

### **RECOMMENDATION**

Staff recommends adoption of the attached standard drawings for multi-use paths and revised street cross sections.

RESOLUTION NO. 07-009

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO  
ADOPTING STANDARD DRAWINGS FOR MULTI-USE PATHS.

WHEREAS, the City Council adopted a policy establishing Standard Drawings pursuant to Resolution No. 99-086 on May 18<sup>th</sup> 1999, as amended by Resolution No. 02-009 on November 26<sup>th</sup>, 2001; and as amended by Resolution No. 04-102 on November 16<sup>th</sup>, 2004; and as amended by Resolution No. 06-019 on March 21, 2006, as amended by Resolution No. 06-066 on October 17, 2006; and

WHEREAS, the City Engineer has proposed a revision to the Standard Drawings by adopting new standards listed as M-4 & M-4A Typical Street Sections and M-30 Multi-Use Path; and

WHEREAS, the Public Works Committee has reviewed the proposed revision to the Standard Drawings at their January 22, 2007 meeting and has recommended that the City of Coeur d' Alene adopt the revised Standard Drawings for Public Works Construction, a copy of which is attached as Exhibits "A1, A2 & A3". A full version of the Standard Drawings is on file in the office of the City Clerk; and,

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof that such revised Standard Drawings for Public Works Construction be adopted; NOW, THEREFORE,

BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene that the revised Standard Drawings for Public Works Construction be and is hereby adopted.

DATED this 6<sup>th</sup> day of February, 2007.

---

Sandi Bloem, Mayor

ATTEST:

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Susan K. Weathers, City Clerk

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

ROLL CALL:

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

COUNCIL MEMBER HASSELL Voted \_\_\_\_\_

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

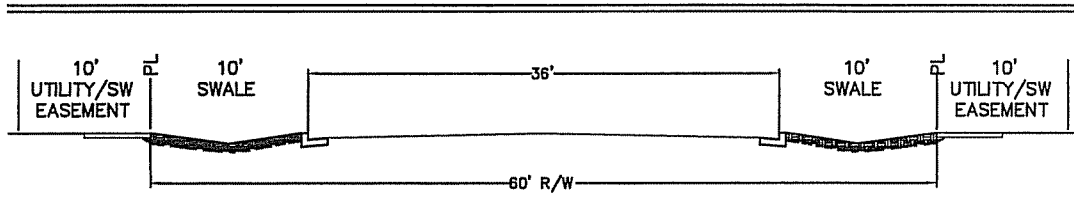
COUNCIL MEMBER KENNEDY Voted \_\_\_\_\_

COUNCIL MEMBER GOODLANDER Voted \_\_\_\_\_

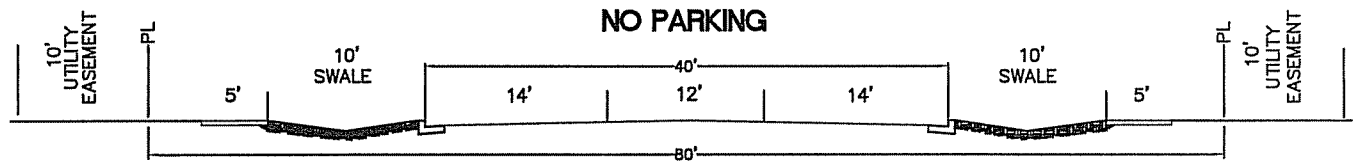
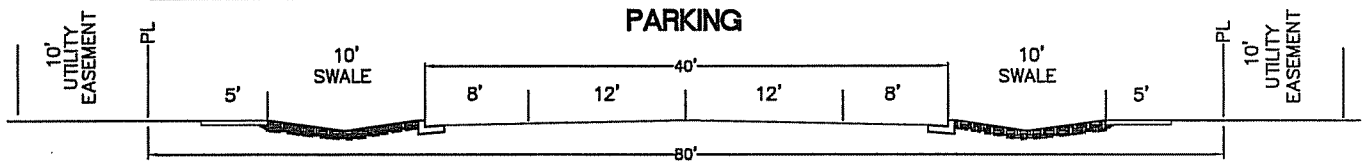
COUNCIL MEMBER REID Voted \_\_\_\_\_

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

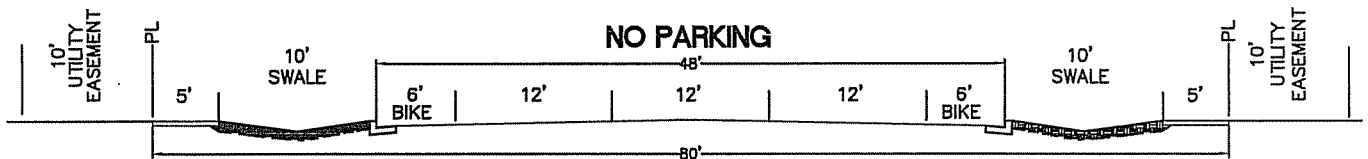
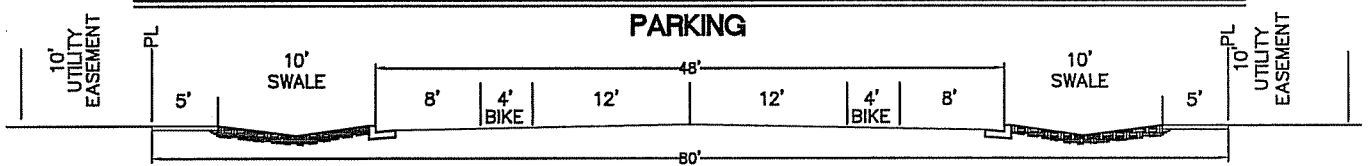
## RESIDENTIAL STREET



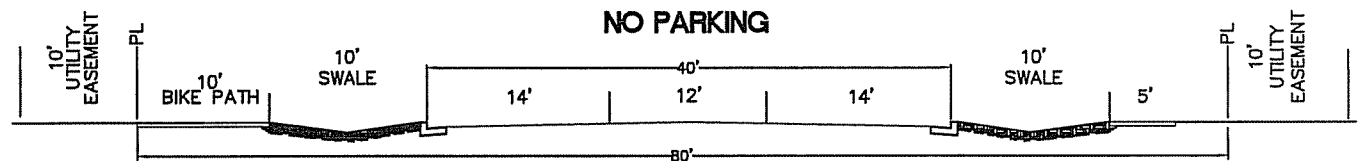
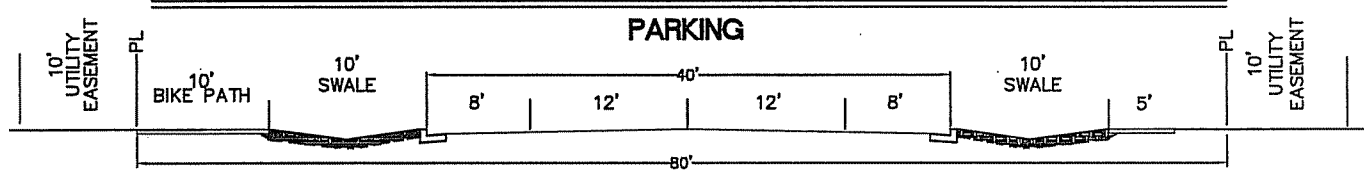
## STANDARD COLLECTOR



## COLLECTOR WITH BIKE LANE



## COLLECTOR WITH BIKE PATH



REVISION	APPROVED	DATE

CITY OF COEUR d'ALENE STANDARD DRAWING

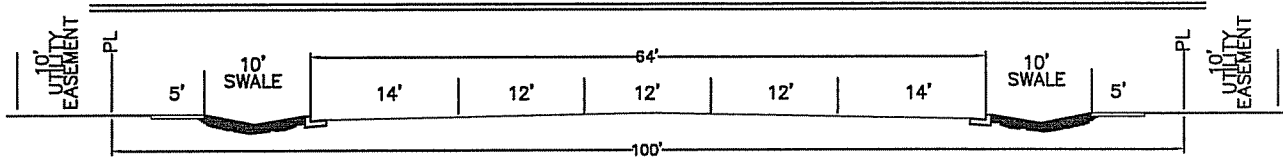
APPROVED BY:

# TYPICAL STREET SECTIONS

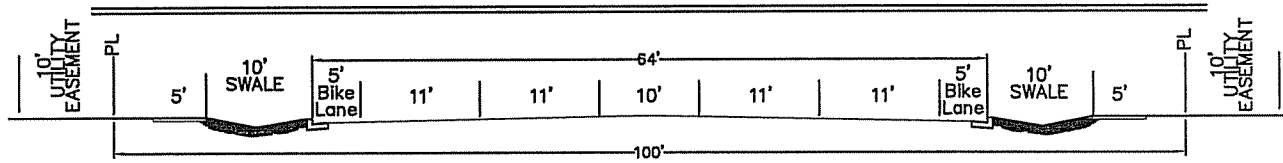
*Morgan Robble*  
CITY ENGINEER, PE 7432      1-17-07  
DATE:

DWG NO.      M-4

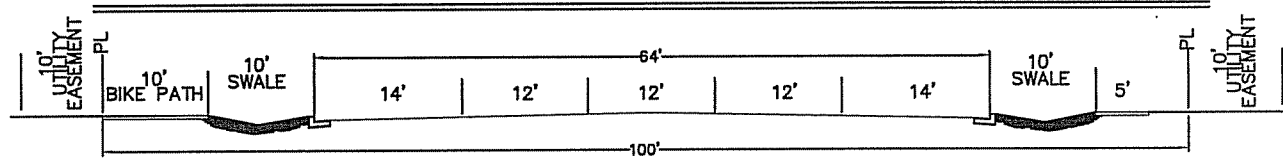
## STANDARD ARTERIAL



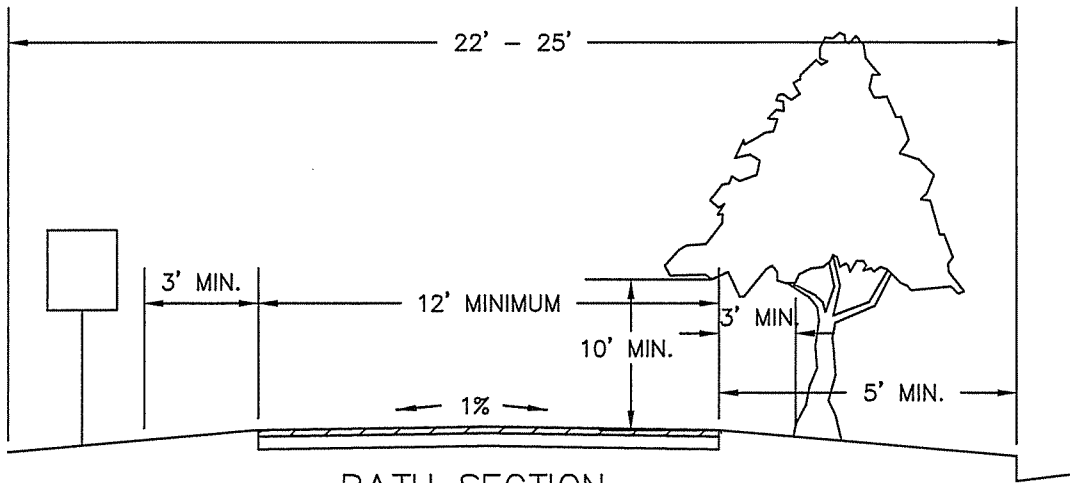
## ARTERIAL WITH BIKE LANE



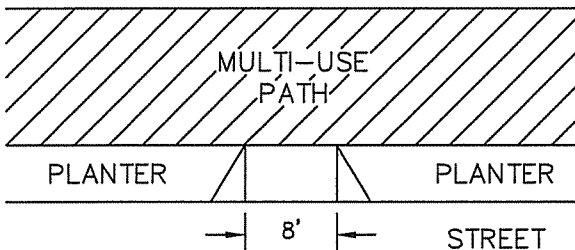
## ARTERIAL WITH BIKE PATH



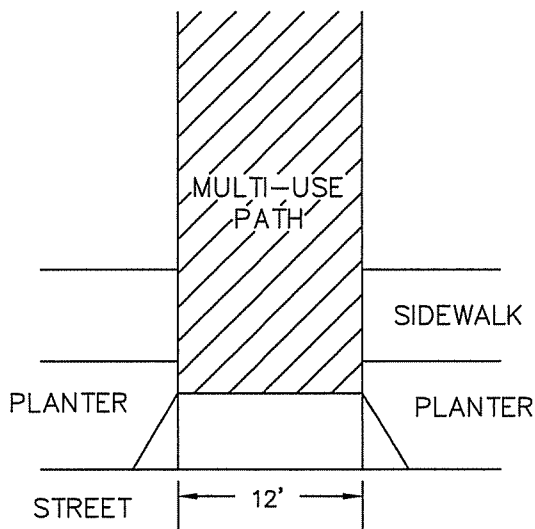
REVISION	APPROVED	DATE	CITY OF COEUR d'ALENE STANDARD DRAWING	APPROVED BY:
			<h1 style="margin: 0;">TYPICAL STREET SECTIONS</h1>	
				<small>CITY ENGINEER, PE 7432</small>
				<small>DATE:</small>
				<small>DWG NO.</small>
				<span style="font-size: 1.5em;">M-4A</span>



