

# Coeur d'Alene

## CITY COUNCIL MEETING

*May 2, 2006*

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**MEMBERS OF THE CITY COUNCIL:**

**Sandi Bloem, Mayor**

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

# CONSENT CALENDAR

**JOINT CITY COUNCIL/COUNTY COMMISSIONERS  
MEETING HELD ON APRIL 6, 2006 AT THE  
COEUR D'ALENE RESORT**

**COUNCIL PRESENT:** Al Hassell; Ron Edinger; Deanna Goodlander; Mike Kennedy; Woody McEvers.

**MAYOR** Bloem.

**COMMISSIONERS PRESENT:** Gus Johnson, Chairman; Katie Brodie; Rick Currie.

**CITY STAFF:** Wendy Gabriel, Susan Weathers, Mike Gridley, Kenny Gabriel, Troy Tymesen.

**GUEST:** Mark Stewart, Cd'A Press.

**CDATV – COUNTY PARTICIPATION:** Councilman McEvers asked the Commissioners if they would be interested in doing a television program for the County. He expressed an interest in creating an MOU. Katie Brodie supported creating a program for the County. Chairman Gus Johnson asked if the County building is television-ready and Councilman McEvers responded that it is accessible. Chairman Johnson noted that as part of the County's budget process they would like to do a televised program with each County Department presenting their proposed budget with public comments. Commissioner Johnson noted that Cynthia Taggart had suggested the Commissioners do a television program similar to the Mayor's show with Cynthia being the moderator. Katie Brodie asked what the hourly cost is for producing a show. Councilman McEvers suggested that the County coordinate with NIC to produce their program. Councilman Hassell noted that we have one paid contractor doing the Council meetings and maintaining our channel. County Commissioners have agreed to participate in a television program on CDATV.

**COUNTY BOATHOUSE RELOCATION:** City Administrator Wendy Gabriel reported that the City is offering to negotiate a location for the County Sheriff's Marine Division as part of the annexation agreement for the Blackwell Island Yacht Club. Chairman Johnson asked when the Hagadone Corporation is going to be dredging. Councilman Hassell noted that he had been informed that they are planning on dredging next year. Administrator Gabriel noted that the city will keep in touch with the County when negotiations are under way.

**911 COMPLIANCE STATUS:** Chairman Johnson reported that the issue was based upon access to I-Lets that the current staff not being under the proper authority to oversee the information program as it should be under the Sheriff's office. The Commissioners decided that the 911 System would be transferred to the Sheriff's Department; however,

some 911 Board members voiced their concern of being under the Sheriff's Office. He noted that they will resolve this administrative issue. Kenny Gabriel reported that the 911 Advisory Board is doing a very good job. From Fire Chief Gabriel's standpoint they have no problem with the 911 Center being under the Sheriff's Office. Chairman Johnson announced that they will be holding a meeting tomorrow regarding this issue.

**FAIRGROUND STATUS REPORT:** City Administrator Wendy Gabriel noted that the City will have a draft agreement ready for the Fairgrounds in the next few weeks and it will be available for signatures by the end of this month. Chairman Johnson noted that a gentleman who is doing the Habitat for Humanity has a large amount of fill dirt and he will provide the City with his name and phone number.

**ANIMAL CONTROL ISSUES:** Councilman McEvers first expressed his thanks for the County Animal Control officer participating in the City's Ad Hoc Committee. He explained that the difficulty seems to be the lines of responsibility for picking up and impounding dogs. He noted that he has been looking at the City of Post Falls Impound Facility. Another issue is the future for animal control in the City. He asked the Commissioners if there was something that all the entities could do to resolve this issue. Chairman Johnson asked if the City had talked with Post Falls. Councilman McEvers reported that they have a representative on the City's Ad Hoc Committee. Chairman Johnson noted that the Post Falls facility is currently at ½-capacity. Katie Brodie asked if the City of Coeur d'Alene could be involved with Post Falls Animal Control Facility. Councilman McEvers responded that it is an issue of miles and dollars. Chairman Johnson noted that animal control is under the Sheriff's Office and recommended that the City continue to work with the Sheriff's Office. Chairman Johnson noted that the FAA would like to see the Humane Society facility located away from the airport. Councilman Edinger reported that the biggest complaints that the City receives is regarding cats. Mayor Bloem noted that due to input from the residents, the subject of cats is an issue that the Council will need to address in near future. Councilman McEvers believes that part of the solution is a strong spaying and neutering program and also licensing and tagging cats and also charging for adopting abandoned dogs and cats.

**GRANT MATCH FOR HERITAGE PLACE:** City Finance Director, Troy Tymesen, reported that the Coeur d'Alene Homes has a project for affordable senior housing. They have applied for a HUD grant which has a sunset. They had approached the City for helping pay the match for a \$1.2 million grant. The City offered up \$50,000 match funding with the intent of asking the County to participate in the match funding. The payment for the grant would have to be paid prior to the end of this fiscal year. The Commissioners will provide Troy a response to this request within the next 30 days.

**GROWTH IMPACTS:** City Administrator Wendy Gabreil opened the discussion regarding the incredible growth in Kootenai County. She reported that the city has been

learning about linkage fees. She explained that affordable housing is essential to the survival of a City where the people who work in a community (teachers, emergency personnel, etc) need to live in the community. A linkage fee is attached to a commercial or industrial project where the fee is collected to provide affordable housing in the community. She noted that it is important that all these fees are consistent throughout an entire area in order for it to work. Residential contractors would also be required to make part of their project affordable housing or provide a fee in lieu of constructing affordable housing. Councilman Kennedy noted that high end subdivision projects can also be charged a fee so the affordable housing can be constructed elsewhere. Mayor Bloem noted that the County could do a linkage fee while the City can do impact fees. Mike Kennedy noted that it should be called workforce housing instead of affordable housing. Councilman Kennedy noted that Ketchum/Sun Valley in Blaine County is currently doing linkage fees. Chairman Johnson asked the City to send them the information regarding linkage fees that the City received from the Urban Land Institute.

**PROPERTY VALUATIONS:** Commissioner Johnson announced that the County Assessor reported that a vacant 50-foot lot in Coeur d'Alene is now at \$52,000 compared to last year when it was estimated at \$25,000. He noted that the County received a notice from the State that they are not in compliance with county valuations and if the State comes in to do it they will assess properties at 100-110% of market value which would basically eliminate any of the headway from property tax relief legislation being proposed.

Troy noted that the State is not keeping up on the assessed valuations for which they are responsible but are holding the counties to the required standards or assessing valuations.

**LEGISLATIVE ISSUES:** Chairman Johnson reported that the County has been informed that the 911 \$1.00 fee cannot be used to pay for dispatchers. It is to be used for infrastructure. The only paid position is the person findings tower locations throughout a 911 district.

He reported that the Garvee bond is being held in the House Transportation Committee.

**PARTNERSHIPS:** Wendy Gabriel reported the following successful partnerships between the City and County: Both City and County Finance Directors did the Mayor's show; commercial garbage billing partnership; the County allowing the City's use of their grit pit; technology fiber linkage; and, the City's Legal Department working with County to go paperless. Commissioner Gus Johnson commended Dixie Reid for her work on the Citilink project. Chairman Johnson reported that the County Commissioners have expanded the joint city/county meeting idea and have met with almost all other cities in Kootenai County.

Chairman Johnson asked about having a waiver to the no alcoholic beverages in the City Parks. Since is it a city ordinance a waiver cannot be given unless the Council would consider amending the ordinance.

Woody thanked the County for the success of the EMS program.

**ADJOURNMENT:** Motion by Edinger, seconded by Hassell to recess to April 13, 2006 at 4:30 p.m. Motion carried.

The meeting recess at 8:45 a.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 AT THE LAKE CITY SENIOR CENTER,  
APRIL 13, 2006**

The Mayor and Council of the City of Coeur d'Alene met in a continued session of said Council at the Coeur d'Alene Inn, April 13, 2006 at 4:30 p.m., there being present upon roll call the following members:

Mayor Sandi Bloem

Loren R. Edinger	)	Members of Council Present
Dixie Reid	)	
Mike Kennedy	)	
Deanna Goodlander	)	
A. H. "Al" Hassell, III	)	
Woody McEvers	)	

**CALL TO ORDER:** Mayor Bloem called the meeting to order.

**ANNUAL COUNCIL RETREAT – STRATEGIC PLANNING:** City Administrator Wendy Gabriel welcomed the Mayor, Council and City staff to the annual Council Strategic Planning retreat. Deputy City Administrator Jon Ingalls reviewed the Strategic Categories and purpose of the goals and reported on the progress that has been made on the priorities set last year and other accomplishments of the City staff. Dave Yadon presented an overview of a vision of the City in 2026.

Deputy City Administrator Jon Ingalls then facilitated the Council's question and answer period for the proposed strategic goals for FY 2006-07.

**RECESS:** The Council recessed at 7:15p.m. The meeting reconvened at 7:30 p.m.

Following the vote of the Council the following is a ranked listing of the focus areas for FY 2006-07.

		High	Medium	Low
<b>2006-07 FOCUS AREAS</b>				
1	Additional Police Personnel (Police)	7	0	0
2	Zoning and Subdivision Ordinance Updates (Planning Commission)	6	1	0
3	Develop & Implement Affordable Housing Strategies (Administration)	5	2	0
4	Increase the Level of Overlay Funding (Engineering)	5	2	0
5	Additional Fire Fighters (Fire)	5	2	0

6	Additional Parks Workers (Parks)	5	2	0
7	Customer Service Enhancements (Building)	5	2	0
8	Resources for Constructing ADA Compliance Initiatives (Streets)	5	2	0
9	Strengthen Code Enforcement (Legal)	4	3	0
10	Additional HEO Staffing in Streets (Streets)	4	3	0
11	Parks Irrigation Worker (Parks)	4	3	0
12	Replenish Insurance Plan (Legal)	4	2	1
13	Provide Fire Service Outside City/Transfer Revenue (Fire)	4	2	1
14	Implement a Traffic School (Police)	3	2	2
15	Effluent Reuse Pilot (Wastewater)	1	6	0
16	Implementation of Citywide GIS Program (Municipal Services)	0	6	1
17	Pursue Fernan Sewer Agreement Negotiations (Legal/Wastewater)	2	5	0
18	Support Expansion of Citylink Public Transportation (Administration)	2	5	0
19	Acceptance of HUD "Entitlement City" Designation (Administration)	1	5	1
20	Expand "North Ramsey Campus"/Land Acquisition (Administration)	1	5	1
21	Convert Inline Area of Skate Park into BMX/Skate Park (Recreation)	1	5	1
22	Continue to Implement E-Commerce (Finance)	3	4	0
23	Joint Construction of Gyms (Winton) with School District (Recreation)	3	4	0
24	Credit Card Payment & On-Line Registration/Reservation (Parks/Recreation)	3	4	0
25	Resources to Sustain Expanded Library (Library/Parks)	3	4	0
26	Park Facility Upgrades (Parks)	3	4	0
27	Project Management and Inspection for ADA Compliance (Engineering)	3	4	0
28	River District Planning Study (Administration)	2	4	1
29	Planning for Growth by ULI Advisory Committee (Administration)	2	4	1
30	Develop a Hearing Examiner Process (Legal/Finance)	1	4	2
31	Adjudication of Aquifer Water Rights by State (Water)	1	3	3
32	Become a Class I Rated City (Fire)	2	2	3
33	Weed Abatement Program/Double-Fronted Lot Maintenance (Streets)	1	2	4
34	Downtown/Midtown Roof Drain – Stormwater Separation (Wastewater)	1	2	4

**ADJOURNMENT:** Motion by Kennedy, seconded by Hassell that, there being no further business, this meeting is adjourned. Motion carried.