**PATH SECTION**  
NO SCALE



**PARALLEL APPROACH**  
NO SCALE



**PERPENDICULAR APPROACH**  
NO SCALE

**NOTES:**

1. Width - 12' standard for a two-way multi-use path  
- 12' along arterials  
- 10' minimum along collectors/streets
2. Lateral Clearance - A 3ft "shy" or clear distance on both sides of a multi-use path is necessary for safe operation.
3. Overhead Clearance - The standard clearance to overhead obstructions is 10 ft.
4. Separation from roadway - Where a path is parallel and adjacent to a roadway, there should be a 5 ft or greater width separating the path from the edge of roadway, or a physical barrier of sufficient height should be installed.
5. Grades & Cross-slope - Maximum grade of 5% for bicycle use, with steeper grades allowed for up to 500 ft. 5% grade recommended when the terrain dictates up to 8% for short sections (< 300ft).
6. Curb Cuts - Curb cuts for bicycle access to multi-use paths should be built so they match the road grade without a lip. The width of the curb cut is the full width of the path when the approaching path is perpendicular to the curb and a minimum of 8 ft wide when the approaching path is parallel and adjacent to the curb. Greater widths may be needed on downhill grades.
7. Horizontal curve minimum radius = 50'.
8. Crossings - Roadway striping "zebra" style crosswalk. Roadway signing per MUTCD.
9. Pathway signage - Install yield or stop signs where paths cross streets.
10. Pavement section - 2" asphalt/concrete. 4" class 2 base. Subgrade compacted to 93% Rice density.

REVISION	APPROVED	DATE	CITY OF COEUR d'ALENE STANDARD DRAWING		APPROVED BY:
			<h1>MULTI-USE PATH</h1>		 CITY ENGINEER, PE 7432
					1-17-07 DATE:
					DWG NO. M-30

OTHER BUSINESS



**COEUR D'ALENE CITY COUNCIL  
FINDINGS AND ORDER**

**A. INTRODUCTION**

**This matter having come before the Coeur d'Alene City Council on December 5, 2006 and there being present a person requesting approval of ITEM ZC-6-06, a request for a zone change from M (Manufacturing) to R-17 (Residential at 17 units/acre) and C-17 (Commercial at 17 units/acre).**

LOCATION: +/- 11.7 acre parcel adjacent to Howard Street and Bosanko Avenue.

APPLICANT: Active West Development

**B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON**

- B1. That the existing land uses are residential – single-family, mobile homes and duplex, commercial – sales and service, light industrial, civic and vacant property.**
- B2. That the Comprehensive Plan Map designation is Transition.**
- B3. That the zoning is M (Manufacturing).**
- B4. That the notice of public hearing was published on November 18, 2006 and November 28, 2006, which fulfills the legal requirement.**
- B5. That the notice of public hearing was posted on the property on November 25, 2006, which fulfills the legal requirement.**
- B6. That 33 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on November 17, 2006, and 5**

**responses were received: 3 in favor, 2 opposed.**

**B7. That public testimony was heard on December 5, 2006 including but not limited to:**

**John Stamsos, Associate Planner.**

Mr. Stamsos stated that Active West Development was seeking a zone change from Manufacturing to R-17 and C-17; approval of a preliminary plat; a Planned Unit Development, and a Special Use Permit for a density bonus for cluster housing. The parcel is approximately 11.7-acre parcel adjacent to Howard Street and Bosanko Avenue. Mr. Stamsos reviewed the staff analysis for land use, neighborhood characteristics, utilities, traffic and streets. He noted that the deviations to the zoning and subdivision ordinances for setbacks, lot size, lot frontage, building height, and street widths are requested as part of a PUD. Mr. Stamsos reported that on August 8, 2006 the Planning Commission held a public hearing and denied the request by a vote of 4-0. Written comments were distributed for Council review.

**Dennis Cunningham, 424 Sherman Avenue, Suite 205.**

Mr. Cunningham spoke on behalf of the applicant. He reported that his agency designed the proposed project using infill regulations as part of the PUD. He reported that the proposal is exclusively for adults 55 and over with different product types and price ranges with some units being affordable housing units. He noted that prices would range from \$325,000 for the single-family units to \$220,000-\$260,000 for townhouses to \$129,000 starting range for the condominium units. He further commented that the development would be served by two access/egress points.

**Phil Boyd, 1620 Lincoln Way.**

Mr. Boyd from Welch Comer Engineers spoke on behalf of the applicant and addressed the zoning request noting that a lot of properties in this area are going from MH-8 to residential and the transitioning of this area is being driven by commerce in the manufacturing zone which primarily has become a commercial park. In summary he asked the Council to consider that the Meadow Ranch project meets the comprehensive plan and its goals.

**Gary Allen, 601 W. Bannock, Boise.**

Mr. Allen spoke on behalf of the applicant and addressed the Planning Commission's Findings regarding compatibility and impact on neighboring property uses. Because of the neighboring landfill and compost facility, gas, noise and odor monitoring was conducted. He presented the results of the monitoring that indicated that gas from the closed landfill on Ramsey Road would not effect the project site. In regards to odor testing, odors consistent with a freshly mulched flower garden were noted on 6 of the 13 test days. Mr. Allen felt that the odors would not adversely affect the project. Noise testing revealed consistently elevated ambient noise levels that was likely caused by the site's proximity to I-90 and US-95. Peak noise levels were noted during hours that the Transfer Station and compost facility were closed. He also noted that there were published reports indicating that the compost facility and transfer station may be moving in the future. Mr. Allen further noted that the City has a noise and odor standard for all operations within the city. He also noted that the proposed residential project is on a bluff which is at a higher elevation than the commercial businesses in Commerce Park. He believes that if there were an odor problem that the residents currently surrounding the landfill and compost facilities would have previously complained about odor and noise. In regards to housing looking down onto business, he believes the existing trees would buffer the two areas and does not believe that a fence is required. He noted that the CC&R's are designed not to allow anyone under 55 years from living in these facilities. He believes that the lighting for this project is within City standards and as far as the traffic light at Kathleen and Howard; he believes that the project would be contributing to this signalization through impact fees. Mr. Allen also testified that there is a slope with a pretty good tree cover on it that creates a buffer between the project site and Commerce Park and that, additionally, a grade could be created that would eliminate a downward view into the backs of the businesses.

**Roger Saterfiel, 3650 North Ramsey Road.**

Mr. Saterfiel testified that he is the Solid Waste Director for Kootenai County and that he believes that the studies conducted by the applicant regarding noise, odor and gasses are flawed because of the relatively short length of the study period. He also commented that with the study being done in October, it does not reveal the true odor impact of the landfill during the summer when odors from the landfill site blow directly over the subject property. He also

testified that there are no intentions to move the Transfer Station. He noted that methane gas is not a problem when it is mixed with air, but it does become a problem when homes built next to a landfill have the methane gas creep into basements and crawl spaces within the homes. He noted that garbage in the Ramsey landfill will take much longer to decompose because the landfill was compacted and is lined. Mr. Saterfiel further testified that while the Transfer Station is not always be the cause of any noise, odor or dust complaints but that because of the nature of their operation they are often seen as being the source.

**Rich Swoboda, 6175 N. 18<sup>th</sup> Street, Dalton Gardens.**

Mr. Swoboda owns a business adjacent to the proposed project and believes that while it is a beautiful project it is in the wrong place. He has a concern that the residents who would look down onto his business would complain about the noise and equipment used in his operation. He believes that with the high density housing and the single car garages there would be numerous vehicles parked on the street. He also noted that in the summer you can smell the compost facility and it does not smell like a freshly mulched flower garden. He also has a concern about residents adhering to the age requirement. He would also like to see buffering, fencing, restrictions on lighting for this location and a traffic signal at the intersection of Howard and Kathleen.

**Kimber Gates, 5743 N. 16<sup>th</sup> Street, Dalton Gardens.**

Ms. Gates testified that she is part owner of the Cd' A Cellars Winery in Commerce Park, which is just below this project. She testified that they have gotten odors from the landfill and Mr. Saterfiel has been a good neighbor to her business. She further testified that she is concerned that a residential development in that location will be effected by the operations of her business especially during harvest and bottling, which is a noisy operation. She was concerned that her operation would not be a "good neighbor" to the new residents because of the nature of the operation which will lead to conflicts over her operation.

**Shawn McMann, 421 Emma Ave.**

Mr. McMann sees this project as a community that could walk to the store or a restaurant which would decrease traffic. He noted that whomever buys these homes are going to have a view of

the business below which would help keep an eye on what is happening at the businesses after hours, which will help protect the businesses. He believes that this project should be given a chance and the proposed prices for the units sound attractive.

**Jay Johnson, 1206 N. 6<sup>th</sup> Street.**

Mr. Johnson was concerned with the amount of parking facilities for the development and the design of the project overall. He indicated that the project should be a combination of view condos with commercial businesses constructed on the lower levels. He believes that the property should be zoned C-17.

**Don Keil, Asst. Wastewater Superintendent.**

Mr. Keil testified that there are no plans to move the compost facility. He indicated that the odor that emanates from the site is a farmland odor. However, the concern is the escape of "fugitive odors" that occurs when a compost pile is initially disturbed.

**Will Gustafson, 1465 E. Mountain Dr., Santa Barbara, California,**

Mr. Gustafson testified that housing for individuals 55 and over is needed in this community. He noted that only 28 units of the 253 units in this project overlook Commerce Park and that they did not expect to have any problems marketing the units.

**B8. That this proposal is in conformance with the Comprehensive Plan policies as follows:**

We find that the proposed zone change is in conformance with the Comprehensive Plan as follows:

The proposed zone change will allow a subdivision with 55 lots, one of which is commercial, on approximately 11.7 acres. The Comprehensive Plan designates this area a "Transition" area and the proposed development meets the goals for developments within a "Transition" area. "Transition" areas will typically have a build out density of approximately 3 dwelling units per acre. While this subdivision will have a higher density, the Comprehensive Plan encourages

higher densities and mixed uses close to transportation corridors such as Kathleen Avenue, a medium intensity corridor) which is near this project area. Additionally, cluster housing is encouraged in Transition areas to preserve open space. The requested zoning will facilitate development meeting these goals of the Comprehensive Plan. Other goals of the Transition areas are met by this request include, encouraging residential development close to jobs and services, encouraging commercial clusters to serve adjacent neighbors and encouraging pedestrian and bicycle connections.