The meeting adjourned at 8:00 p.m.

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Sandi Bloem, Mayor

ATTEST:

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Susan K. Weathers, City Clerk

MINUTES OF A REGULAR MEETING OF THE CITY  
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,  
HELD AT COEUR D'ALENE CITY HALL,  
APRIL 18, 2006

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, April 18, 2006 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	)	
Deanna Goodlander	)	
Mike Kennedy	)	
Loren Edinger	)	
Dixie Reid	)	

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

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

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

**PROCLAMATION – ARBOR WEEK:** Councilman McEvers read the proclamation whereby Mayor Bloem proclaimed the week of April 24<sup>th</sup> through April 29<sup>th</sup> as “Arbor Week” in the City of Coeur d’Alene. Urban Forestry Student Representative, Amber Hartman, accepted the proclamation. Amber reviewed all the activities planned during this week and invited residents to participate.

**PROCLAMATION – FAIR HOUSING MONTH:** Councilman Kennedy read the proclamation whereby the Mayor has proclaimed the month of April as “Fair Housing” month. Pat Hartman, President of the Cd’A Association of Realtors accepted the proclamation.

**PUBLIC COMMENTS:**

**SEX OFFENDERS HOUSING COMPLAINTS:** Susan Snedaker, 821 Hastings, complained that there is no written policy of what constitutes a complaint with the City and objects to the length of time that the City is taking to work with the resident who is the subject of her continuous complaints. She directed the Council prepare a formal policy of what constitutes a complaint and post it at City Hall and on the City’s web site for all residents to view. Mike Gridley reported that Ms. Snedaker’s initial issue was sex offender housing. The City had contacted the State and the sex offenders were moved out of the house. He noted that Ms. Snedaker next complained that the house was used as a boarding house which is against city code. Since that time Mike and his staff have been working with the owner of the home regarding the issue of this being a boarding house.

The owner then reduced the number of occupants to three and thought he no longer had to apply for a permit to be a boarding house. Since then the City's Development Review Team has reviewed the issue. He noted that the City does not normally remove residents from their homes, and thus we are working with the resident to be a project review with staff to review the possibility of this being a boarding house and the need for a special use permit. Mayor Bloem asked if the City does need to have a specific policy for filing complaints. Mike Gridley noted that it might make sense to create a complaint procedure especially for those that bring their complaints directly to the Council. Bill McCrory, 6065 N. Harcore Dr., complained that although the original complaint made by Susan Snedaker was centered around sex offenders, he believes that the City should have known that it was a boarding house from the beginning and should have been addressing that issue from the beginning. He believes that the current problem is the need for life safety requirements for boarding houses including ADA requirements. He also believes that there should be some form of registration requirement for people staying at these boarding houses.

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

1. Approval of minutes for April 4, 6, 2006.
2. Setting of the Public Works Committee and General Services Committee meetings for April 24, 2006 at 4:00 p.m.
3. RESOLUTION 06-026: A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE BELOW MENTIONED CONTRACTS AND OTHER ACTIONS OF THE CITY OF COEUR D'ALENE INCLUDING APPROVAL OF S-1-05 FINAL PLAT APPROVAL AND SUBDIVISION IMPROVEMENT AGREEMENT FOR RIVERSTONE WEST, LLC; AUTHORIZING THE TRANSFER OF PERMANENT RECORDS TO THE STATE ARCHIVES; APPROVAL OF A THREE-YEAR AGREEMENT RENEWAL WITH XO COMMUNICATIONS FOR CITYWIDE PHONE AND LONG DISTANCE SERVICES; APPROVAL OF A PERMIT AGREEMENT WITH THE UNITED STATES GEOLOGICAL SURVEY (USGS) FOR A SOLAR POWERED GAUGING STATION ON CITY PROPERTY BETWEEN THE WASTEWATER TREATMENT PLANT AND THE SPOKANE RIVER; **A.** APPROVAL OF AN AGREEMENT WITH SPERLE'S INVESTMENTS, INC. FOR THE OPEN TRENCH REPLACEMENT PROJECT, SCHEDULE "A"; **B.** APPROVAL OF AN AGREEMENT WITH BUDDY'S BACKHOE SERVICE, INC. FOR THE OPEN TRENCH REPLACEMENT PROJECT, SCHEDULE "B" AND APPROVAL OF THE DESTRUCTION OF POLICE DEPARTMENT RECORDS.
4. RESOLUTION 06-027: A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO TO PUBLICLY SUPPORT THE MISSION AND OBJECTIVES OF ST. VINCENT DE PAUL AND THEIR HOMELESS PROGRAMS AND TO ALLOW THIS DECLARATION OF PUBLIC SUPPORT TO BE USED BY ST. VINCENT DE PAUL TO SATISFY AN APPLICATION REQUIREMENT FOR FEDERAL FUNDING AND TO SUPPORT HOUSING

FOR LOW-INCOME HOMELESS PERSONS IN THE CITY OF COEUR D' ALENE; AUTHORIZING THE MAYOR AND CITY CLERK TO MAKE SUCH DECLARATION FOR, AND ON BEHALF OF, THE CITY OF COEUR D' ALENE AND ITS OFFICERS.

5. Council to take no position on the matter of the Simms Property Annexation/SW Corner of Government Way and Aqua Avenue.
6. Acceptance of water line utility easement from Riverstone West LLC and CPM Development Corporation.
7. Approval of beer/wine license transfer from Michael Fowle to Johnny & Stacey Trejbal at Coffeerville.
8. Approval of cemetery lot transfer from Marie McKinney to Eva R. Gaine.
9. Approval of bills as submitted to and on file in the City Clerk's Office.

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

**COUNCIL COMMENTS:**

**STUDENT REPRESENTATIVES:** Councilman Reid announced that the City is accepting applications from high school juniors to sit on the City's committees, commissions and boards. She encouraged students to get involved with their city government.

**LIBRARY CONSTRUCTION:** Councilman Goodlander announced that construction around City Hall has begun for the new Library. Councilman Edinger expressed his hope that the bids for the construction come in at an amount that the City can handle.

**APPOINTMENTS– PARKS AND RECREATION COMMISSION AND CDATV COMMITTEE:** Motion by Goodlander, seconded by Kennedy to re-appoint Lee Shellman and Scott Cranston to the Parks and Recreation Commission and Bruce Hathaway to a two-year term on the CDATV Committee. Motion carried.

RESOLUTION NO. 06-022

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AMENDING POLICIES FOR WATER SERVICE OUTSIDE CITY LIMITS

Motion by Goodlander, seconded by Hassell to adopt Resolution 06-022.

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

**BULK WATER USE PROGRAM:** Motion by Reid, seconded by Kennedy to approve the construction of 6 portable and 3 permanent filling stations for the Water Department

and instruct staff to bring a formal Bulk Water Policy back to the next Public Works Committee Meeting.

RESOLUTION NO. 06-028

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE BELOW MENTIONED AGREEMENTS FOR SOLE SOURCE PROCUREMENT OF PILOT TESTING SERVICES AND EQUIPMENT FOR ASSESSING FUTURE WASTEWATER TREATMENT PLANT UPGRADE OPTIONS.

Motion by Reid, seconded by Goodlander to adopt Resolution No. 06-028.

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

**PUBLIC HEARING – A-1-06 – ANNEXATION AND ZONING FOR HAWK’S NEST PROPERTY ADJACENT TO THE LANDINGS AND WATERFORD BETWEEN ATLAS ROAD AND HUETTER ROAD:** Mayor Bloem read the rules of order for this legislative public hearing. John Stamsos, Associate Planner, gave the staff report.

Mr. Stamsos gave the applicant’s name as Hayden, LLC, the location as approximately a 302-acre parcel located between Atlas and Huetter Roads abutting the south boundary of The Landings at Waterford subdivision, and the reason for the request as annexation in conjunction with an R-8 zoning.

He went on to give the staff analyses for land use, zoning, Comprehensive Plan, utilities, stormwater, traffic & streets. He reported on March 14, 2006 the Planning Commission recommended approval of the proposed zoning and approved the preliminary plat for the 867-lot subdivision. One item for inclusion in a possible annexation agreement was to consider grade separations where bike/pedestrian trails cross a street. Mr. Stamsos noted that on March 31, 2006, 23 notices of tonight’s public hearing were mailed with 0 responses.

**PUBLIC COMMENTS:** John Mueller, applicant, noted that they are requesting an R-8 zoning to provide flexibility in planning the subdivision. He noted that the density works out to be to about 2.9 units per acre. He added that about 55 acres will be set aside for open space including a 6-acre lot for a park. He noted that the developer has worked closely with both Post Falls and Coeur d’Alene School Districts. Mr. Mueller believes that this development has the infrastructure support.

Councilman McEvers asked about double-frontage lots. John Mueller responded that they do have a significant number of double frontage lots, but they will be complying with city regulations including planting more native material such as grasses which

require less maintenance. He also noted that the homeowners association will be asked to maintain the swales. Mike Kennedy asked about the average price for the houses. John believes that they will be of the average home price. Councilman Kennedy asked about the number of school-age children who will be in this development. Mr. Mueller believes that working with the average it would be about 1,600 students. Councilman Kennedy asked about School District 271. Mr. Mueller noted that there was no response from that school district. Councilman Kennedy expressed his fear of the impact on schools this development would have. Mr. Mueller responded that it would be like saying development has an impact on streets so let's stop building. Councilman Kennedy questioned, since the schools do not have impact fees, how will they manage to maintain enough schools for this type of growth. Mr. Mueller noted that if building and growth were stopped, it would force the price of housing out of the reach of the average homeowner. Mr. Mueller said that they will have some lower end housing, but they do not have "workforce housing" in their plans since these plans were developed prior to the city raising the issue of workforce housing. Councilman Edinger asked about the traffic light at Hanley and Atlas and going north on Atlas and if it will have a widened roadway. Mr. Mueller noted that his portion of the road will be widened and then Coeur d'Alene Place will widen their share of the roadway when their development reaches that area. Councilman Edinger noted that during the Planning Commission meeting, Jerry Keenan, Post Falls School District representative, attended that meeting.

**MOTION:** Motion by Reid, seconded by Goodlander to approve the annexation and zoning of R-8, to adopt the Findings and Order of the Planning Commission and to direct staff to negotiate an annexation agreement.

**DISCUSSION:** Councilman Kennedy voiced his concern of the impact this annexation and development would have on the schools. Councilman Reid noted that the City Council has no control over other government entities including schools and the Council needs to decide these types of requests on the merits of what the City can handle as far as infrastructure. Councilman Kennedy asked if the impacts on a school can be a factor in deciding an annexation. Deputy City Attorney Warren Wilson noted that annexations are unique in that the Council can decide an annexation based on any reasonable issue.

**PUBLIC COMMENTS:** Steve Wetzel, 5510 Parkwood Dr., respectfully suggested that Councilman Kennedy take his issues to the School District and not put the developer in the middle of this issue. He believes that any slowing down of annexations will dramatically increase the cost of housing in the City. Councilman Edinger voiced his concern of the lack of response of the School District when these annexations come before the City Council. He also believes that in the near future schools are going to need to ask for State legislation that allows them to impose impact fees for new development. He also believes that development is not paying for itself. John Mueller responded that if the Council talked with the School Districts they would probably find out that the school districts don't mind this type of problem and so he would encourage the Council to press ahead.

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

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

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

The Council entered into Executive session at 7:47 p.m. Members present were the Mayor, City Council, City Administrator, Deputy City Administrator, City Attorney and Finance Director.

Matters discussed were those of property acquisition and litigation. No action was taken and the Council returned to their regular meeting at 8:20 p.m.

**KOZAK CASE:** Motion by Edinger, seconded by Hassell to approve the settlement in the Kozak matter. Motion carried.

**ADJOURNMENT:** Motion by, seconded by that there to recess this meeting to April 19, 2006 at 12:00 noon in the Council Chambers. Motion carried.

The meeting recessed at 8:21 p.m.

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Sandi Bloem, Mayor

ATTEST:

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Susan K. Weathers, CMC  
City Clerk

A CONTINUED MEETING OF THE  
CITY COUNCIL OF THE CITY OF COEUR D'ALENE,  
HELD AT COEUR D'ALENE CITY HALL ON  
APRIL 19, 2006

The Mayor and City Council met in continued session as part of a joint workshop with Lake City Development Corporation and the Planning Commission on April 19, 2006 at 12:00 noon there being present upon roll call a quorum of the Council.

Mayor Sandi Bloem

Dixie Reid            ) Members of the Council Present  
Ron Edinger            )  
A. J. Hassell III        )  
Woody McEvers         )  
Deanna Goodlander     )  
Mike Kennedy            )

John Bruning, Chairman) Members of the Planning Commission Present  
Tom Messina            )  
Mary Sousa             )  
Scott Rasor             )  
Brad Jordan             )  
Heather Bowlby         )

Charles Nipp, Chairman) Members of the Lake City Development Corp. Present  
Jim Elder                )  
Brad Jordan             )  
Dixie Reid              )  
Deanna Goodlander     )

**STAFF PRESENT:** CITY - Wendy Gabriel, Susan Weathers, Dave Yadon, Warren Wilson, Sean Hall, Mike Gridley. LCDC – Tony Berns.

**GUESTS PRESENT:** R. G. Nelson, Robert Provost, Phil Provost, Tom Bacon, Marc Stewart, Monte Miller, Don Murrell, George Ives, Janet Robnett, John Barlow, Steve Shortridge, Todd Tondee, Richard Barrett, Erica Curliss. Mark Hinshaw, consultant from LMN Architects.

**MAYOR CALLED THE MEETING TO ORDER.** Mayor Bloem called the meeting to order.

**PROPOSED DEVELOPMENT REGULATIONS:** City Planner, Dave Yadon, presented the proposed development regulations for the Downtown area. He recalled that a Committee was appointed to review the consultant recommendations including having public input into the recommended regulations. Today's meeting is for the purpose of

having input from the Council and LCDC. David described the boundary of the development regulations, the proposed use limitations, and the one issue that most public comments came from was that the Planning Director make certain determinations. He noted that a lot of public comment was received on the floor area ratio (FAR) formula. He commented that the Planning Commission could consider a larger ratios for floor area. Mark Hinshaw, consultant, noted that the City can change any one particular ratio without changing all of them. Mr. Yadon reviewed the bonus features that would provide an opportunity for floor area. He noted that one of the bonus credits was allowing workforce housing off site. He added that one major area of contention was the exchange for cash for extra floor area. He reported that the Maximum Building Height regulations were amended to combine all reference to building height into one location. He noted that staff has received a full spectrum of comments when they addressed the maximum building height. He noted that Building Bulk Regulations have not changed from originally presented and noted that McEuen Towers and Park Towers fall within these regulations. There was a lot of public discussion, but one that staff is asking to be considered is reducing the step back from 20' to 10'. He noted that 2<sup>nd</sup> Street was not originally on the list but the Committee added 2<sup>nd</sup> Street into these regulations guidelines. The issue is, since the view from 2<sup>nd</sup> Street is of the Resort compared to the views in other areas within the boundaries, why should they be included in the boundaries. He noted that balconies and canopies up to 2' would be allowed under the new regulations. It is also being requested that Council consider adoption of the Design Departure for Building Bulk. He reported that there were no real changes to the parking ratio, except for parking stall size as it has been requested that we reduce the size of the stalls from 9x20 to 8x18. Overall, there was a fair amount of discussion including comments that additional regulations will kill downtown development, others believed that we won't get development unless we have these regulations and others wanted to expand the district.

Mark Hinshaw noted that there is a correction on Page 10 of the proposed regulations, in the first item which should read "maximum floor area" not "Maximum FAR area".

Mary Sousa asked how would FAR ratios affect the height limit. Dave Yadon noted that FAR does not affect the height limits. Mrs. Sousa also asked if you increase the base FAR ratios would it eliminate some of the need for bonuses. Mark Hinshaw noted that is could affect the bonuses. Councilman Goodlander commented that the cash bonuses seem like a bribe and how could you incorporate the cash bonus into the regular bonuses. Mark said you could remove cash bonuses and add those features to the regular bonus criteria. Brad Jordan asked if a tower is built at 75' at one end of the street and another builds 75' building, doesn't that effectively eliminate anyone else from building. Mark Hinshaw responded that people will naturally build with certain amount of space between buildings. He also noted that these new regulations are not that great of a departure from the current regulations. Brad noted that one of the bad things about the existing ordinance is you need to build large luxury buildings where, with these new regulations and the FAR ratio, you could build more moderately priced facilities. Heather Bowlby believes that the new regulations will improve the process compared to the present-day procedures. Councilman Ron Edinger understood that these restrictions are less than what we presently have; however, in today's newspaper article it was reported that these

regulations would be detrimental according to the developer quoted in the newspaper. Jim Elder responded that that particular developer has a long-narrow piece of property which would not allow him to go above 45 feet. He believes that the regulations should have some allowances for unique lots. Dave Yadon noted that the new regulations do contain design departure regulations that would take care of this particular site. Dave Yadon also noted that there were a lot of public comments that any regulations developed will add to the cost of construction. Mark Hinshaw noted that the Design Departure Regulations are purely administrative and are determined by the City Planner.

Councilman Edinger asked if one of the requirements of this committee was to keep the design of the current downtown area and that we would not have any condos downtown. Councilman Dixie Reid responded that the Council addressed views and vistas but she does not believe they addressed the issue of condos. Brad Jordan believes that these regulations are fairly sophisticated but rather simple and the only contention is with the setbacks. He believes that these proposed regulations do build in some separation of structures.

Councilman Mike Kennedy asked about residential density in the downtown area. Mark Hinshaw responded that with the current regulations it is possible to go to R-70 with a special use permit. Brad Jordan believes that the current regulations also limits the real density need for the downtown area and believes that the FAR formula works better. Mary Sousa asked that if we adopt these regulations it will put the property owners in the Downtown area at a disadvantage to property owners outside this area. Mark Hinsahw responded that the height limitations in other parts of town are much lower than in the Downtown area. He added that it is wise to think about updating regulations for other areas.

Tom Messina noted that he believes that at tonight's Planning Commission meeting, they will hear that these regulations will cost a developer too much to comply with. Heather Bowlby would like to have a clear-cut comparison between the current regulations and proposed regulations for tonight's meeting. Jim Elder asked why should the City have an Administrative Design Departure decision making process instead of going to the Planning Commission for decisions. Mark Hinshaw noted that it is more feasible to have an administrative decision-making authority when you compare it to the time and the cost of the process before a commission or board.

**ADJOURNMENT:** Motion by Edinger, seconded by McEvers to adjourn the meeting. Motion carried.

The meeting adjourned at 1:30 p.m.

RESOLUTION NO. 06-029

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 AUTHORIZING AN AUCTIONEERS CONTRACT WITH MR. AUCTION FOR THE CITY'S SURPLUS AUCTION; AUTHORIZING THE DESTRUCTION OF RECORDS FOR THE FIRE DEPARTMENT & HUMAN RESOURCES DEPARTMENT; AUTHORIZING STAFF TO REJECT BIDS FOR THE CENTRAL IRRIGATION SYSTEM AND AUTHORIZE STAFF TO SOLICIT PROPOSALS; AUTHORIZING A MEMORANDUM OF AGREEMENT FOR GRANT WRITER; AUTHORIZING A COOPERATIVE MAINTENANCE AGREEMENT WITH POST FALLS HIGHWAY DISTRICT FOR SELTICE WAY AND GRAND MILL LANE INTERSECTION.

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) Authorizing an Auctioneers Contract with Mr. Auction for the City's Surplus Auction;
- 2) Authorizing the destruction of Records for the Fire Department & Human Resources Department;
- 3) Authorizing Staff to reject bids for the Central Irrigation System and authorize staff to solicit proposals;
- 4) Authorizing a Memorandum of Agreement for Grant Writer;
- 5) Authorizing a Cooperative maintenance Agreement with Post Falls Highway District for Seltice Way and Grand Mill Lane Intersection;

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 2<sup>nd</sup> day of May, 2006.

\_\_\_\_\_  
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 \_\_\_\_\_.

**STAFF REPORT**

DATE: April 26, 2005  
FROM: Troy Tymesen, Finance Director  
SUBJECT: Surplus Auction

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**DECISION POINT:**

The Council is requested to approve the contract with MR Auction for the public auction of surplus items and seized assets at the Kootenai County Fairgrounds on June 17, 2006.

**HISTORY:**

Annually, the City liquidates underutilized and seized assets. Conducting a public sale completes the process. The City/County Surplus Auction is scheduled to be at the Kootenai County Fairgrounds on Saturday, June 17<sup>th</sup>. The auction will be conducted by MR Auction.

**FINANCIAL ANALYSIS:**

The budgeted revenue for the surplus auction is \$9,000.00 in this fiscal year. The auction generated \$8,688.00 last fiscal year. The costs are shared with the County and School Districts and deducted from our gross revenues. The auctioneer will be retaining 20% of the gross proceeds of the sale.

**PERFORMANCE ANALYSIS:**

MR. Auction conducted the sale last year and there are no changes to the contract. The items listed as surplus for the auction are no longer required by staff or have been seized by law enforcement. The public is then invited to acquire those items through a public sale.