In addition to the above, we find that the following additional Comprehensive Plan policies are achieved by this subdivision:

Policy 4C4: “Residential and mixed use development should be encouraged.” The proposed development is a residential development with a commercial component to serve the new residences.

Policy 14A3: “All new developments must provide for immediate hook up to the sanitary sewer system.” The proposed development can immediately hook to the sanitary sewer system.

Policy 42B2: “Expansion of the City should be based on conformance to the urban service area.” The proposed development is an “infill” project within the existing City boundaries at a location that is close to services.

Policy 4C3: Population growth should be compatible with preserving Coeur d’Alene’s character and quality of life.” The development proposes to preserve a historic barn that is a landmark in Coeur d’Alene.

**B9. That public facilities and utilities are available and adequate for the proposed use.**

The staff report indicates that adequate sewer, water, police and fire services are available for the subject property. Additionally, the staff report indicates that street system will provide

adequate access to the property. There was no testimony received at the public hearing that indicated that this is not the case. As such, we find that the provisions for these requirements are adequate.

Given the above discussion, we find that the public facilities and utilities are available and adequate for the proposed use.

**B10. That the physical characteristics of the site do make it suitable for the request at this time because:**

We find that the physical characteristics of the site do make it suitable for the requested zoning. The majority of the site is relatively level making it usable for both residential and commercial uses. The site does contain a bluff that will be retained as open space as part of a PUD being approved at the same time.

**B11. That the proposal would not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character or existing land uses.**

During the hearing significant testimony was received concerning whether this is an appropriate location for this development since it is in close proximity to several manufacturing and/or civic uses that generate noise and odors. However, we find that these impacts are no greater on this property than on other residentially zoned property that is in this area. Further, the impacts on these existing uses will be minimized by conditions imposed on a subdivision approved at the same time. As discussed above, the existing street system is sufficient to handle any impacts created by this zone change. As such, we find that the proposed subdivision will not adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character and existing land uses.

**C. ORDER: CONCLUSION AND DECISION**

The City Council pursuant to the aforementioned, finds that the request of **Active West Development** for a zone change, as described in the application, is **approved**.

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_, to adopt the foregoing Findings and Order.

ROLL CALL:

Council Member Hassell Voted \_\_\_\_\_

Council Member Edinger Voted \_\_\_\_\_

Council Member Goodlander Voted \_\_\_\_\_

Council Member McEvers Voted \_\_\_\_\_

Council Member Reid Voted \_\_\_\_\_

Council Member Kennedy Voted \_\_\_\_\_

Mayor Bloem Voted \_\_\_\_\_ (tie breaker)

Council Member(s) \_\_\_\_\_ were absent.

Motion to \_\_\_\_\_ carried by a \_\_\_\_\_ to \_\_\_\_\_ vote.

---

MAYOR SANDI BLOEM



**COEUR D'ALENE CITY COUNCIL  
FINDINGS AND ORDER**

**A. INTRODUCTION**

This matter having come before the Coeur d'Alene City Council on December 5, 2006 and there being present a person requesting approval of ITEM PUD-3-06, a request for a planned unit development known as "Meadow Ranch".

LOCATION: +/- 11.7 acre parcel adjacent to Howard Street and Bosanko Avenue.

APPLICANT: Active West Development

**B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON**

- B1. That the existing land uses are residential – single-family, mobile homes and duplex, commercial – sales and service, light industrial, civic and vacant property.**
- B2. That the Comprehensive Plan Map designation is Transition.**
- B3. That the zoning is M (Manufacturing) however the Applicant has also requested that the property be rezoned to R-17 (residential at 17 units/acre) and C-17 (commercial at 17 units/acre), which is addressed in a separate set of findings.**
- B4. That the notice of public hearing was published on November 18, 2006 and November 28, 2006, which fulfills the legal requirement.**

**B5. That the notice of public hearing was posted on the property on November 25, 2006, which fulfills the legal requirement.**

**B6. That 33 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on November 17, 2006, and 5 responses were received: 3 in favor, 2 opposed.**

**B7. That public testimony was heard on December 5, 2006 including but not limited to:**

**John Stamsos, Associate Planner.**

Mr. Stamsos stated that Active West Development was seeking a zone change from Manufacturing to R-17 and C-17; approval of a preliminary plat; a Planned Unit Development, and a Special Use Permit for a density bonus for cluster housing. The parcel is approximately 11.7-acre parcel adjacent to Howard Street and Bosanko Avenue. Mr. Stamsos reviewed the staff analysis for land use, neighborhood characteristics, utilities, traffic and streets. He noted that the deviations to the zoning and subdivision ordinances for setbacks, lot size, lot frontage, building height, and street widths are requested as part of a PUD. Mr. Stamsos reported that on August 8, 2006 the Planning Commission held a public hearing and denied the request by a vote of 4-0. Written comments were distributed for Council review.

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Mr. Cunningham spoke on behalf of the applicant. He reported that his agency designed the proposed project using infill regulations as part of the PUD. He reported that the proposal is exclusively for adults 55 and over with different product types and price ranges with some units being affordable housing units. He noted that prices would range from \$325,000 for the single-family units to \$220,000-\$260,000 for townhouses to \$129,000 starting range for the condominium units. He further commented that the development would be served by two access/egress points.

**Phil Boyd, 1620 Lincoln Way.**

Mr. Boyd from Welch Comer Engineers spoke on behalf of the applicant and addressed the zoning request noting that a lot of properties in this area are going from MH-8 to residential and the transitioning of this area is being driven by commerce in the manufacturing zone which primarily has become a commercial park. In summary he asked the Council to consider that the Meadow Ranch project meets the comprehensive plan and its goals.

**Gary Allen, 601 W. Bannock, Boise.**

Mr. Allen spoke on behalf of the applicant and addressed the Planning Commission's Findings regarding compatibility and impact on neighboring property uses. Because of the neighboring landfill and compost facility, gas, noise and odor monitoring was conducted. He presented the results of the monitoring that indicated that gas from the closed landfill on Ramsey Road would not effect the project site. In regards to odor testing, odors consistent with a freshly mulched flower garden were noted on 6 of the 13 test days. Mr. Allen felt that the odors would not adversely affect the project. Noise testing revealed consistently elevated ambient noise levels that was likely caused by the site's proximity to I-90 and US-95. Peak noise levels were noted during hours that the Transfer Station and compost facility were closed. He also noted that there were published reports indicating that the compost facility and transfer station may be moving in the future. Mr. Allen further noted that the City has a noise and odor standard for all operations within the city. He also noted that the proposed residential project is on a bluff which is at a higher elevation than the commercial businesses in Commerce Park. He believes that if there were an odor problem that the residents currently surrounding the landfill and compost facilities would have previously complained about odor and noise. In regards to housing looking down onto business, he believes the existing trees would buffer the two areas and does not believe that a fence is required. He noted that the CC&R's are designed not to allow anyone under 55 years from living in these facilities. He believes that the lighting for this project is within City standards and as far as the traffic light at Kathleen and Howard; he believes that the project would be

contributing to this signalization through impact fees. Mr. Allen also testified that there is a slope with a pretty good tree cover on it that creates a buffer between the project site and Commerce Park and that, additionally, a grade could be created that would eliminate a downward view into the backs of the businesses.

**Roger Saterfiel, 3650 North Ramsey Road.**

Mr. Saterfiel testified that he is the Solid Waste Director for Kootenai County and that he believes that the studies conducted by the applicant regarding noise, odor and gasses are flawed because of the relatively short length of the study period. He also commented that with the study being done in October, it does not reveal the true odor impact of the landfill during the summer when odors from the landfill site blow directly over the subject property. He also testified that there are no intentions to move the Transfer Station. He noted that methane gas is not a problem when it is mixed with air, but it does become a problem when homes built next to a landfill have the methane gas creep into basements and crawl spaces within the homes. He noted that garbage in the Ramsey landfill will take much longer to decompose because the landfill was compacted and is lined. Mr. Saterfiel further testified that while the Transfer Station is not always be the cause of any noise, odor or dust complaints but that because of the nature of their operation they are often seen as being the source.

**Rich Swoboda, 6175 N. 18<sup>th</sup> Street, Dalton Gardens.**

Mr. Swoboda owns a business adjacent to the proposed project and believes that while it is a beautiful project it is in the wrong place. He has a concern that the residents who would look down onto his business would complain about the noise and equipment used in his operation. He believes that with the high density housing and the single car garages there would be numerous vehicles parked on the street. He also noted that in the summer you can smell the compost facility and it does not smell like a freshly mulched flower garden. He also has a concern about residents adhering to the age requirement. He would also like to see buffering, fencing, restrictions on lighting for this location and a traffic signal at the intersection of Howard and Kathleen.

**Kimber Gates, 5743 N. 16<sup>th</sup> Street, Dalton Gardens.**

Ms. Gates testified that she is part owner of the Cd' A Cellars Winery in Commerce Park, which is just below this project. She testified that they have gotten odors from the landfill and Mr. Saterfiel has been a good neighbor to her business. She further testified that she is concerned that a residential development in that location will be effected by the operations of her business especially during harvest and bottling, which is a noisy operation. She was concerned that her operation would not be a "good neighbor" to the new residents because of the nature of the operation which will lead to conflicts over her operation.

**Shawn McMann, 421 Emma Ave.**

Mr. McMann sees this project as a community that could walk to the store or a restaurant which would decrease traffic. He noted that whomever buys these homes are going to have a view of the business below which would help keep an eye on what is happening at the businesses after hours, which will help protect the businesses. He believes that this project should be given a chance and the proposed prices for the units sound attractive.

**Jay Johnson, 1206 N. 6<sup>th</sup> Street.**

Mr. Johnson was concerned with the amount of parking facilities for the development and the design of the project overall. He indicated that the project should be a combination of view condos with commercial businesses constructed on the lower levels. He believes that the property should be zoned C-17.

**Don Keil, Asst. Wastewater Superintendent.**

Mr. Keil testified that there are no plans to move the compost facility. He indicated that the odor that emanates from the site is a farmland odor. However, the concern is the escape of "fugitive odors" that occurs when a compost pile is initially disturbed.

**Will Gustafson, 1465 E. Mountain Dr., Santa Barbara, California,**

Mr. Gustafson testified that housing for individuals 55 and over is needed in this community. He noted that only 28 units of the 253 units in this project overlook Commerce Park and that they did not expect to have any problems marketing the units.

**B8. Pursuant to Section 17.07.230, Planned Unit Development Review Criteria, a planned unit development may be approved only if the proposal conforms to the following criteria to the satisfaction of the City Council:**

**B8A. The proposal is in conformance with the Comprehensive Plan. This is based upon the following policies:**

We find that the proposed PUD is in conformance with the Comprehensive Plan as follows:

The proposed PUD will allow 55 lots, one of which is commercial, on approximately 11.7 acres. The Comprehensive Plan designates this area a "Transition" area and the proposed development meets the goals for developments within a "Transition" area. "Transition" areas will typically have a build out density of approximately 3 dwelling units per acre. While this PUD will have a higher density, the Comprehensive Plan encourages higher densities and mixed uses close to transportation corridors such as Kathleen Avenue, a medium intensity corridor) which is near this project area. Additionally, cluster housing is encouraged in Transition areas to preserve open space. This development proposes to preserve roughly 28% of the site area as open space. Other goals of the Transition areas are met by this subdivision including, encouraging residential development close to jobs and services, encouraging commercial clusters to serve adjacent neighbors and encouraging pedestrian and bicycle connections.

In addition to the above, we find that the following additional Comprehensive Plan policies are achieved by this subdivision:

Policy 4C4: “Residential and mixed use development should be encouraged.” The proposed development is a residential development with a commercial component to serve the new residences.