**QUALITY OF LIFE ANALYSIS:**

A professional auctioneer, MR Auction, will provide auctioneer services. If the items are sold at auction, the City will no longer have to store unused items.

**DECISION POINT:**

The Council is requested to approve the contract with MR Auction for the public auction of surplus items and seized assets at the Kootenai County Fairgrounds on June 17, 2006.

## AUCTION SALE AGREEMENT

IT IS HEREBY mutually agreed upon on the 2<sup>nd</sup> day of May, 2006, between **MR Auction**, 5100 Riverbend Ave., Suite A, Post Falls, Idaho 83854 hereinafter referred to as the "Auctioneer," and the **City of Coeur d'Alene**, a municipal corporation existing under the laws of Idaho, hereinafter referred to as the "City," in consideration of their several promises herein set forth, and for value received as follows:

1. Auctioneer agrees to conduct the City's public auction sale at the time and place stated below.
2.
  - A. City hereby retains Auctioneer to conduct a surplus equipment auction and agrees to pay him a sum equal to twenty (20) percent of gross proceeds of the sale payable after conclusion of sale.
  - B. A Buyers Premium of ten percent (10%) will be added to the final bid to determine the final contract price. Said Buyer's Premium will be paid to Auction Company on the day of auction and paid for by the bidder/buyer.
  - C. City agrees to pay all expense costs, and reasonable costs of any special equipment or supplies required to organize and conduct said auction, from the proceeds thereof.
  - D. Auctioneer agrees to pay all advertising costs.
3. Date of Sale: June 17, 2006.
4. Place of Sale: Kootenai County Fairgrounds.
5. Special Arrangements: The Auctioneer specifically agrees to indemnify, defend and hold harmless all agencies participating as sellers in the auction for any loss, claim, or action to which it, its employees, and agents, may be put by reason of any act or omission by the Auctioneer, its agents, and employees, except for damages caused by or resulting from the negligence of the agency/seller, their agents or employees.
6. Description of property in general: City, County, or Agency surplus.
7. City warrants that all City property to be sold is free and clear of all liens and encumbrances. If not, the City will provide Auctioneer with lienholder's name and address and the dollar amount required to pay off any unpaid taxes, liens, or other encumbrances on property sold at auction from the proceeds thereof.

8. City agrees that all items listed with Auctioneer, as approved by the City Council, will be included in the auction and that NO ITEMS are to be sold or otherwise disposed of prior to sale of such items at the auction.
9. A. City agrees to accept highest offer or bid received at the auction without reservation.  
B. In the event that City must have a reserve on any particular item, it must be listed herein or City must notify Auctioneer in writing of its intent five (5) days prior to the auction date. No fee will be charged on "No Sale" items.
10. City agrees to help prepare its surplus property for sale.
11. City WILL NOT furnish loader nor assist in loading.
12. Licensed Vehicles: City agrees to furnish all titles of ownership on any licensed vehicle owned by the City being sold by Auctioneer on the date of sale or before. Proceeds from sale of licensed vehicles will not be disbursed until title or a Lost Title Affidavit has been delivered to Auctioneer.
13. Auctioneer agrees to conduct the sale as auctioneer and agrees to use his professional skill, knowledge and experience to the best advantage of both parties in preparing for and conducting the sale.
14. This agreement may not be changed or modified orally. No change or modification shall be effective unless made by written endorsement executed to form a part hereof.

IN WITNESS WHEREOF, the Mayor and City Clerk of the City of Coeur d'Alene have executed this contract on behalf of said city, and the Auctioneer has executed this agreement, the day and year first above written.

CITY OF COEUR D'ALENE

MR. AUCTION

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

\_\_\_\_\_  
By: Randy Wells, CAI

ATTEST:

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

MAYOR/CITY COUNCIL

DATE September 3, 2004

FROM: Susan Weathers, Municipal Services Director/City Clerk

SUBJECT: Destruction of City Records

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DECISION POINT:

Would the City Council approve the destruction of records as requested by the Fire Department, and the Human Resources Department?

HISTORY:

In order to optimize the space for storage of records, requests for destruction of records is processed. At this time, there are two departments requesting destruction of records, Fire and Human Resources as follows:

Fire: Misdemeanor Reports (Accidents, Lost and Found, etc.) contained in Boxes 270-288 dated 1993/1994.

Human Resources: Personnel file information non-critical employee personnel files, 1960's to 2003 and recruitment files from 2000-2003 and reference files.

FINANCIAL ANALYSIS:

The Fire Department may be conducting a fire-training burn in which records will be destroyed. If the fire training burn does not occur, then staff shall shred the documents. Therefore, there is no hard cost for the destruction of these records.

PERFORMANCE ANALYSIS:

Storage space is always in demand and the destruction of outdated records frees some of that space for new records.

DECISION POINT/RECOMMENDATION:

Council adoption of the resolution authorizing the destruction of records as presented.

**GENERAL SERVICES COMMITTEE  
STAFF REPORT**

**Date:** April 24, 2006  
**From:** Bill Greenwood, Parks Superintendent  
**SUBJECT: AUTHORIZATION TO REJECT BIDS FOR  
CENTRAL IRRIGATION MANAGEMENT SYSTEM**

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**DECISION POINT:**

Staff is requesting authorization to reject bids that were received for a Central Irrigation Management System, and to authorize staff to solicit proposals for a Central Irrigation Management System.

**HISTORY:**

Currently the Parks Department manages and maintains 140 acres of turf grass throughout the city. Within those 140 acres (that is 6,377,763 sq. ft.) there are 44 controllers with 755 valves and 177 quick couplers to 40,425 feet of mainline. This mainline supplies water to 222,869 feet of lateral irrigation line that has 7,450 sprinkler heads to irrigate the parks. The Parks Department was authorized to advertise for for a computerized system to manage our irrigation.

**FINANCIAL ANALYSIS:**

The Water Department has a line item budgeted for water conservation to fund projects such as this central management system. Bids were higher than the amount budgeted.

**PERFORMANCE ANALYSIS:**

This central irrigation management system will allow the Parks Department to monitor water use and program the controls from a central location or a lap top computer. We will have the ability to program controllers to shut down when it is raining and to automatically shut down valves or the mainline in the event of a broken line or sprinkler head.

**DECISION POINT/ RECOMMENDATION:**

Staff is requesting authorization to reject bids that were received for a Central Irrigation Management System, and to authorize staff to solicit proposals for a Central Irrigation Management System.

**General Services Committee  
STAFF REPORT**

**DATE:** April 24, 2006  
**FROM:** Victoria C. Bruno, Project Coordinator  
**SUBJECT:** Amended Costs for Shared Grant Writer

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**DECISION POINT:**

The City Council is requested to approve/recognize the amended costs for the city's portion of the shared grant writer based on the April 2006 revision of the Memorandum of Agreement (draft attached).

**HISTORY:**

The City of Coeur d'Alene was formerly part of an MOA with LCDC and the HREI. Two new entities joined the MOA in December 2003, and the city is now splitting the cost between five instead of between three entities. In the MOA, it states, "Each Party will commit to fund the Program for three years, with each Party funding the first two years of the Program's annual cost ...[split five ways] (annual percentages for the first two years are fixed unless the Parties agree to partner with an additional entity...)." Costs for the third year, and every year after, would be based on a formula tied to grant proceeds realized by each Party.

**FINANCIAL ANALYSIS 2005 -06:**

The annual base salary for the grant writer position, as of April 2006, is \$42,171.00. The Program's total estimated annual salary cost is \$71,943.75 (\$42,171 \* 1.706). The 1.706 multiplier equates to PAC's overhead salary administration costs (i.e. health care benefits, retirement, workers comp, etc.). Additionally, the Parties agree to pay for relevant monthly administrative costs incurred by PAC associated with the Grant Writer position (e.g. copier, telephone, internet access, office supplies), estimated at \$120/month, \$1,440/year, and for appropriate workshops and training sessions, estimated at \$2,500/year. Therefore, the estimated total annual Program cost for budgeting purposes is \$75,883.75 (\$71,943.75 + \$1,440 + \$2,500).

As stated above, in the third year (and every year after the third year), cost contribution per Party will be determined by a formula tied to grant proceeds realized by each Party (i.e. a Return On Investment [ROI] based approach - specific Party grant \$ received / total Program grant dollars) \* \$75,883.75.

Now in the fourth year of funding, calculation per Party is: (see attached EXCEL sheet):

<u>Institute:</u>	0	X 75883.75	= 0
<u>LCDC:</u>	0	X 75883.75	= 0
<u>City:</u>	20%	X 75883.75)	= \$15,176.55
<u>Foundation</u>	0	X 75883.75	= 0
<u>PAC</u>	80%	X 75883.75	= \$60,707.20
<b>Total</b>			<b>= \$75,883.75</b>

The Parties shall be responsible for payment to PAC for their respective proportionate share of the Program funding on a monthly basis, as billed by PAC.

**PERFORMANCE ANALYSIS:** Many city departments have already benefited from having outside grant writing support, most specifically Fire, Streets, Parks, and Administration (Kroc Grant).

**QUALITY OF LIFE ANALYSIS:**

The city has benefited greatly from sharing this grant writing position.

**DECISION POINT/RECOMMENDATION:**

The City Council is requested to approve/recognize the new, reduced amount the city is responsible for as per the amended MOA with the Lake City Development Corporation (LCDC), the Human Rights Education Institute (HREI), the Library Foundation, and the Panhandle Area Council (PAC).

## **SHARED GRANT WRITER INITIATIVE MEMORANDUM OF AGREEMENT**

This SHARED GRANT WRITER INITIATIVE MEMORANDUM OF AGREEMENT (this “Memorandum”) is entered into by and among the Coeur d’Alene public-oriented entities listed below (hereinafter “Party / Parties”) regarding the development of a Shared Grant Writer Program (hereinafter “Program”), and the hiring of grant writer for said Program. This Memorandum shall be effective as of the date executed by the last entity to execute this Memorandum.

### **Parties**

The **Lake City Development Corporation**, an independent public body, corporate and politic, is an urban renewal agency created by and existing under the authority of and pursuant to the Idaho Urban Renewal Law of 1965, being Idaho Code Title 50, Chapter 20, and the Local Economic Development Act of 1988, being Idaho Code, Title 50, Chapter 29, as amended and supplemented (collectively the “Act”); for the City of Coeur d’Alene, hereinafter referred to as the “LCDC”;

The **City of Coeur d’Alene**, Kootenai County, Idaho, a municipal corporation organized and existing under the laws of the state of Idaho, hereinafter referred to as the “City,”;

The **Human Rights Education Institute, Inc.**, a Kootenai County-based non-profit corporation organized and existing under the laws of the state of Idaho, hereinafter referred to as the “Institute”;

The **Coeur d’Alene Public Library Foundation, Inc.**, a private non-profit entity organized and existing under the laws of the state of Idaho, hereinafter referred to as the “Foundation”;

The **Panhandle Area Council**, a Region One, Sub-State Planning District non-profit corporation organized and existing under the laws of the state of Idaho, hereinafter referred to as “PAC”;

### **WITNESSETH:**

WHEREAS, it is the desire of the Parties to maximize efforts and common interests, and to combine resources in developing the Program to enhance the financial infrastructure of each respective entity;

NOW, THEREFORE the Parties agree as follows:

1. A Program will be developed to continue the employment of a grant writer to provide the technical skills necessary to successfully acquire federal, state and private grant funds for each Parties’ projects / initiatives;

2. Each Party will designate one person to serve on a steering committee that will direct the activities of the grant writer and recommend the individual for employment consideration;
3. PAC will employ and house the Program's grant writer, will provide all day-to-day administrative oversight of the Program's grant writer, will include the Program's grant writer in the standard PAC benefit program, payroll and worker's compensation coverage, and will provide administrative staff to support administration of any Program awarded grants;
4. The Program's grant writer will be an "at will" employee of PAC, with the employee's continued employment being contingent upon both available position funding, and the Parties' satisfaction of job performance;
5. Each Party agrees to the Program funding formula as described below:

∪ The annual base salary for the grant writer position, as of April, 2006, is \$42,171.00. The Program's total estimated annual salary cost is \$71,943.75 (\$42,171.00 \* 1.706). The 1.706 multiplier equates to PAC's overhead salary administration costs (i.e. health care benefits, retirement, workers comp., etc.). Additionally, the Parties agree to pay for relevant monthly administrative costs incurred by PAC associated with the Grant Writer position (e.g. copier, telephone, internet access, office supplies), estimated at \$120/month, \$1,440/year, and for appropriate workshops and training sessions, estimated at \$2,500/year. Therefore, the estimated total annual Program cost for budgeting purposes is \$75,883.75 (\$71,943 + \$1,440 + \$2,500).

∪ For the 2006/2007 operating year, cost contribution per Party will be determined by a formula tied to grant proceeds realized by each Party in the previous calendar year (i.e. a Return On Investment (ROI) based approach - specific Party grant \$ received / total Program grant dollars) \* \$75,883.75.

Institute:

$$0 \times 75883.75 = 0$$

LCDC:

$$0 \times 75883.75 = 0$$

City:

$$20\% \times 75883.75 = \$15,176.75$$

Foundation

$$0 \times 75883.75 = 0$$

PAC

$$80\% \times 75883.75 = \$60,707.00$$

Total	\$75,883.75
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The Parties shall be responsible for payment to PAC for their respective proportionate share of the Program funding on a monthly basis, as billed by PAC.

### **Management**

As described in item 2 above, each Party will appoint one person to serve on the Program steering committee, whose charge will be to recommend for employment, coach, monitor and direct the grant writing efforts of the grant writer. The steering committee will meet at least once a month initially as the program builds, then will meet periodically as needed. Management decisions shall be by majority vote with LCDC, the City, the Institute, PAC and the Foundation each having one vote.

### **Termination**

This Memorandum will remain in effect for three years following the date of signing, unless a Party desires to withdrawal from the Memorandum. Such withdrawal shall be effective after thirty (30) days written notice to the other Parties, with the departing Party agreeing to fund their respective share of the Program costs for the balance of the relevant calendar year. For example, if a Party submits an MOA withdrawal letter on March 1<sup>st</sup>, their withdrawal becomes effective April 1<sup>st</sup>, and they are responsible for their share of the program costs for the rest of that calendar year (April – December).

### **Addition of Party(ies)**

Any additional parties may be joined in this Agreement only with the unanimous written agreement of all Parties.

### **Promise of Cooperation, Mediation/Arbitration**

Should costs or circumstances change, operational difficulties arise or misunderstandings develop, the parties agree to meet and confer at the request of any party to discuss the issue and proposed solutions. Further, each party agrees not to bring a claim, initiate other legal action, charge additional costs or suspend performance without meeting directly with the other parties regarding the subject matter of the disagreement. If remedies to issues are not attained, then any disputes arising under this Agreement shall be resolved by mediation. The parties shall mutually agree to the selection of a mediator. If the Parties cannot agree to a mediator, or, if mediation does not resolve the issues, then the matter shall proceed to arbitration. Arbitration shall be conducted in accordance with the rules of the American Arbitration Association and the Idaho Uniform Arbitration Act, or upon such other terms as the Parties shall mutually agree.











**GRANTWRITER INITIATIVE as of 2/06/2006**

PROPOSAL TO	FROM	DATE	REQUESTED	PROJECT	\$ Awarded	% \$ request	% awarded
<b>2003</b> NWCDI	IDC	6/15/2003	\$ 500	scholarship to CDI	\$ 500	100%	
Paul Allen Found.	CDA-LCSC	9/30/2003	60,000	Senior Center	-	0%	
Kootenai Elec. Trust	CDA-SNR	10/14/2003	1,500	Camp Allstars	1,000	67%	
Stimson-Miller	CDA-SNR	10/15/2003	2,500	Camp Allstars	2,500	100%	<b>75%</b>
<b>2004</b> CMAQ**	CDA-Streets	1/2/2004	140,000	Street Sweeper	140,000	100%	
CMAQ**	PAC-Pinehurst	1/2/2004	85,000	Flusher/Deicer truck	85,000	100%	
ID Community Fdn	CDA-SNR	1/15/2004	5,000	Camp Allstars	2,000	40%	
ID Community Fdn	HREI	1/15/2004	5,000	MLKing Day	-	0%	
ID Community Fdn	CDAPLF	1/15/2004	1,000	Endorse bldg proj	1,000	100%	
ID Community Fdn	CDA - LCSC	1/15/2004	1,224	LCSC meat slicer	1,224	100%	
WIF	CDA-Parks	1/31/2004	50,000	3rd St. Docks	50,000	100%	
Ironman CdA Fund	CDA-SNR	3/15/2004	3,000	Camp Allstars	500	17%	
Staples Found	CDA-SNR	4/2/2004	5,000	Camp Allstars	-	0%	
United Way**	CDA-SNR	4/9/2004	4,400	Camp Allstars	8,000	182%	
Insty-Prints	CDA-SNR	5/5/2004	1,000	printing project	500	50%	
Coldwater Creek	CDA-LCSC	5/5/2004	unspecified	kitchen remodel	-	0%	
FEMA	CDA-Fire Dept.	5/14/2004	117,000	Fire Safety House	65,698	56%	
RBEG	PAC - SVEDC	5/15/2004	20,000	Bus. Complex	20,000	100%	
Verizon Foundation	CDA-LCSC	6/10/2004	5,719	computer equipment	3,500	61%	
NWCDI	IDC	6/15/2003	500	scholarship to CDI	500	100%	
Community Collab.	CDA-SNR	6/30/2004	5,000	Camp Allstars	5,000	100%	
Ronald McDonald	CDA-SNR	9/1/2004	3,000	Camp Allstars	-	0%	
CdA Eagles Aux.	CDA-SNR	4/15/2004	500	Camp equipment	500	100%	
Stimson-Miller	CDA-SNR	9/1/2004	5,000	Camp Allstars	-	0%	
Avista Foundation	HREI	9/1/2004	2,200	MLKing Day	-	0%	
Bank of America	HREI	8/13/2004	1,000	MLKing Day	1,000	100%	
Subtotal 2003-4			<b>\$ 525,043</b>		<b>\$ 388,422</b>	<b>74%</b>	<b>73%</b>
<b>2005</b> Ironman CdA Fund	CDA-SNR	1/15/2005	2,000	Camp Allstars	1,000	50%	
Northwood Park	CDA-Parks	1/30/2005	97,950	Northwood Park	97,950	100%	
Live Foundation	CDA-SNR	3/15/2005	1,000	Camp Allstars	1,000	100%	
Atlas Bike Trail	CDA-Parks	1/30/2005	399,195	Centennial connection	-	0%	
Pinehurst Park and Trail	PAC	1/28/2005	449,325	Bike Trail and Gateway	449,325	100%	
Kootenai Elec. Trust	CDA-SNR	4/26/2005	800	Camp Allstars	800	100%	
Hasbro Children's Fdn	CDA-SNR	5/15/2005	5,000	Camp Allstars	-	0%	
National Endowment Arts	CDA-Parks	5/15/2005	10,000	Cherry Hill 9-11 Park	-	0%	
Staples Foundation	CDA-SNR	6/22/2005	5,000	Camp Allstars	-	0%	
NWCDI	PAC	6/15/2003	500	scholarship to CDI	500	100%	
Idaho's Promise	CDA	6/10/2005	1,600	Youth Workshop	1,600	100%	
Community Collab.	CDA-SNR	6/30/2005	5,000	Camp Allstars	5,000	100%	
Kiwanis	CDA-SNR	9/1/2005	1,000	Camp Allstars	-	0%	
LCDC Fine Arts Grant	HREI	11/15/2005	4,000	Human Rights Plinth	4,000	100%	
Eagles	CDA-SNR	9/15/2005	500	Camp Allstars	500	100%	
Subtotal 2005			<b>\$ 982,870</b>		<b>\$ 561,675</b>	<b>57%</b>	<b>67%</b>

**Program totals requested: \$ 1,507,913 awarded: \$ 950,097 63%**

**Proposals pending or counted in 2006**

The Salvation Army	CdA	7/1/2006	\$ 59,000,000	Kroc Center
Hud-RHED	PAC	7/11/2005	150,000	Rural Eco Dev Outreach
Paul G Allen	CdAPLF	8/15/2005	400,000	New Library
Christopher Reeve Fdn.	CDA-SNR	9/1/2005	4,195	Camp Allstars
Albertson Foundation	CdAPLF	11/15/2005	75,000	New Library
Washington Trust Bank	CdAPLF	11/15/2005	10,000	New Library
Tennis in the Park	CDA-Parks	11/1/2005	undetermined	tennis programs
CMAQ	PAC	12/30/2005	157,000	Pinehurst Sweeper/Truck
Idaho Community Fdn	CdA Police Dept	1/13/2006	4,100	Exercise Project
Idaho Community Fdn	SNR	1/13/2006	2,500	Camp Allstars
United Way	SNR	1/6/2006	15,000	Camp Allstars
Women's Gift Alliance	CdAPLF	1/13/2006	17,000	New Library
Women's Gift Alliance	SNR	1/13/2006	1,000	Camp Allstars
Women's Gift Alliance	CdA Police Dept	1/13/2006	1,000	Exercise Project
US Bancorp	CdAPLF	1/30/2006	75,000	New Library
Avista	CdAPLF	1/30/2006	5,000	New Library

To Date:	
Grants submitted	<b>58</b>
Grants decided	<b>41</b>
Grants awarded	<b>29</b>
% awarded overall	<b>71%</b>
<b>2005</b>	
Results by Active Consortium Member	
PAC	<b>\$ 449,825 80%</b>
City	<b>\$ 107,850 20%</b>
Library	<b>\$ - 0%</b>
Inactive Consortium Member	
HREI**	\$4,000

**GRANTWRITER INITIATIVE as of 2/06/2006**

Wells Fargo Bank	CdAPLF	1/30/2006	50,000	New Library
ITD Enhancement	CDA-Parks	1/30/2006	500,000	Atlas Bike Path
Ironman CdA Fund	SNR	1/15/2006	1,000	Camp Allstars
Norton Laird Foundation	PAC/PHD	2/3/2006	18,000	Watershed Preserv. Proj.
WIF	PAC	1/30/2006	7,000	Wildlife Discov, Sandpnt

\*\*To be considered in funding formula when grantseeking activities resume.