Policy 14A3: “All new developments must provide for immediate hook up to the sanitary sewer system.” The proposed development can immediately hook to the sanitary sewer system.

Policy 42B2: “Expansion of the City should be based on conformance to the urban service area.” The proposed development is an “infill” project within the existing City boundaries at a location that is close to services.

Policy 4C3: Population growth should be compatible with preserving Coeur d’Alene’s character and quality of life.” The development proposes to preserve a historic barn that is a landmark in Coeur d’Alene.

**B8B. The design and site planning is compatible with existing uses on adjacent properties. This is based on:**

The density of the project, as reflected in the staff report and the applicant’s testimony is consistent with this sites location near Kathleen Avenue, which is a medium intensity corridor. Additionally, the architectural renderings presented during the presentation show a style consistent with the historic barn on the site that is being retained. The layout and spacing of the buildings and parking areas are set up to keep the parking areas on the interior of the parcel. As such, the design and site planning is compatible with existing uses on adjacent properties.

**B8C. The proposal is compatible with natural features of the site and adjoining properties. This is based on:**

The site is relatively flat with a bluff area that will be preserved as open space as part of the PUD. As such, the proposal is compatible with the natural features of the site and adjoining properties.

**B8D. The location, design, and size of the proposal are such that the development will be adequately served by existing public facilities and services. This is based on:**

The staff report indicates that adequate sewer, water, drainage, police and fire services and street lighting are available for the subject property. There was no testimony received at the public hearing that indicated that this is not the case. As such, we find that the provisions for these requirements are adequate.

With regard to the provision of streets, alleys and right of ways, the property will be required to dedicate right of way along its entire frontage on Howard Street as well as build the full street section of Howard in order to allow the public streets to handle the additional 141 average peak hour trips per day that will be generated by the development. In addition the developer will be required to complete a full traffic study to determine if the impacts of this development will warrant the construction of a traffic signal at the intersection of Kathleen Ave. and Howard Street. We find that with these requirements, the provision of external streets and right of ways is adequate.

Internally, the project will be served by a combination of public and private streets with two exits onto Howard Street. We find this layout will provide adequate internal circulation for the development.

Given the above discussion, we find that the development will be adequately served by existing public facilities and services.



**B8E. The proposal does provide adequate private common open space area, as determined by the Council, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes. This is based on:**

The development contains a +/- 3.25 acre open space area (28% of gross land area) with a pedestrian pathway through the hillside open space area connecting at both ends to the sidewalks along Dale View Way. Also proposed for use by the residents of the development are a community building, pool and spa. We find that the amount of open space provided by the development exceeds the requirement and that the open space is available to all users of the development for recreational purposes.

**B8F. Off-street parking does provide parking sufficient for users of the development. This is based on:**

The development is providing sufficient parking to meet the requirements of the City's parking ordinance. As such, we find that the development provides sufficient parking for the users of the development. Additionally, staff will require that sufficient parking is provided for each structure at the time of permit issuance.

**B8G. That the proposal does provide for an acceptable method for the perpetual maintenance of all common property. This is based on:**

The developer will be required to create an owner's association to ensure the perpetual maintenance of all common areas.

**B8H. That the proposal would not adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character or existing land uses because:**

As discussed above, traffic concerns generated by this development have been adequately addressed by the conditions imposed on this approval. Additionally, the impacts created by this development on existing land uses have been mitigated by additional conditions. As such, we find that the proposed subdivision will not adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character and existing land uses.

**C. ORDER: CONCLUSION AND DECISION**

The City Council, pursuant to the aforementioned, finds that the request of **ACTIVE WEST DEVELOPMENT** for approval of the planned unit development, as described in the application should be **approved with the following condition:**

1. Creation of a homeowners association to ensure the perpetual maintenance of all common open space areas.

Motion by \_\_\_\_\_ seconded by \_\_\_\_\_ to adopt the foregoing Findings and Order.

ROLL CALL:

Council Member Hassell Voted \_\_\_\_\_

Council Member Edinger Voted \_\_\_\_\_

Council Member Goodlander Voted \_\_\_\_\_

Council Member McEvers Voted \_\_\_\_\_

Council Member Reid Voted \_\_\_\_\_

Council Member Kennedy Voted \_\_\_\_\_

Mayor Bloem Voted \_\_\_\_\_ (tie breaker)

Council Member(s) \_\_\_\_\_ were absent.

Motion to \_\_\_\_\_ carried by a \_\_\_\_ to \_\_\_\_ vote.

---

MAYOR SANDI BLOEM

**COEUR D'ALENE CITY COUNCIL  
FINDINGS AND ORDER**

**A. INTRODUCTION**

This matter having come before the Coeur d'Alene City Council on December 5, 2006 and there being present a person requesting approval of ITEM S-9-06, a request for preliminary plat approval of Meadow Ranch, a 55-lot subdivision located in the M (Manufacturing) zoning district.

LOCATION: +/- 11.7 acre parcel adjacent to Howard Street and Bosanko Avenue.

APPLICANT: Active West Development

**B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON**

- B1. That the existing land uses are residential – single-family, mobile homes and duplex, commercial – sales and service, light industrial, civic and vacant property.**
- B2. That the Comprehensive Plan Map designation is Transition.**
- B3. That the zoning is M (Manufacturing) however the Applicant has also requested that the property be rezoned to R-17 (residential at 17 units/acre) and C-17 (commercial at 17 units/acre), which is addressed in a separate set of findings.**
- B4. That the notice of public hearing was published on November 18, 2006 and November 28, 2006, which fulfills the legal requirement.**
- B5. That the notice of public hearing was posted on the property on November 25, 2006, which fulfills the legal requirement.**
- B6. That 33 notices of public hearing were mailed to all property owners of record**

**within three-hundred feet of the subject property on November 17, 2006, and 5 responses were received: 3 in favor, 2 opposed.**

**B7. That public testimony was heard on December 5, 2006 including but not limited to:**

**John Stamsos, Associate Planner.**

Mr. Stamsos stated that Active West Development was seeking a zone change from Manufacturing to R-17 and C-17; approval of a preliminary plat; a Planned Unit Development, and a Special Use Permit for a density bonus for cluster housing. The parcel is approximately 11.7-acre parcel adjacent to Howard Street and Bosanko Avenue. Mr. Stamsos reviewed the staff analysis for land use, neighborhood characteristics, utilities, traffic and streets. He noted that the deviations to the zoning and subdivision ordinances for setbacks, lot size, lot frontage, building height, and street widths are requested as part of a PUD. Mr. Stamsos reported that on August 8, 2006 the Planning Commission held a public hearing and denied the request by a vote of 4-0. Written comments were distributed for Council review.

**Dennis Cunningham, 424 Sherman Avenue, Suite 205.**

Mr. Cunningham spoke on behalf of the applicant. He reported that his agency designed the proposed project using infill regulations as part of the PUD. He reported that the proposal is exclusively for adults 55 and over with different product types and price ranges with some units being affordable housing units. He noted that prices would range from \$325,000 for the single-family units to \$220,000-\$260,000 for townhouses to \$129,000 starting range for the condominium units. He further commented that the development would be served by two access/egress points.

**Phil Boyd, 1620 Lincoln Way.**

Mr. Boyd from Welch Comer Engineers spoke on behalf of the applicant and addressed the zoning request noting that a lot of properties in this area are going from MH-8 to residential and the transitioning of this area is being driven by commerce in the manufacturing zone which primarily has become a commercial park. In summary he asked the Council to consider that the Meadow Ranch project meets the comprehensive plan and its goals.

**Gary Allen, 601 W. Bannock, Boise.**

Mr. Allen spoke on behalf of the applicant and addressed the Planning Commission's Findings regarding compatibility and impact on neighboring property uses. Because of the neighboring landfill and compost facility, gas, noise and odor monitoring was conducted. He presented the results of the monitoring that indicated that gas from the closed landfill on Ramsey Road would not effect the project site. In regards to odor testing, odors consistent with a freshly mulched flower garden were noted on 6 of the 13 test days. Mr. Allen felt that the odors would not adversely affect the project. Noise testing revealed consistently elevated ambient noise levels that was likely caused by the site's proximity to I-90 and US-95. Peak noise levels were noted during hours that the Transfer Station and compost facility were closed. He also noted that there were published reports indicating that the compost facility and transfer station may be moving in the future. Mr. Allen further noted that the City has a noise and odor standard for all operations within the city. He also noted that the proposed residential project is on a bluff which is at a higher elevation than the commercial businesses in Commerce Park. He believes that if there were an odor problem that the residents currently surrounding the landfill and compost facilities would have previously complained about odor and noise. In regards to housing looking down onto business, he believes the existing trees would buffer the two areas and does not believe that a fence is required. He noted that the CC&R's are designed not to allow anyone under 55 years from living in these facilities. He believes that the lighting for this project is within City standards and as far as the traffic light at Kathleen and Howard; he believes that the project would be contributing to this signalization through impact fees. Mr. Allen also testified that there is a slope with a pretty good tree cover on it that creates a buffer between the project site and Commerce Park and that, additionally, a grade could be created that would eliminate a downward view into the backs of the businesses.

**Roger Saterfiel, 3650 North Ramsey Road.**

Mr. Saterfiel testified that he is the Solid Waste Director for Kootenai County and that he believes that the studies conducted by the applicant regarding noise, odor and gasses are flawed because of the relatively short length of the study period. He also commented that with the study being done in October, it does not reveal the true odor impact of the landfill during the summer when odors from the landfill site blow directly over the subject property. He also testified that there are no intentions to move the Transfer Station. He noted that methane gas is

not a problem when it is mixed with air, but it does become a problem when homes built next to a landfill have the methane gas creep into basements and crawl spaces within the homes. He noted that garbage in the Ramsey landfill will take much longer to decompose because the landfill was compacted and is lined. Mr. Saterfiel further testified that while the Transfer Station is not always be the cause of any noise, odor or dust complaints but that because of the nature of their operation they are often seen as being the source.

**Rich Swoboda, 6175 N. 18<sup>th</sup> Street, Dalton Gardens.**

Mr. Swoboda owns a business adjacent to the proposed project and believes that while it is a beautiful project it is in the wrong place. He has a concern that the residents who would look down onto his business would complain about the noise and equipment used in his operation. He believes that with the high density housing and the single car garages there would be numerous vehicles parked on the street. He also noted that in the summer you can smell the compost facility and it does not smell like a freshly mulched flower garden. He also has a concern about residents adhering to the age requirement. He would also like to see buffering, fencing, restrictions on lighting for this location and a traffic signal at the intersection of Howard and Kathleen.

**Kimber Gates, 5743 N. 16<sup>th</sup> Street, Dalton Gardens.**

Ms. Gates testified that she is part owner of the Cd' A Cellars Winery in Commerce Park, which is just below this project. She testified that they have gotten odors from the landfill and Mr. Saterfiel has been a good neighbor to her business. She further testified that she is concerned that a residential development in that location will be effected by the operations of her business especially during harvest and bottling, which is a noisy operation. She was concerned that her operation would not be a "good neighbor" to the new residents because of the nature of the operation which will lead to conflicts over her operation.

**Shawn McMann, 421 Emma Ave.**

Mr. McMann sees this project as a community that could walk to the store or a restaurant which would decrease traffic. He noted that whomever buys these homes are going to have a view of the business below which would help keep an eye on what is happening at the businesses after

hours, which will help protect the businesses. He believes that this project should be given a chance and the proposed prices for the units sound attractive.

**Jay Johnson, 1206 N. 6<sup>th</sup> Street.**

Mr. Johnson was concerned with the amount of parking facilities for the development and the design of the project overall. He indicated that the project should be a combination of view condos with commercial businesses constructed on the lower levels. He believes that the property should be zoned C-17.