**Total pending**

**\$ 60,492,795**

Re: Resolution No. 06-029 Ex 4A

# CITY COUNCIL STAFF REPORT

**DATE:** May 2, 2006  
**FROM:** Christopher H. Bates, Project Manager  
**SUBJECT:** **Cooperative Agreement for the Seltice Way/Grand Mill Lane  
Intersection with the Post Falls Highway District**

---

## **DECISION POINT**

The City Council must approve all agreements requiring utilization of City resources.

## **HISTORY**

The US Bank Corporation partnered with the City, the Lake City Development Corp., and Neighborhood, Inc. to open a call center in the Mill River development on Seltice Way. A component of this partnership was the completion of a signalized intersection that would provide controlled access to the project. The Post Falls Highway District, in cooperation with the City of Coeur d'Alene, joined together with Neighborhood, Inc. to facilitate the development of the signalized intersection of Seltice Way and Grand Mill Lane. This intersection is multi-jurisdictional and therefore requires a cooperative agreement detailing jurisdictional responsibilities.

## **FINANCIAL ANALYSIS**

The City utilized Department of Commerce grant funding to construct the signalized intersection of Seltice Way & Grand Mill Lane.

## **PERFORMANCE ANALYSIS**

The signalization of the intersection has been completed and is fully functional, resulting in controlled traffic movements through the intersection. The attached agreement outlines signage & signalization maintenance, encroachments, pedestrian facilities & public utilities construction and location, and, indemnification.

## **RECOMMENDATION**

Approve the agreement with the Post Falls Highway District.

**COOPERATIVE AGREEMENT  
SELTICE WAY / GRAND MILL LANE INTERSECTION  
KOOTENAI COUNTY**

**PARTIES**

THIS AGREEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2006, by and between the POST FALLS HIGHWAY DISTRICT, hereafter called the PFHD, and the CITY OF COEUR D'ALENE, hereafter called the CITY.

**PURPOSE**

This Agreement is entered into for the purpose of complying with certain provisions of the PFHD Standards to maintain project related improvements.

The parties mutually agree that it is in the public interest to install traffic signals at the intersection of Seltice Way and Grand Mill Lane, and provide roadway improvements associated with the intersection, within the CITY's corporate limits, which improvements are to be made in accordance with the construction plans entitled Grand Mill Lane / Seltice Way Intersection.

The CITY, by authority of Title 50, Idaho Code, may adopt and enforce traffic control ordinances within its corporate limits in accordance with the Manual on Uniform Traffic Control Devices for Streets and Highways, as adopted by the State of Idaho and PFHD.

Authority for this Agreement is established by Section 40-1310 of the Idaho Code.

The Parties agree as follows:

**SECTION I.** That the PFHD will:

1. Continue maintenance responsibility for the highway and new roadway improvements within the PFHD right-of-way to PFHD Standards.
2. Furnish and install all official guide signs on the PFHD highway system and all confirming and reassurance route makers and guide arrows to properly identify the PFHD highways.
3. Permit the CITY to retain, maintain, connect to, and improve all existing CITY-owned waterlines, storm sewers, and sanitary sewer now in place on the PFHD right-of-way.
4. Indemnify, save harmless, and defend regardless of outcome the CITY from expenses of and against suits, actions, claims, or losses of every kind, nature, and description; including costs, expenses, and attorney fees that may be incurred by reason of any act or omission, neglect, or misconduct of the PFHD maintenance of the work.

**SECTION II.** That the CITY will:

1. Program the construction of the project and execute all necessary agreements with the property owners, securing the pro rata participation in the eligible construction costs.
2. Furnish and install all official guide signs at junctions of the urban extensions with PFHD's system and all confirming and reassurance route makers and guide arrows along the urban extensions necessary to properly identify the CITY's system.
3. Grant easements to the PFHD, if required for installation and maintenance of traffic signalization at the intersection or future intersecting roadways.
4. Through appropriate ordinance and police power, cooperate with and assist the PFHD in prohibiting and removing encroachments on any part of the PFHD highway right-of-way within the project limits.
5. Obtain concurrence of the PFHD, before using the traffic signal poles or mast arms for any purpose other than to support traffic control devices or luminaries.
6. Upon completion of the project, accept from the PFHD ownership of all highway and street lighting and signal equipment to be installed in accordance with approved plans, and upon request to energize, assume all operation, and the costs thereof, required to maintain the equipment in continuous service during the hours of darkness and not remove, alter, or abandon the lighting equipment without the prior concurrence of the PFHD. In the event that the "Average Maintained Foot-Candles" of the lighting system drops below seventy (70) percent of the original installed values, the CITY shall cause the light intensity to be restored to approximately the original values. Any combination of relamping and/or cleaning of fixtures may be used to achieve the necessary desired intensity.
7. Obtain concurrence of the PFHD before installing or constructing any new, or relocating any existing sidewalk/pathway of any existing CITY-owned waterline, storm sewer, sanitary sewer, or other facilities with the PFHD right-of-way within the project limits.
8. Obtain concurrence from the PFHD before vacating or closing any right-of-way connecting to the PFHD highway within the project limits.
9. Obtain concurrence from the PFHD before accepting any new street or alley right-of-way connecting to the PFHD highway within the project limits.
10. Indemnify, save harmless, and defend regardless of outcome the PFHD from expenses of and against suits, actions, claims, or losses of every kind, nature, and description; including costs, expenses, and attorney fees that may be incurred by reason of any act or omission, neglect, or misconduct of the CITY in the maintenance of the work.

**SECTION III.** Both Parties agree that:

1. The traffic signal installation will not be altered or abandoned without the prior concurrence of both parties.
2. This Agreement shall become effective on the first date mentioned above and shall remain in full force and affect until amended or replaced upon the mutual consent of the CITY and PFHD.

**EXECUTION**

This Agreement is executed for the PFHD by its Board Chairman, and executed for the CITY by the Mayor, attested to by the City Clerk with the imprinted Corporate Seal of the CITY OF COEUR D'ALENE.

**POST FALLS HIGHWAY DISTRICT**

**APPROVED BY:**

\_\_\_\_\_  
Lynn Humphreys, Chairman

**ATTEST:**

**CITY OF COEUR D'ALENE**

\_\_\_\_\_  
Susan Weathers, City Clerk

\_\_\_\_\_  
Sandi Bloom, Mayor

(Seal)

## **STAFF REPORT**

### **General Services**

**DATE:** April 12, 2006  
**FROM:** Steve Anthony Recreation Director  
**SUBJECT:** **DECLARATION FOR SOLE SOURCE PROCUREMENT**

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#### **DECISION POINT:**

The Council is requested to authorize staff to publish a declaration for the sole source procurement of a MUSCO Light -Structure Green Sports Cluster Lighting System for Ramsey Field #2

#### **HISTORY:**

The Recreation Department currently has \$84,000 for installing field lights at Ramsey Park. The department has been researching different lighting systems. MUSCO Sports Lighting has developed a new system Light Structure Green. This system reduces energy consumption by 40% and requires 40% less fixtures. The city has previously purchased 4 new lighting systems, which have all been the MUSCO System. We have found them to be trouble free.

**FINANCIAL ANALYSIS:** The Department has received a quote of \$49,000.00 from MUSCO for the system. I have called other cities that have purchased this new system and they have paid \$58,000.00 I am requesting this request under Idaho Statute Title 67-2808 sole source procurement where the sole suppliers item is needed for trial use or testing and the purchase of property for which it is determined there is no functional equivalent.

#### **PERFORMANCE ANALYSIS:**

MUSCO has developed a new lighting technology to reduce energy costs. This new technology will save the city approximately \$900.00 a year in energy costs. MUSCO is also the only company that supplies a cylinder footing. This is important because of the liner over the landfill on Ramsey #2. By using a cylinder footing we can drill a foundation hole instead of digging a hole. This makes the process of resealing the liner around the footing easier. The new lighting system will also include glare shields to reduce light spillage into the surrounding neighborhood.

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

The Council is requested to authorize staff to publish a declaration for the sole source procurement of MUSCO Green Sports Cluster Lighting System in the amount of \$49,000.00



# CITY OF COEUR D'ALENE

FINANCE DEPARTMENT

CITY HALL, 710 E. MULLAN  
COEUR D'ALENE, IDAHO 83816-3964  
208/769-2233 – FAX 208/769-2334

## PRICE REASONABLENESS ANALYSIS AND DOCUMENTATION FOR PROCUREMENT OF SERVICES OR PERSONAL PROPERTY

**To:** Finance Department  
**From:**  Recreation Department  
**Date:**  April 14, 2006

**Background.** These price reasonableness procedures apply to the procurement of services and personal property over \$25,000 including vehicles. By Idaho statute, unless the purchase meets a stipulated exception, formal bidding is required for items over \$50,000. Purchases between \$25,000 and \$50,000 are normally made by obtaining 3 competitive quotes. In some cases, a sole source justification can be presented to document the purchaser's rational why obtaining 3 quotes was not possible.

**Required Action.** For all purchases between \$25,000 and \$50,000 this form will be used to document price reasonableness. This form shall be submitted with payment invoicing. To document price reasonableness, this form shall also accompany invoicing for any purchase over \$50,000 when price was not obtained through competitive bidding (e.g., sole source justification, purchase off of a state, federal or another agency open procurement).

### PRICE REASONABLENESS DETERMINATION

**Item Description:** \_\_\_\_\_ MUSCO Green Field Lighting System  
**In Financial Plan?** Yes No (Circle)

**Budget Amount in Financial Plan** \$ \_\_\_\_\_ \$64,000.00  
**Purchase (invoice) Amount:** \$ \_\_\_\_\_ \$49,000.00

**Competitive Quotes Obtained? If so:**

Proposed Vendor's Price: \$ \_\_\_\_\_ Vendor Name: \_\_\_\_\_  
2<sup>nd</sup> Vendor Price \$ \_\_\_\_\_ Vendor Name: \_\_\_\_\_  
3<sup>rd</sup> Vendor Price \$ \_\_\_\_\_ Vendor Name: \_\_\_\_\_

**For used vehicles, document Kelly Blue Book value (see [www.kbb.com](http://www.kbb.com)):** \$ \_\_\_\_\_

**If Competitive Quotes Not Obtained, Provide Price Reasonableness Analysis:**  The MUSCO Green lighting System is new state of the art field lighting technology. The Recreation Department has purchased MUSCO lighting systems for our other facilities. MUSCO lights have proved to be of the highest quality and virtually trouble free. This new technology will save the city approximately \$900.00 a year on field light costs. I have done research on the internet and can not find any other company that has comparable technology.

## **CITY COUNCIL STAFF REPORT**

**DATE:** May 2, 2006  
**FROM:** Christopher H. Bates, Project Manager  
**SUBJECT:** **Canfield Court Condominiums, Final Plat Approval**

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### **DECISION POINT**

Staff is requesting the following:

1. City Council approval of the final plat of the Canfield Court Condominiums, a twelve (12) unit condominium development.

### **HISTORY**

Applicant: Paul Rau  
PO Box 369  
Coeur d'Alene, ID 83816

Location: East side of 15<sup>th</sup> Street, between Mary and Thomas Lanes.

Previous Action:

1. Preliminary plat approval by the CdA Planning Commission, February 2006.

### **FINANCIAL ANALYSIS**

There are no agreements, bonds or financial items related to this plat approval.

### **PERFORMANCE ANALYSIS**

This is a series of existing structures (6) that were originally constructed as apartments and the developer has elected to convert the units to condominium ownership. All site development issues were previously addressed during the construction of the buildings.

### **QUALITY OF LIFE ANALYSIS**

Completion of this process will allow for the sale of the units.

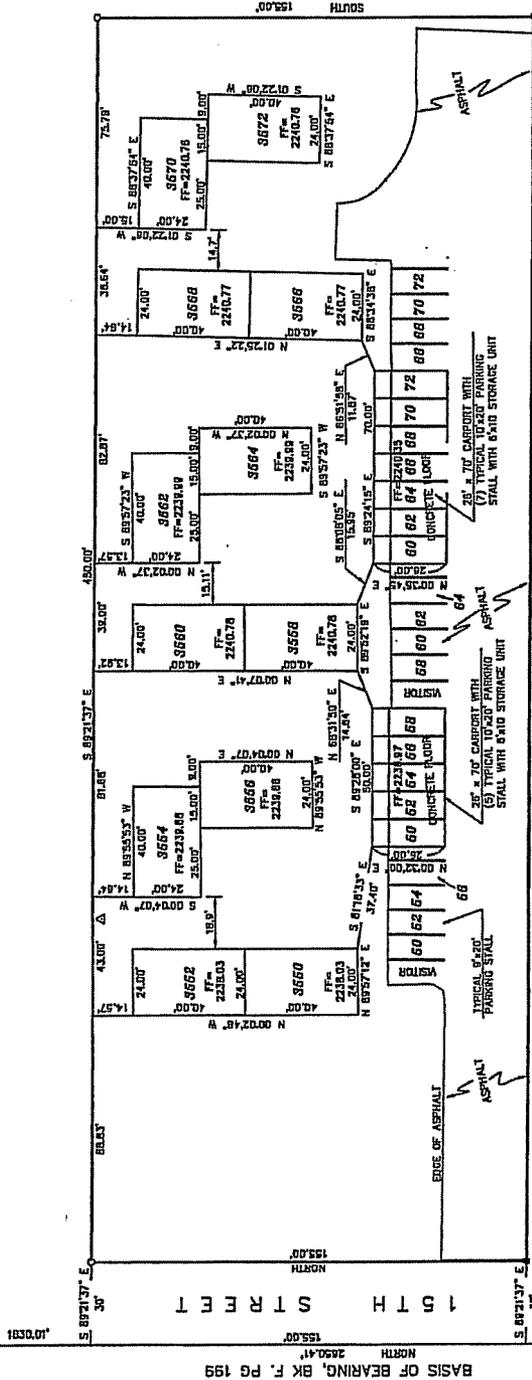
### **DECISION POINT RECOMMENDATION**

1. Approve the final plat of the Canfield Court Condominiums.

# CANFIELD COURT CONDOMINIUM PLAT

BEING LOT 3 OF THE PLAT OF BRECKENRIDGE ESTATES IN BOOK F, PAGE 189,  
RECORDS OF KOOTENAI COUNTY, IN THE NW¼ SEC. 6, T.50N., R.3W., B.M.,  
IN THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

NW COR. SEC. 6  
FOUND BY BRASS CAP  
C.P.M. #14180



FLOOR PLAN DETAILS  
SEE SHEET 2 OF 3

NOTE:  
1-RESERVATED CARPORT STALL  
2-RESERVATED OUTSIDE PARKING STALL  
3-SHARED VISITOR PARKING STALLS

450.00'

450.00'

450.00'

450.00'

450.00'

450.00'



GRAPHIC SCALE



**LEGEND**

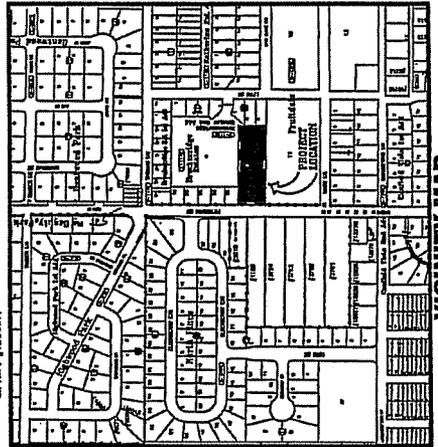
- ⊙ P.L.S.S. CORNERS AS NOTED
- FOUND BY REBAR WITH PVC CAP MARKED PLS 4194,  
REBAR WITH "N" REBAR WITH PLS 3809 CAP
- SET "N" REBAR WITH PVC CAP MARKED "PLS 6265".

**REFERENCES**

PLAT OF BRECKENRIDGE ESTATES- BOOK F, PAGE 189  
ELEVATION DATUM BASED ON CITY BENCH MARK  
J&J- CURVATURE BUILT ON TOP OF SOUTH CURB ON THOMAS  
STREET- ELEVATION = 2283.39  
RETURN- ELEVATION = 2283.39  
BASE OF BEARING  
BASE OF THE PLAT CLOCKWISE 07524" TO PUT ON THE CITY  
OF COEUR D'ALENE GRID BEARING DATUM OF MARCH 23, 1922  
ADJUSTMENT. THE WEST LINE OF THE NORTHEAST QUARTER  
OF SECTION 6; NORTH- N 07934" E (800), 605= 1000009



RUSSELL E. HOLSAKER, P.L.S. #2283  
DATE \_\_\_\_\_



VICINITY MAP

CANFIELD COURT CONDOMINIUM PLAT

BOOK 66 DWG C330

DATE 01/31/06

FRANK & SHERMAN, PA  
Consulting Engineers  
401 North to West, Coeur d'Alene, Idaho  
frank@frankandsherman.com  
1 of 3

# 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) Am. Pd. 25-  
 Rec. No. \_\_\_\_\_  
 Date 4/24/06  
 Date to City Council: \_\_\_\_\_  
 Reg. No. \_\_\_\_\_  
 License No. \_\_\_\_\_  
 By \_\_\_\_\_

Check the **ONE** box that applies:

<input type="checkbox"/>	Beer only (canned and bottled) not consumed on premise	\$ 50.00 per year
<input type="checkbox"/>	Beer and Wine (canned and bottled) not consumed on premise	\$250.00 per year
<input type="checkbox"/>	Beer only (canned and bottled only) consumed on premise	\$100.00 per year
<input type="checkbox"/>	Beer and Wine (canned and bottled only) consumed on premise	\$300.00 per year
<input type="checkbox"/>	Beer only (draft, canned, and bottled) consumed on premise	\$200.00 per year
<input 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	\$ 25.00

Business Name	CHILI'S
Business Address	482 WEST SUNSET AVE
City State Zip	COEUR D'ALENE, ID 83815
Business Contact	Telephone Number: _____ Fax: _____ 208-676-1826
Manager Name	Rogue Barola
Manager Home Address	5964 NORTH LA ROCHELLE COEUR D'ALENE, ID 83815
Manager Information	Social Security No. <u>585-27-3547</u> Date of Birth <u>9-20-67</u>
Manager Contact	Telephone: <u>208</u> Cell: <u>208</u> e-mail: _____ <u>665-2171 659-8571</u>
Manager Place of Birth	Anaheim, CA
License Applicant	Shoot The Moon LLC
Filing Status (circle one)	Sole Proprietor Corporation Partnership <b>LLC</b> Other
Address of Applicant	SHOOT THE MOON, LLC 1400 MARKET PLACE DRIVE, GREAT FALLS, MT 59404
Applicants Prior Address for past five years	See next page
Applicants Prior Employment for past 5 years	See next page

# ANNOUNCEMENTS

OTHER COMMITTEE MINUTES  
(Requiring Council Action)

**GENERAL SERVICES COMMITTEE  
MINUTES**

Monday, April 24, 2006  
4:00 p.m., Council Chambers

**MEMBERS PRESENT**

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

**CITIZENS PRESENT**

Tom Green, Coeur d' Alene Press

**STAFF MEMBERS PRESENT**

Bill Greenwood, Parks Superintendent  
Wendy Gabriel, City Administrator  
Gordon Dobler, City Engineer  
Doug Eastwood, Parks Director

**STAFF MEMBERS Con't**

Warren Wilson, Deputy City Attorney  
Troy Tymesen, Finance Director  
Wendy Carpenter, Police Chief  
Anna Eckhart, Deputy City Attorney  
Jon Ingalls, Deputy City Administrator  
Tim Martin, Streets Superintendent  
Dan Cochran, Deputy Fire Chief  
Victoria Bruno, Project Coordinator  
Steve Anthony, Recreation Director  
Renata McLeod, Project Coordinator  
Pam MacDonald, HR Director

**Item 1. Rejecting Bids/Central Irrigation Management System.  
(Consent Resolution 06-029)**

Bill Greenwood is requesting authorization to reject the single bid that was received for a Central Irrigation Management System, and asked for authorization to solicit proposals. Bill noted that the Water Department has a line item budgeted for water conservation to fund projects such as this. Because the bid received was higher than the amount budgeted, staff is requesting to solicit proposals.

**MOTION: THE COMMITTEE is recommending that the City Council adopt Resolution No. 06-029 authorizing staff to reject the bid received for a Central Irrigation Management System, and authorize staff to solicit proposals.**

**Item 2. Council Bill No. 06-1008/Amendments to Parking Commission Appeals Process.  
(Agenda Item)**

Anna Eckhart requested approval to amend Municipal Code Sections 2.66.040 and 10.27.050 to change the appeal process for parking violations so that one (1) Member of the Parking Commission will review the appeal form and issue a written decision to the appellant. Anna noted this amendment will improve the quality of life in the City because it will keep the Parking Commission informed of potential parking problems within the City, while saving all parties time and costs for implementing an appeal. Discussion ensued regarding the rotations of the Parking Commission Members and the compilation of valid appeals.

**MOTION: THE COMMITTEE is recommending that the City Council adopt Council Bill No. 06-1008 amending the parking Commission Appeals Process as submitted to include additional verbiage requiring the compilation of valid appeals to be reviewed by the Parking Commission Members.**

**Item 3. Request for Sole Source Procurement/Field Lighting for Ramsey II.  
(Consent Calendar)**

Steve Anthony requested authorization to publish a declaration for the sole source procurement of MUSCO Green Sports Cluster Lighting System for Ramsey Field #2 in the amount of \$49,000. Steve noted that MUSCO has developed a new system that reduces energy consumption by 40% and requires 40% less fixtures. The City previously purchased 4 MUSCO lighting systems, which all have been found to be trouble free. Steve added that MUSCO is the only company that supplies a cylinder footing. This is important because of the liner over the landfill on Ramsey #2. By using the cylinder footing, they can drill a foundation hole instead of digging a hole. This makes the process easier for resealing the liner around the footing.