**Don Keil, Asst. Wastewater Superintendent.**

Mr. Keil testified that there are no plans to move the compost facility. He indicated that the odor that emanates from the site is a farmland odor. However, the concern is the escape of “fugitive odors” that occurs when a compost pile is initially disturbed.

**Will Gustafson, 1465 E. Mountain Dr., Santa Barbara, California,**

Mr. Gustafson testified that housing for individuals 55 and over is needed in this community. He noted that only 28 units of the 253 units in this project overlook Commerce Park and that they did not expect to have any problems marketing the units.

**B8. Pursuant to Section 16.10.030A.1, Preliminary Plats: In order to approve a preliminary plat, the Planning Commission must make the following findings:**

**B8A. That all of the general preliminary plat requirements have been met as attested to by the City Engineer.**

We find based on the staff report, that all of the general preliminary plat requirements have been met as attested by the City Engineer.

**B8B. That the provisions for streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, and utilities are adequate where applicable.**



The staff report indicates that adequate sewer, water, drainage, police and fire services and street lighting are available for the subject property. There was no testimony received at the public hearing that indicated that this is not the case. As such, we find that the provisions for these requirements are adequate.

With regard to the provision of streets, alleys and right of ways, the property will be required to dedicate right of way along its entire frontage on Howard Street as well as build the full street section of Howard in order to allow the public streets to handle the additional 141 average peak hour trips per day that will be generated by the development. In addition the developer will be required to complete a full traffic study to determine if the impacts of this development will warrant the construction of a traffic signal at the intersection of Kathleen Ave. and Howard Street. We find that with these requirements, the provision of external streets and right of ways is adequate.

Internally, the project will be served by a combination of public and private streets with two exits onto Howard Street. We find this layout will provide adequate internal circulation for the development.

Given the above discussion, we find that the provisions for streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, and utilities are adequate.

**B8C. That the preliminary plat is in conformance with the Comprehensive Plan as follows:**

We find that the proposed subdivision is in conformance with the Comprehensive Plan as follows:

The proposed subdivision will allow 55 lots, one of which is commercial, on approximately 11.7 acres. The Comprehensive Plan designates this area a "Transition" area and the proposed development meets the goals for developments within a "Transition" area. "Transition" areas will typically have a build out density of approximately 3 dwelling units per acre. While this subdivision will have a higher density, the Comprehensive Plan encourages higher densities and

mixed uses close to transportation corridors such as Kathleen Avenue, a medium intensity corridor) which is near this project area. Additionally, cluster housing is encouraged in Transition areas to preserve open space. This development proposes to preserve roughly 28% of the site area as open space. Other goals of the Transition areas are met by this subdivision including, encouraging residential development close to jobs and services, encouraging commercial clusters to serve adjacent neighbors and encouraging pedestrian and bicycle connections.

In addition to the above, we find that the following additional Comprehensive Plan policies are achieved by this subdivision:

Policy 4C4: “Residential and mixed use development should be encouraged.” The proposed development is a residential development with a commercial component to serve the new residences.

Policy 14A3: “All new developments must provide for immediate hook up to the sanitary sewer system.” The proposed development can immediately hook to the sanitary sewer system.

Policy 42B2: “Expansion of the City should be based on conformance to the urban service area.” The proposed development is an “infill” project within the existing City boundaries at a location that is close to services.

Policy 4C3: Population growth should be compatible with preserving Coeur d’Alene’s character and quality of life.” The development proposes to preserve a historic barn that is a landmark in Coeur d’Alene.

**B8D. That the public interest will be served.**

As noted above, the proposed subdivision meets the goals and policies of the Comprehensive Plan, which is intended in part to assure that the public interest is served. Further, the proposed subdivision provides for an infill project in an area where the new residents can walk to nearby

services. During the hearing significant testimony was received concerning whether this is an appropriate location for this development since it is in close proximity to several manufacturing and/or civic uses that generate noise and odors. However, we find that the impacts on these existing uses will be minimized by requiring that the developer fence and buffer the development from the lots in Commerce Park and by requiring the developer to specifically notify potential purchasers of the proximity of these uses and the other conditions placed on this approval. Further we also find that a housing development for citizens who are 55 and older is an underserved market in Coeur d'Alene that will be well served by this projects close proximity to shopping, civic services and restaurants. As such, we find that the public interest is served by the proposed subdivision.

**B8E. That all of the required engineering elements of the preliminary plat have been met, as attested to by the City Engineer.**

We find, based on the staff report, that all of the required engineering elements of the preliminary plat have been met as attested by the City Engineer.

**B8F That the lots proposed in the preliminary plat do meet the requirements of the applicable zoning district for the following reasons:**

The lots in the proposed subdivision meet the minimum lot sizes for a subdivision in the R-17 zone as modified by PUD-3-06, which we are approving at the same time.

**B9. That the proposal would not adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character, and existing land uses.**

As discussed above, traffic concerns generated by this development have been adequately addressed by the conditions imposed on this approval. Additionally, the impacts created by this development on existing land uses have been mitigated by additional conditions. As such, we find that the proposed subdivision will not adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character and existing land uses.

**C. ORDER: CONCLUSION AND DECISION**

The City Council pursuant to the aforementioned, finds that the request of **Active West Development** for preliminary plat approval as described in the application is **approved with the following conditions:**

1. The sanitary sewer serving the proposed development will be required to be extended from the existing development (Commerce Park to the west) into the Howard Street right of way at Bosanko Avenue. The developer will also be required to extend the sanitary main within the Howard Street right of way to the southerly boundary of the subject property. All installations will be the responsibility of the developer and completed at no cost to the City.
2. The developer will be required to extend the 12" water main in Howard Street to the southerly boundary of the subject property, and to provide eight inch (8") looping through the development. All installations will be completed by the developer at no cost to the City.
3. Maintenance of all storm water swales within the Meadow Ranch Development, including all swales constructed by the developer along Howard Avenue, will be the responsibility of the homeowners association for the subject property.
4. A traffic study will be required to be completed with a detailed analysis of the Howard Street/Kathleen Avenue intersection. Recommendations for the traffic remediation will need to be addressed and implemented based upon volumes and conditions noted by the study.
5. Additional right-of-way will be required to be dedicated to bring the Howard Street road section to a full sixty foot (60') width along the entire easterly frontage of the subject property.
6. The developer will be required to construct the full Howard Avenue section to the southerly boundary of the subject property, including curb, gutter, drainage facilities, sidewalks and paving, with the initiation of Phase 1 improvements.

7. The minimum allowable street width will be thirty two feet (32'), which allows for two way travel with an eight foot (8') parking lane. Travel ways through parking lots will comply with City Standards and the International Fire Code.

8. A geotechnical analysis will be required to determine stability of the soils. This report shall be compiled by a licensed Geotechnical Engineer with recommendations for footing and foundation plans for any construction on the subject property. All recommendations in the submitted report will be made requirements of all construction activity on the subject property.

9. The developer is required to install a six foot tall fence along the property line between the subject property and the Commerce Park Development. The fence must be installed prior to the completion of the phase 1 improvements. The fence must be maintained by the owner's association. If, at any point, the existing fence between the development and the municipal composting facility is removed, the developer or homeowner's association will replace it. The owner's association will maintain any replacement fence.

10. The developer is required to plant a vegetative buffer between the subject property and the municipal composting facility and county transfer station that, in conjunction with fencing, is designed to be 100% site obscuring within three (3) years of the approval of the final plat for phase 1. A buffer substantially as set forth in Exhibit A or an alternative approved by the City shall comply with this provision. The developer must submit a landscaping and planting plan to the City's Planning Department for review and approval prior to the approval of the final plat of phase 1 to ensure that the selected plant material can meet the intent of this condition and the plantings must be completed with the phase 1 improvements. The buffer must be maintained by the owner's association.

11. Prior to the approval of the final plat for phase 1 the developer must submit a copy of the CC&R's for the project to the City Attorney's office for review and approval of compliance with the conditions of approval. The CC&R's must contain a specific disclosure that the project is in proximity to industrial zoned property, which currently contains uses including a county solid waste transfer station, a municipal composting facility and a manufacturing park that may produce noise, odor and/or dust that residents of the development may find offensive.

The CC&R's must require that this disclosure be acknowledged, in writing, by each purchaser, including subsequent purchasers, of a unit in the development.

12. Prior to the completion of the phase 1 improvements, the developer will be required to install a landscaping buffer and/or berm along the edge of the bluff that is designed to ensure that a person standing in the backyard of the homes along the bluff will not have a direct line of sight into the rear yards of the businesses in Commerce Park that are located at the bottom of the bluff. The buffer or berm shall be designed to obscure 100 percent of the view of the Commerce Park Development within three (3) years of planting. A buffer substantially as set forth in Exhibit A or an alternative approved by the City shall comply with this provision. The developer must submit a landscaping and planting plan to the City Planning Department for review and approval prior to the approval of the final plat for phase 1 to ensure that the selected plant material can meet the intent of this condition. The buffer must be maintained by the owner's association.

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_, to adopt the foregoing Findings and Order.

ROLL CALL:

Council Member Hassell Voted \_\_\_\_\_

Council Member Edinger Voted \_\_\_\_\_

Council Member Goodlander Voted \_\_\_\_\_

Council Member McEvers Voted \_\_\_\_\_

Council Member Reid Voted \_\_\_\_\_

Council Member Kennedy Voted \_\_\_\_\_

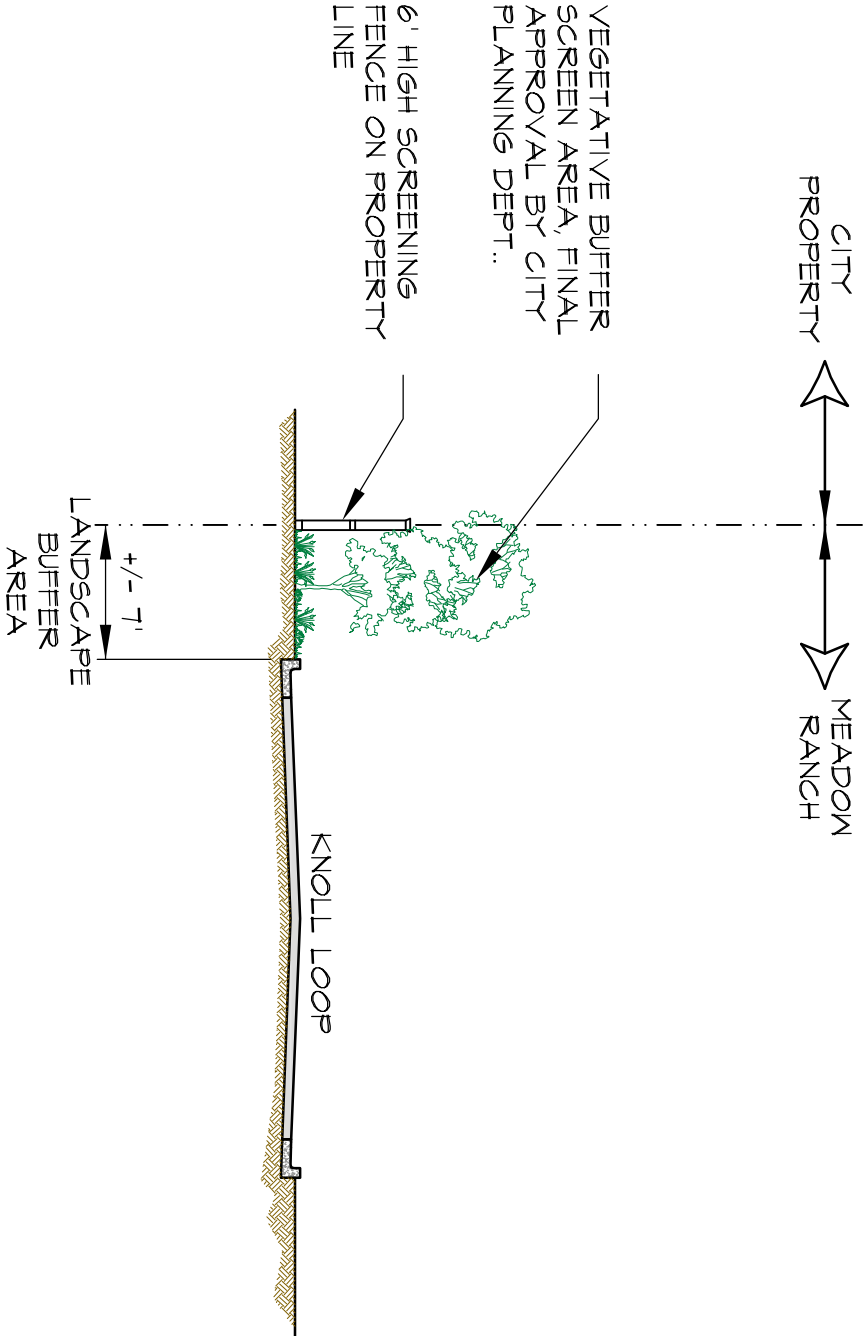
Mayor Bloem Voted \_\_\_\_\_ (tie breaker)

Council Member(s) \_\_\_\_\_ were absent.

Motion to \_\_\_\_\_ carried by a \_\_\_\_ to \_\_\_\_ vote.

---

MAYOR SANDI BLOEM



**WELCH COMER & ASSOCIATES, INC.**  
**ENGINEERS & SURVEYORS**  
 1626 Lincoln Way, Coeur d'Alene, Idaho 83814  
 Phone (208) 664-9382 Fax (208) 664-5946  
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 Phone (509) 255-6000 Fax (509) 255-6009

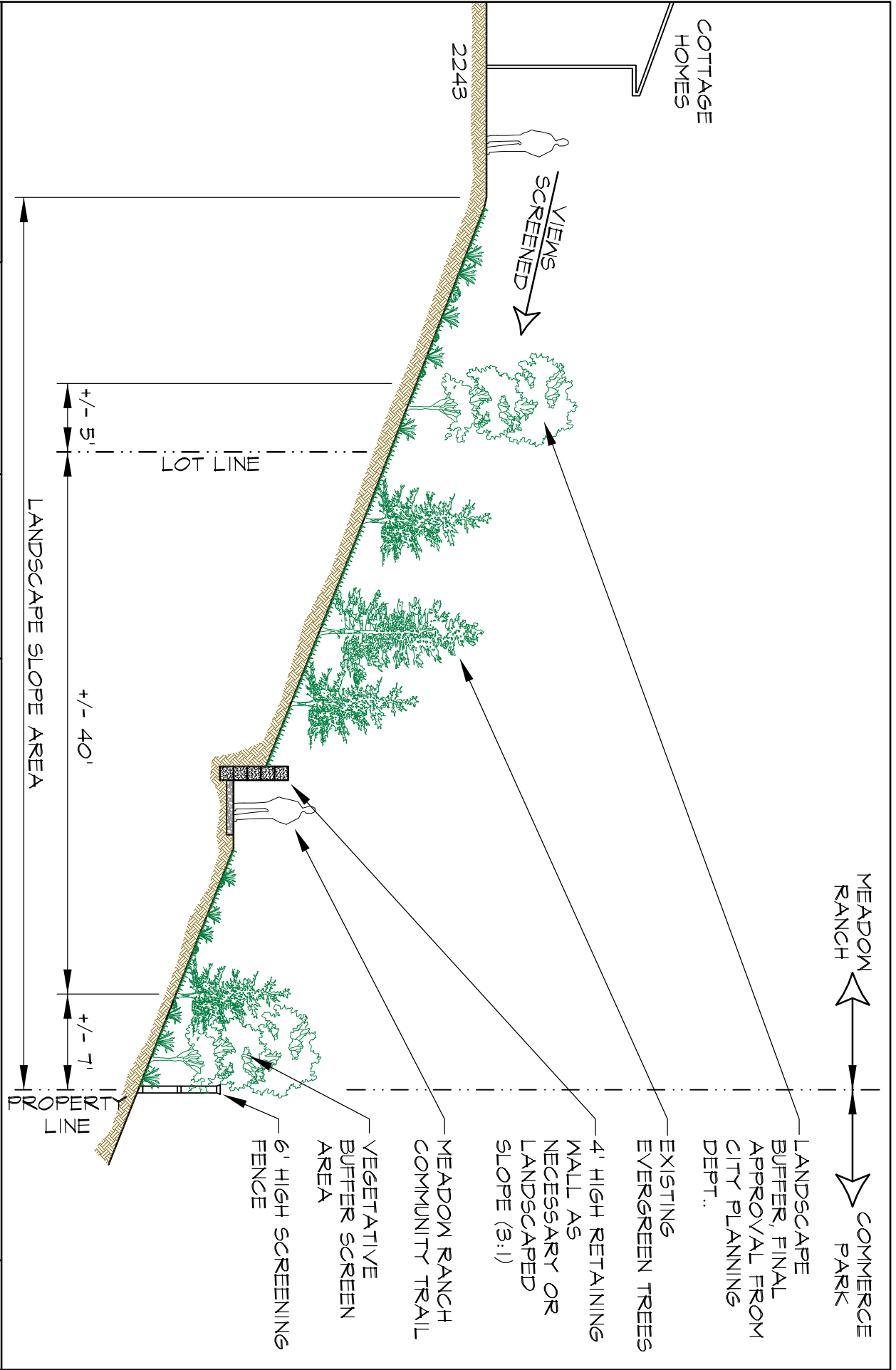
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 PROJECT NO.: 11771  
 DESIGNED BY: SDS  
 DRAWN BY: SDS  
 CHECKED BY:

MEADOW RANCH  
 EXHIBIT A  
 SECTION A-A

DWG NAME: 11771PR05.DWG  
 DATE: 01-16-07  
 SHEET NO: DSS2





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MEADOW RANCH EXHIBIT A SECTIONS B-B  
 DWG NAME: 11771PR05.DWG  
 DATE: 01-16-07  
 SHEET NO: D52

**COEUR D'ALENE CITY COUNCIL  
FINDINGS AND ORDER**

**A. INTRODUCTION**

This matter having come before the City Council on December 5, 2006, and there being present a person requesting approval of ITEM SP-11-06, a request for a three unit per gross acre density increase for cluster housing special use permit in the R-17 (Residential at 17units/acre) zoning district.

LOCATION: +/- 11.7-acre parcel adjacent to Howard Street and Bosanko Avenue.

APPLICANT: Active West Development

**B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON**

- B1. That the existing land uses are residential – single-family, mobile homes and duplex, commercial – sales and service, light industrial, civic and vacant property.**
- B2. That the Comprehensive Plan Map designation is Transition.**
- B3. That the zoning is M (Manufacturing) however the Applicant has also requested that the property be rezoned to R-17 (residential at 17 units/acre) and C-17 (commercial at 17 units/acre), which is addressed in a separate set of findings.**
- B4. That the notice of public hearing was published on November 18, 2006 and November 28, 2006, which fulfills the legal requirement.**
- B5. That the notice of public hearing was posted on the property on November 25, 2006, which fulfills the legal requirement.**

**B6. That 33 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on November 17, 2006, and 5 responses were received: 3 in favor, 2 opposed.**

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Mr. Stamsos stated that Active West Development was seeking a zone change from Manufacturing to R-17 and C-17; approval of a preliminary plat; a Planned Unit Development, and a Special Use Permit for a density bonus for cluster housing. The parcel is approximately 11.7-acre parcel adjacent to Howard Street and Bosanko Avenue. Mr. Stamsos reviewed the staff analysis for land use, neighborhood characteristics, utilities, traffic and streets. He noted that the deviations to the zoning and subdivision ordinances for setbacks, lot size, lot frontage, building height, and street widths are requested as part of a PUD. Mr. Stamsos reported that on August 8, 2006 the Planning Commission held a public hearing and denied the request by a vote of 4-0. Written comments were distributed for Council review.

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because of the relatively short length of the study period. He also commented that with the study being done in October, it does not reveal the true odor impact of the landfill during the summer when odors from the landfill site blow directly over the subject property. He also testified that there are no intentions to move the Transfer Station. He noted that methane gas is not a problem when it is mixed with air, but it does become a problem when homes built next to a landfill have the methane gas creep into basements and crawl spaces within the homes. He noted that garbage in the Ramsey landfill will take much longer to decompose because the landfill was compacted and is lined. Mr. Saterfiel further testified that while the Transfer Station is not always be the cause of any noise, odor or dust complaints but that because of the nature of their operation they are often seen as being the source.

**Rich Swoboda, 6175 N. 18<sup>th</sup> Street, Dalton Gardens.**

Mr. Swoboda owns a business adjacent to the proposed project and believes that while it is a beautiful project it is in the wrong place. He has a concern that the residents who would look down onto his business would complain about the noise and equipment used in his operation. He believes that with the high density housing and the single car garages there would be numerous vehicles parked on the street. He also noted that in the summer you can smell the compost facility and it does not smell like a freshly mulched flower garden. He also has a concern about residents adhering to the age requirement. He would also like to see buffering, fencing, restrictions on lighting for this location and a traffic signal at the intersection of Howard and Kathleen.

**Kimber Gates, 5743 N. 16<sup>th</sup> Street, Dalton Gardens.**

Ms. Gates testified that she is part owner of the Cd' A Cellars Winery in Commerce Park, which is just below this project. She testified that they have gotten odors from the landfill and Mr. Saterfiel has been a good neighbor to her business. She further testified that she is concerned that a residential development in that location will be effected by the operations of her business especially during harvest and bottling, which is a noisy operation. She was concerned that her operation would not be a "good neighbor" to the new residents because of the nature of the operation which will lead to conflicts over her operation.

**Shawn McMann, 421 Emma Ave.**

Mr. McMann sees this project as a community that could walk to the store or a restaurant which would decrease traffic. He noted that whomever buys these homes are going to have a view of the business below which would help keep an eye on what is happening at the businesses after hours, which will help protect the businesses. He believes that this project should be given a chance and the proposed prices for the units sound attractive.

**Jay Johnson, 1206 N. 6<sup>th</sup> Street.**

Mr. Johnson was concerned with the amount of parking facilities for the development and the design of the project overall. He indicated that the project should be a combination of view condos with commercial businesses constructed on the lower levels. He believes that the property should be zoned C-17.

**Don Keil, Asst. Wastewater Superintendent.**

Mr. Keil testified that there are no plans to move the compost facility. He indicated that the odor that emanates from the site is a farmland odor. However, the concern is the escape of “fugitive odors” that occurs when a compost pile is initially disturbed.

**Will Gustafson, 1465 E. Mountain Dr., Santa Barbara, California,**

Mr. Gustafson testified that housing for individuals 55 and over is needed in this community. He noted that only 28 units of the 253 units in this project overlook Commerce Park and that they did not expect to have any problems marketing the units.

**B8. Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the City Council:**

**B8A. The proposal is in conformance with the comprehensive plan, as follows:**

We find that the proposed Special Use Permit is in conformance with the Comprehensive Plan as follows:

The proposed special use permit would allow a density bonus for this project because it is providing cluster housing. The Comprehensive Plan designates this area a "Transition" area and the proposed development meets the goals for developments within a "Transition" area. "Transition" areas will typically have a build out density of approximately 3 dwelling units per acre. While this subdivision will have a higher density, the Comprehensive Plan encourages higher densities and mixed uses close to transportation corridors such as Kathleen Avenue, a medium intensity corridor) which is near this project area. Additionally, cluster housing is encouraged in Transition areas to preserve open space. This development proposes to preserve roughly 28% of the site area as open space. Other goals of the Transition areas are met by this subdivision including, encouraging residential development close to jobs and services, encouraging commercial clusters to serve adjacent neighbors and encouraging pedestrian and bicycle connections.

In addition to the above, we find that the following additional Comprehensive Plan policies are achieved by this subdivision:

Policy 4C4: “Residential and mixed use development should be encouraged.” The proposed development is a residential development with a commercial component to serve the new residences.

Policy 14A3: “All new developments must provide for immediate hook up to the sanitary sewer system.” The proposed development can immediately hook to the sanitary sewer system.

Policy 42B2: “Expansion of the City should be based on conformance to the urban service area.” The proposed development is an “infill” project within the existing City boundaries at a

location that is close to services.

Policy 4C3: Population growth should be compatible with preserving Coeur d'Alene's character and quality of life." The development proposes to preserve a historic barn that is a landmark in Coeur d'Alene.

**B8B. The design and planning of the site is compatible with the location, setting, and existing uses on adjacent properties. This is based on:**

The density of the project, as reflected in the staff report and the applicant's testimony is consistent with this sites location near Kathleen Avenue, which is a medium intensity corridor. Additionally, the architectural renderings presented during the presentation show a style consistent with the historic barn on the site that is being retained. The layout and spacing of the buildings and parking areas are set up to keep the parking areas on the interior of the parcel. As such, the design and site planning is compatible with existing uses on adjacent properties

**B8C The location, design, and size of the proposal are such that the development (will) (will not) be adequately served by existing streets, public facilities and services. This is based on:**

The staff report indicates that adequate sewer, water, drainage, police and fire services and street lighting are available for the subject property. There was no testimony received at the public hearing that indicated that this is not the case. As such, we find that the provisions for these requirements are adequate.

With regard to the provision of streets, alleys and right of ways, the property will be required to dedicate right of way along its entire frontage on Howard Street as well as build the full street section of Howard in order to allow the public streets to handle the additional 141 average peak hour trips per day that will be generated by the development. In addition the developer will be required to complete a full traffic study to determine if the impacts of this development will warrant the construction of a traffic signal at the intersection of Kathleen Ave. and Howard



Street. We find that with these requirements, the provision of external streets and right of ways is adequate.

Internally, the project will be served by a combination of public and private streets with two exits onto Howard Street. We find this layout will provide adequate internal circulation for the development.

Given the above discussion, we find that the development will be adequately served by existing public facilities and services.

**C. ORDER: CONCLUSION AND DECISION**

The City Council, pursuant to the aforementioned, finds that the request of **ACTIVE WEST DEVELOPMENT** for a three unit per gross acre density increase for cluster housing special use permit, as described in the application should be **approved**.

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_, to adopt the foregoing Findings and Order.

**ROLL CALL:**

Council Member Hassell	Voted _____
Council Member Edinger	Voted _____
Council Member Goodlander	Voted _____
Council Member McEvers	Voted _____
Council Member Reid	Voted _____
Council Member Kennedy	Voted _____
Mayor Bloem	Voted _____ (tie breaker)

Council Member(s) \_\_\_\_\_ were absent.

Motion to \_\_\_\_\_ carried by a \_\_\_\_ to \_\_\_\_ vote.

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MAYOR SANDI BLOEM

## STAFF REPORT

DATE: February 1, 2007

FROM: Michael C. Gridley, City Attorney

SUBJECT: Consolidation of MC 8.24 and MC 8.25 regarding swimming areas and watercraft restrictions

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**DECISION POINT:** Whether the City should consolidate MC 8.24 and MC 8.25 into one chapter.

**HISTORY:** MC 8.24 and MC 8.25 both deal with swimming areas and regulations for watercraft. This leads to confusion for people looking for the specific code provision that applies to swimming areas and regulations for watercraft. By consolidating the provisions of both chapters into one chapter the regulations will be easier to find and follow. The new chapter also adopts the definition of the word "Vessel" so as to be consistent with state statutes.

**FINANCIAL ANALYSIS:** There is no significant cost for this consolidation.

**PERFORMANCE ANALYSIS:** Consolidation will make the swimming and boating regulations easier to find and follow.

**DECISION POINT/RECOMMENDATION:** Council should approve consolidation of MC 8.24 and MC 8.25

**COUNCIL BILL 07-1005  
M.C. 8.24 AND 8.25: HOUSEKEEPING  
AMENDMENTS TO PUBLIC SWIMMING  
AREAS**

**TO BE HAND-CARRIED**

# PUBLIC HEARINGS

**PARKS AND RECREATION COMMISSION  
STAFF REPORT**

**DATE:** December 11, 2006

**FROM:** Doug Eastwood, Parks Director

**SUBJECT:** PROPOSED LAND TRADE AT WINTON PARK *(Council Action Required)*

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**Decision Point:**

1. Forward recommendation to City Council to trade land to John Beutler and Associates and request that the City Council set a public hearing date. All cost associated with the trade will be borne by John Beutler and Associates.
2. Deny request to trade land.

**History:**

Winton Park was jointly built by School District 271 and the City of CDA. Both parties acquired parcels of land comprised of the 6 acres that make up Winton Park. The Park was built with Land & Water Conservation Funds, one grant was awarded in 1981 and another in 1984. The LWCF requires that any and all land acquired and/or developed will remain as outdoor public recreation land into perpetuity. Any change in use of the property to anything other than outdoor recreation will result in a conversion and the sponsor (the City and the School District) will have to mitigate the conversion.

**Financial Analysis:**

The exchange of land will not cost the City or the School District. All costs related to the exchange will be borne by the party making the request. That can include, but not be limited to; appraisals, site surveys, site maps, mailings, etc. A public hearing on the exchange of land is also required so the public can have input on the proposal. Staff time will add up and it is not known as to how much time will be spent coordinating the exchange. The State of Idaho and the National Park Service, respectively, will have the final say as to whether or not the exchange of land can occur.

**Performance Analysis:**

Both parcels of the 1,900 +, - , square feet that is being requested to trade are contiguous to Winton Park. The land currently within the LWCF boundaries is at the base of a hill on the west side of the park. The land being proposed for trade is on the south side of the park and is on ground that is higher in elevation. A high rise condominium project will be constructed west of Winton Park and the access for parking and driveway would better serve the condominium project if the parcel we own was traded to the developer. There is no apparent benefit to the public as a result of the proposed trade and there is no apparent loss to the public if the trade is approved.

**Decision Point:**

1. Forward recommendation to City Council to trade land to John Beutler and Associates and request that the City Council set a public hearing date. All costs associated with the trade are to be borne by John Beutler and Associates.
2. Deny request to trade land.



# CITY OF COEUR D'ALENE

## PARKS DEPARTMENT

CITY HALL, 710 E. MULLAN AVENUE  
COEUR D'ALENE, IDAHO 83816-3964  
208-769-2252 – FAX 208-769-2383

### **PARKS & RECREATION COMMISSION MINUTES DECEMBER 11, 2006 - 5:30 P.M. COUNCIL CHAMBERS – CITY HALL**

#### **MEMBERS PRESENT:**

Lee Shellman, Chairman  
Scott Cranston, Vice Chairman  
Al Hassell, Council Liaison  
Dave Patzer  
Mike McDowell  
Jim Lien  
Bridget Hill  
Aaron Johnson, Student Rep

#### **MEMBERS ABSENT:**

Elizabeth St. John, Alt. Student Rep

#### **STAFF PRESENT:**

Doug Eastwood, Parks Director  
Steve Anthony, Recreation Director  
Michelle Griffin, Interim Parks Secretary

#### **GUESTS PRESENT:**

John Beutler, 1836 Northwest Blvd.  
Randy Cain, BMX Association  
Bonnie Cooper, 927 Lacrosse  
Mac Casavar, 621 Dollar Street  
Tad Deutsch, 1520 N. Melrose Street  
Tina Howard, 821 Lacross  
Lisa Issacs, 908 Noel Avenue  
Ralph Shay, 1415 Richmond Drive

**CALL TO ORDER:** Chairman Shellman called the meeting to order at 5:30 pm.

#### **1. Roll Call**

Eight members present and one member absent, resulting in an official quorum.

#### **2. PLEDGE OF ALLEGIANCE**

Commissioner Hill led the Pledge of Allegiance.

#### **3. APPROVAL NOVEMBER 13, 2006, MINUTES**

Motion was made by Commissioner Patzer to approve the November 13, 2006, minutes. Motion was seconded by Commissioner McDowell. Motion passed.

#### **4. STAFF COMMENTS**

Director Eastwood discussed the Needs Assessment Project with consultants from MIG and how it will be progressing quickly after the first of the year. The first round of public workshops to solicit input is scheduled for January 24, 25, and 26, 2006. This will be broken into different groups. Staff will be meeting with senior citizens on Wednesday the 24<sup>th</sup>. Steve and Doug will be sending e-mails to various groups. Doug will meet with the student reps to set up meetings at Coeur d' Alene and Lake City to meet with high school students to solicit their input. He spoke with Mr. Lien to set up a time at Woodland School on the 25<sup>th</sup> or 26<sup>th</sup>. There will be evening meetings scheduled with families and then an additional evening meeting for adults without kids to complete the needs assessment.

Recreation Director, Steve Anthony, briefed the Commission on recreational activities that will be occurring during the next month.

The second annual 8<sup>th</sup> grade boys Christmas Tournament will take place at Woodland Middle School on December 15, 16 and 17. There are twelve teams registered for the event. During Christmas Break there will be open gym basketball occurring December 21, 22, 23, 26 through the 29<sup>th</sup>. On January 2, 2007 through January 12, 2007 will be first and second grade basketball signups at the Recreation Office. During the Christmas Break will be the Special Needs Recreation Christmas Camp. For more information on this camp the public can call the information line at #769-2317.

Last weekend Special Needs Recreation staff had their annual Christmas party at the Presbyterian Church with 175 participants. Angie Goucher, Special Needs Recreation Director and Paula Austin, Tournament Director, both did an excellent job getting the teams organized.

#### **5. COMMISSION COMMENTS**

There were no commission comments.

#### **6. PUBLIC COMMENTS**

There were no public comments.

#### **7. CONFLICT OF INTEREST DECLARATION**

There were two conflicts of interest declared. Commissioner Bridget Hill stated that for the Winton Hill Decision she was the principal there for fourteen years. For the Riverstone Park issue Commissioner Scott Cranston stated that he had a conflict of interest because he was the architect for some of the park structures.

#### **8. SPECIAL NEEDS RECREATION PRESENTATION**

This item was tabled until the next meeting due to an illness.

#### **9. 15<sup>TH</sup> STREET PRESENTATION (MAC CASAVAR)**

Mac Casavar, Chairman for the Pedestrian (Ped) Bike Committee, updated Commissioners on the Ped Bike Committee and solicited support for 15th Street improvements. At present, CDA does not have a continuous north/south bike connection. The Ped Bike Committee is looking at the possibility of an overlay going up 15<sup>th</sup> Street from Sherman Avenue through to Dalton. The Ped Bike Committee has placed this as a priority item on their agenda and is moving forward with contacting community groups, schools along that corridor, along with the homeowners associations to get support to put bike lanes on both sides of 15<sup>th</sup> Street all the way to Dalton, to make it one continuous avenue.

Mr. Casavar stated that the Ped Bike Committee members are concerned with making sure there is a safe route to Cherry Hill, schools, the BMX track and the other facilities in the area. The Committee has also looked at ADA considerations along that avenue. There are areas along 15<sup>th</sup> that have no sidewalk and there is a crossing under the interstate that is dangerous. He displayed overhead photos to illustrate his point.

Commissioner Lien asked if Mr. Casavar if he knew how to solve this problem. Mr. Casavar responded that the Department of Transportation has jurisdiction over that intersection and they do not have any enhancement funding to make any improvements. Mr. Casavar emphasized that something has to be done there.



Chairman Shellman asked if the City is responsible for cleaning underneath the bridge. Mr. Casavar responded that he believed they are.

Mr. Casavar asked Commissions to join the Ped Bike Commission members in moving forward in lending support in their efforts in form of letter or testimony at Public Works and later a presentation to Council to move this as a priority item forward. This area will be used for primary events such as Ironman and safe routes to schools. Brian Elementary students, Canfield students, and the high school track runners use this route. Mr. Casavar reported that the Ped Bike Commission's plan is to try to get the overlay done in 2007.

Chairman Shellman asked what the present plans are regarding the access off the freeway, coming down onto 15<sup>th</sup> Street on the north side of the bridge. It was supposed to be expanded out. Mr. Casavar responded that he did not know.

The Bike Ped Committee is currently working on an inventory from Sherman Avenue north. They are taking it in segments as a committee and walk through and take pictures and make a list of intersections where they see a need.

Commissioner McDowell asked why looking at both sides of the road and not just one. Mr. Casavar responded that they are looking at it from a transportation perspective and as a commuter trail concept. It is also for continuity purposes.

Commissioner Patzer asked how many cars go passed a day. Mr. Casavar responded that he will find out and report back.

There was discussion that there will need to be a formal meeting to solicit public input from neighbors on parking and their needs there.

Commissioner McDowell stated that a dedicated Class I Trail in lieu of a sidewalk could be an option and that the sidewalk could be retrofitted. Mr. Casavar responded that retrofitting is more expensive and the impact of rights of ways are a concern.

Mr. Cranston asked Director Eastwood about the goal of linking parks to bike paths. He asked if staff has established a priority for Ped Bike design or development. Mr. Eastwood responded that the Ped Bike Committee has updated the City's Ped bike plan and they are working with Park's staff on the Master Plan. The Plan will show what's existing and what is missing. Priority will be established and there is no significant priority list but it is on its way.

Commissioner Hassell asked if the overlay is scheduled for 2008? Mr. Casavar responded that it was a 2007 project. There was discussion that there may be a preliminary design already. Part of the overlay project is adding the pedestrian ramps. He felt that staff should find out what is planned for the area from Public Works or Engineering. Mr. Hassell asked when they would be working on this. Mr. Casavar stated that he will find out this information and forward the information to Director Eastwood.

Mr. Casavar also discussed the issue of the public crossing 15<sup>th</sup> Street to access the park. He stated that there should be some signage or some sort of pedestrian crossing.

Chairperson Shellman asked if Director Eastwood would look into this and see how far along this is in the planning stages. Mr. Eastwood stated that this will progress through the Ped Bike Committee and that the Master Plan process route would be most efficient.

## **10. RIVERSTONE PARK AND POND AGREEMENTS**

Doug reported that staff has been working on the Park Maintenance Agreement and a Pond Maintenance Agreement with Riverstone Development Company (SRM) for the past 10 months. Agreements have been drafted and the process is ready to present to City Council. SRM had representatives present with Dave Guthrie and Mike Ridley, their attorney. The Park Maintenance agreement is a three year agreement and the Pond Maintenance Agreement term is indefinite.

Commissioner Patzer expressed concern that there need to be adequate safeguards in place to ensure that the taxpayer do not end up assuming the responsibility. The agreement covers it but if something should change was his concern. If the land did not get developed in the manner of the spirit of the park it would make this amenity an undesirable place. He wanted to ensure that this amenity becomes usable and eliminate the options of that happening. Mr. Patzer asked if we could create an assurance that it becomes an attractive area. He asked if this has been master planned out. Director Eastwood responded that he didn't see any concerns that would inhibit the use of the park property. Staff is involved in all the conversations to ensure this does not occur.

Chairperson McDowell added that one of the tools available to us in the City is to look at any potential zone changes that would allow for the uses that could jeopardize the use of the pond and park site as a recreational facility. He encouraged buffering of the site to safeguard the uses and protect the site. Mr. Eastwood responded that as the subdivision grows it is a safeguard.

Ms. Hill asked about short term contracts as an option.

Commissioners discussed the risks associated with this project.

**There was a motion to recommend this to City Council and enter into the Park Maintenance Agreement and the Pond Maintenance Agreement.**

Dave Guthrie of SRM commented that there are risks but that given the quality of the infrastructure and the improvements he did not see any major concerns.

**Commissioner McDowell moved to make a recommendation to the City Council that they adopt the Riverstone Park and Pond Agreements. Commissioner Patzer seconded the motion. Commissioner Cranston abstained from vote. Motion passed 5-0 in favor.**

## **11. PROPOSED LAND TRADE AT WINTON PARK**

Director Eastwood received a request from John Beutler and his team to put an office complex where the old Pines Resort Hotel and Restaurant used to be on Northwest Blvd. The request is proposing to trade a sliver a property, 1900 square feet, for another piece of 1900 square feet property, contiguous to the park. Staff received two Land and Water Conservation Grants for this site to develop the park. Once the park is developed staff has to submit a boundary map to the State and Federal

Government. The boundary map takes all the property and makes it all one. It all falls under the 6F Boundaries and is under the jurisdiction of the National Park Service.

Mr. Beutler asked to trade for equal pieces of property. He stated that his project driveway wraps around the condos and the flow of traffic works better if they can cut across the parkland.

The parcel that CDA would receive sits higher on the topography scale than the piece currently owned.

Questions that have been asked of staff regarding this issue:

What would we do with it? Director Eastwood answered that it would remain natural area like the rest of Winton Park.

Will it serve as a buffer? Mr. Eastwood answered was that it could. The parcel that we would be trading has more trees on it than the piece the City currently owns.

If Commissioners wanted to proceed with the trade then a formal public hearing would be required to invite the public and that information would then be forwarded to the State and National Parks Service for public record. There would need to be a letter from School District 271, which Mr. Eastwood has already asked for. Staff had a meeting with District 271 staff earlier in the year to discuss this concept and school district staff did not see any problems with it.

Commissioner Hill asked if there are any erosion issues with this. Mr. Eastwood responded that John will speak to that but an erosion control process would have to occur as part of the permit process.

Chairman Shellman asked that by accepting the trade does it improve the continuity of the park. Mr. Eastwood answered it is possible, as it is higher ground. Commissioner McDowell stated that Mr. Beutler's parcel is more usable.

Mr. John Beutler of 1836 NW Blvd. testified that he has an office building planned to be built there. He needs that area for three parking spaces and a retaining wall. There was an appraisal done and both areas are equally priced.

Commissioner Hassell asked if there is value to adding a stairway to access the property to get into the park from the office complex.

Commissioner Patzer asked if this would this be a deal breaker for his building if the property transfer does not occur. Mr. Beutler said it may. Mr. Patzer stated that there is no value to public. Perception wise the public would demand there would be value to the public.

There was discussion regarding property access.

Tad Deutsch, 1520 N. Melrose Street testified he agreed with Mr. Patzer's statement and asked if this is it a mixed use or if it was all offices? He stated that it seemed to be an even trade but he was concerned about keeping the trees. He lives across the street and would prefer to not have the access.

Bonnie Cooper, 927 W. Lacrosse testified that she would prefer not to have access at the site. There was a transient living there during the summer in a tent and she would prefer to not have access to it.

Tina Howard, 821 Lacross testified that she would prefer to not have access. She stated that Northwest Blvd. is too busy. She stated that she supported the land trade but did not support access through the parcel.

Mr. Cranston asked about the scope of fencing that encloses the park. If a trade was done would there be any adjustments in the fence line. Mr. Eastwood responded that the fence line is ITD's fence and it is in the right of way.

Ms. Hill asked if there would be any cost incurred with this trade. Mr. Eastwood responded that no costs would be incurred. An appraisal was completed and paid for by Mr. Beutler and if there were any additional costs they would be the responsibility of Mr. Beutler.

Lisa Issacs, 908 Noel Avenue testified that her concern is that the trees not be taken away. If trees are lost in this land swap she is concerned.

Chairman Shellman emphasized that four members of the public testified regarding access through the property and were not in favor of it. They were also concerned about retaining the existing trees on the land.

**Commissioner Cranston made a motion to forward the endorsement to City Council to trade land to John Beutler and Associates and request that the City Council set a public hearing date on the issue. All costs associated with the trade are to be born by John Beutler and Associates and that City Council consider any value to the public in lieu of the trade. Commissioner Patzer seconded it. Ms. Hill and Mr. Hassell abstained from vote. Motion was passed 5 to 0 and will be forwarded on to City Council.**

## **12. CONFLICTING USE OF BMX TRACK**

Director Eastwood discussed the BMX track at Cherry Hill Park. The BMX Association donated their time and material to build the track and it was specifically designed for the use of BMX style bicycles. This past year there has been a conflict of use with remote control toy vehicles using the track and creating an unsafe environment for the intended BMX users. Complaints have been received by the neighbors regarding the noise, fire hazards due to the fuel being used in the cars and the unsafe ruts caused by the remote control cars. There are both electric and fuel powered cars that are causing damage to the track. Staff encourages self policing of the track but the BMX track is not the best site for the remote control cars. Staff is working to promote user group participation in a collaborative workshop to determine needs assessment. Due to the safety and noise concerns staff recommends that remote control cars be prohibited at Cherry Hill Park.

Commissioner Patzer asked if the ordinance should be expanded to include motorized activities. Can we ban motorized activities in the park? What about remote control airplanes? Is this too specific? Mr. Eastwood replied that motorized vehicles are prohibited by ordinance.

There was discussion as to if this should be a larger net or keep it site specific? Commissioner Cranston asked if we want to ban the activity from the park or limit it to the BMX facility.

Commissioner McDowell commented that there is immediate need and are we treating the problem. Is there a larger issue? He would be in favor of the ban but we need more time to see if there should be a wider base?

Chairperson Shellman commented that ATV's and snowmobiles use the park. Mr. Eastwood replied that these types of vehicles are not allowed in the park.

There was discussion that there are residents concerned about the damage and it is a nuisance. Mr. Patzer asked if we should we pause and look at it more. Or go through the planning process. Is there adequate time for this?

Randy Cain, representing the BMX Association, testified that he has not had problems with user groups, but he has had problems with those using the remote control cars.

Ralph Shay, 1415 Richmond Drive, testified that he gets to hear and see what occurs at the park. He stated that there has not been a snowmobiler for two years and that when there is a problem law enforcement can not get there in time to catch the offenders. BMX people there are minimal concerns with. The RC cars have become more problematic. The RC cars are noisy and cause a lot of damage. He calls Director Eastwood with any problems that occur at the track. The remote control car users do not turn the machines off when refueling and that is a fire and explosive hazard due to the kerosene and nitrous oxide used. He would like to see a discussion of where the remote control car users can be. When the park was approved it was not to have motorized vehicles.

Mr. Randy Cain concurred that something needs to happen soon.

Commissioner Hassell commented that the existing ordinance could be changed to include remote control. Mr. Eastwood replied that the ordinance came from the City Attorney.

Commissioner Hill asked if it would be worth doing a workshop to further discuss the broader picture. Chairperson Shellman responded that there is an immediate problem that we have to take care of and it can be expanded upon during the winter months.

**Commissioner McDowell made a motion to ask staff to prepare an ordinance that would prohibit the use of remote control vehicles in Cherry Hill Park and that staff further continue the investigation into other potential conflicting uses in the park for further discussion at the Commission level. The motion was passed 7 to 0.**

### **13. WORKSHOP – JANUARY 22, 2007**

Motion to adjourn at 6:54 PM.

Respectfully submitted by Michelle Griffin, Interim Parks Secretary

**NEXT MEETING: Monday, January 8, 2006 – 5:30 pm in Council Chambers**