**MOTION: THE COMMITTEE is recommending that the City Council authorize staff to publish a declaration for the sole source procurement of MUSCO Green Sports Cluster Lighting System in the amount of \$49,000.00.**

**Item 4. Parking Lot Lights/Independence Point.  
(Agenda Item)**

Doug Eastwood requested authorization to fund 2 parking lot lights at Independence Point. Doug noted that increased activity occurring later in the evenings in this parking lot is resulting in Police officers being frequently called. There are a couple of dark spots in the parking lot that would be corrected with the additional lighting.

**MOTION: THE COMMITTEE is recommending that the City Council authorize the funding for the 2 additional parking lot lights at Independence Point.**

**Item 5. Council Bill No. 06-1010/Blasting Ordinance.  
(Agenda Item)**

Dan Cochran is requesting an amendment to the Municipal Code by adopting an ordinance regulating the possession, manufacture, storage, handling, sale and use of explosives within the City of Coeur d'Alene. Dan noted that currently there is no regulation of the use of explosives within the city other than the requirements of the International Fire Code. All costs currently incurred by the Fire Department for inspections, etc. must be paid for with tax dollars. Additionally, there is no incentive for using alternate, less intrusive excavation methods. This ordinance will require the approval of the City Engineer if alternate excavation methods are not feasible prior to issuance of a permit and any costs incurred by the city will be covered by the applicant through the permit fees. The process for establishing fees was discussed.

**MOTION: THE COMMITTEE is recommending that the City Council adopt Council Bill No. 06-1010 regulating the possession, manufacture, storage, handling, sale and use of explosives within the City of Coeur d'Alene and directed staff to prepare the needed documents to establish the permit fees by Resolution.**

**Item 6. Council Bill No. 06-1011/Key Box Ordinance.  
(Agenda Item)**

Dan Cochran is requesting an amendment to the Municipal Code by adopting an ordinance requiring certain structures have a key lock box installed on the exterior of the structure. Dan noted that buildings in the City of Coeur d'Alene that have life safety systems, such as fire alarm and fire sprinkler systems have been required to have key lock boxes for many years. These key lock boxes have allowed the Fire Department to rapidly enter these buildings, minimizing damage and loss of valuable time. Currently when responding to calls for emergency service in buildings without key lock boxes the Fire Department must either wait for a responsible party to arrive with a key, causing loss of valuable life saving time or as in many instances, force entry into the structure causing costly damage to the building.

**MOTION: THE COMMITTEE is recommending that the City Council adopt Council Bill No. 06-1011 requiring certain structures have a key lock box installed on the exterior of the structure.**

**Item 7. Council Bill No. 06-1012/Firefighter Equipment Closet.  
(Agenda Item)**

Dan Cochran is requesting an amendment to the Municipal Code by adopting an ordinance requiring firefighter equipment rooms in all new buildings/towers of ten (10) or more stories in height and other large new construction projects where any point of the buildings interior is more than one hundred and fifty (150) feet from a fire department access point if the Fire Chief determines, based on the occupancy types and layout of the building, that the equipment rooms are necessary to allow the fire department to safely fight a fire in the building. Dan added that one of the greatest logistical challenges facing fire departments in high-rise fires is getting the needed equipment from the ground floor to the upper floors and still maintain enough personnel and energy to carry out a sustained firefighting operation. In most instances the elevators cannot be used and everything must be carried up the stairs. Because of this many jurisdictions have adopted ordinances requiring equipment rooms in high-rise buildings. Dan also noted that the Fire Department will be applying for a grant to begin purchasing equipment that will be stored in the equipment closets.

**MOTION: THE COMMITTEE is recommending that the City Council adopt Council Bill No. 06-1012 requiring certain new structures have a firefighter equipment room/closet.**

**Item 8. M.O.A. Renewal/Grant Writer.  
(Consent Resolution No. 06-028)**

Victoria Bruno is requesting the City Council approve/recognize the new, reduced amount the city is responsible for as per the amended MOA with the Lake City Development Corporation (LCDC), the Human Rights Education Institute (HREI), the Coeur d' Alene Public Library Foundation (CDAPLF), and the Panhandle Area Council (PAC). Victoria added that the City of Coeur d'Alene was formerly part of an MOA with LCDC and the HREI. Two new entities joined the MOA in December 2003, and the city, in principal, is now splitting the cost between five instead of between three entities. In the MOA, it states, "Each Party will commit to fund the Program for three years, with each Party funding the first two years

of the Program's annual cost ...[split five ways] (annual percentages for the first two years are fixed unless the Parties agree to partner with an additional entity...)” Costs for the third year, and every year after, would be based on a formula tied to grant proceeds realized by each Party.

Councilman Hassell voiced his concern that when figuring the grant writer's salary for the city (which is based on the grant dollars secured for the city as a percentage of total grant dollars received in a calendar year for *all* entities), that the total dollar figure must not include grant monies from any entity connected to the City of Coeur d'Alene.. Discussion ensued. Victoria noted that Councilman Hassell's concerns would be addressed.

**MOTION: THE COMMITTEE is recommending that the City Council adopt Resolution No. 06-028 approving the new, reduced amount the city is responsible for as per the amended MOA with the Lake City Development Corporation, the Human Rights Education Institute, the Coeur d' Alene Public Library Foundation, and the Panhandle Area Council.**

**Item 9. Presentation/ADA Compliance for Pedestrian Ramps for Overlay Projects.  
(Information Only)**

Jon Ingalls gave a presentation entitled “ADA Compliance Check-In/Pedestrian Ramps for Overlay”. The topics were as follows:

- Progress Report on Pedestrian Ramps
- Contracting of 3<sup>rd</sup>, 4<sup>th</sup>, and Harrison Pedestrian Ramps
- Pilot Project In-House Pedestrian Ramps
- 2006 Overlay – Ramsey Road
- Driveway / Approaches

**INFORMATION ONLY**

The meeting adjourned at 5:20 p.m.

Respectfully submitted,

**DEANNA GOODLANDER, Chairman**

Juanita Van Cleave  
Recording Secretary

**GENERAL SERVICES COMMITTEE  
STAFF REPORT**

DATE: April 18, 2006

FROM: Anna M. Eckhart, Deputy City Attorney

SUBJECT: Amendment to M.C. 2.66.040 (Parking Commission Appeal Board)  
And M.C. 10.27.050 (Appeal to Parking Commission Appeal Board)

-----

**DECISION POINT:**

The Council is requested to amend Municipal Code Sections 2.66.040 and 10.27.050 to change the appeal process for parking violations so that one (1) Member of the Parking Commission will review the appeal form and issue a written decision to the appellant.

**HISTORY:**

When the Parking Commission was formally established, an appeal process was put into place. This appeal process allowed a person cited with a parking violation to file a written notice of appeal. Thereafter, the Parking Commission Appeal Board would hold a hearing to decide the appeal. Since the initiation of this appeal process, it has come to the attention of the Parking Commission that (1) an inordinate amount of time is being spent by City Staff scheduling, organizing, and preparing for the parking commission appeal hearings; (2) a majority of persons appealing the parking violations do not appear at the time set for the appeal hearing; and (3) a majority of the appeals presented to the Appeal Board do not state grounds justifying voidance of the ticket. The Commission believes formalizing what constitutes grounds for voidance of the parking ticket and a written appeal process with one Member of the Parking Commission reviewing the appeal would accomplish the same goals.

**FINANCIAL ANALYSIS:**

The cost for implementing this amended appeal process would save the City money in terms of scheduling, organizing, and preparing for the appeal hearing. It would also save time for the Members of our Parking Commission who volunteer a significant amount of time to the City.

**PERFORMANCE ANALYSIS:**

The amended appeal process would still allow persons aggrieved of a parking violation to voice their concerns and disputes to a Member of the Parking Commission. Further, if a person is still not satisfied with the outcome of the appeal, he or she can always appear and comment at a general Parking Commission Meeting or a City Council Meeting. The Parking Commission will remain informed of potential parking problems within the City and will be able to resolve any legitimate parking violation disputes, although resolution would be handled in writing rather than in person at a hearing. Additionally, it may be more convenient for a person to conduct an appeal in writing rather than having to take time off of work for a parking violation. The proposed amendment to section 2.66.040 will also set forth what factors will not be considered a valid appeal, and these factors will be set forth on the Parking Ticket Appeal form. However, the Member of the Parking Commission reviewing the appeal shall review each written appeal individually on its own merits.

**QUALITY OF LIFE ANALYSIS:**

The written appeal process will improve the quality of life in the City because it will keep the Parking Commission informed of potential parking problems within the City, while saving all parties time and cost for implementing an appeal.

**DECISION POINT/RECOMMENDATION:**

It is recommended the Council adopt the proposed amendment to the appeal process for parking violations.

COUNCIL BILL NO. 06-1008  
ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, REPEALING SECTION 2.66.040 ENTITLED *APPEAL BOARD*; REPEALING SECTION 10.27.050 ENTITLED *APPEAL TO PARKING COMMISSION APPEAL BOARD* AND ADDING A NEW SECTION 10.27.050 ENTITLED *APPEAL*; TO CHANGE THE APPEAL PROCESS FOR PARKING VIOLATIONS FROM AN IN-PERSON APPEAL HEARING TO A WRITTEN APPEAL PROCESS; 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 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 2.66.040, is hereby repealed.*

**2.66.040: APPEAL BOARD:**

**SECTION 2 .** *That Coeur d'Alene Municipal Code Section 10.27.050, is hereby repealed.*

**10.27.050: APPEAL TO PARKING COMMISSION APPEAL BOARD:**

**SECTION 3 .** *That a new Coeur d'Alene Municipal Code Section 10.27.050, is hereby added as follows:*

**10.27.050: APPEAL:**

- A. A person wanting to file an appeal for a parking violation shall file a written Notice of Appeal, on a form approved by the Parking Commission within ten (10) calendar days of the issuance of the civil assessment (parking ticket).
- B. A Member of the Parking Commission shall review the written appeal and shall issue a written determination within fifteen (15) days of the filing of the Notice of Appeal.
- C. If the appeal is denied, the parking ticket shall be deemed valid and a written determination, setting forth the reasons for the denial, shall be forwarded to the appellant at the address set forth in the Notice of Appeal. The appellant shall then be required to pay the civil assessment by the due date set forth in the written denial of appeal. Failure to pay the assessment shall subject the appellant to the collection procedures set forth in Section 10.27.040 of this Ordinance.
- D. If the appeal is granted, the parking civil assessment shall be voided, and the appellant shall not be required to take further action.

- E. The Parking Commission, shall, by resolution, adopt a Notice of Appeal form, and shall establish criteria to be used by the Members when reviewing appeals.
- F. The Parking Commission shall also maintain a written compilation of valid appeals and shall review the same on a periodic basis to ensure appeals are deemed valid for consistent reasons and to keep the Commission informed of potential parking problems.

**SECTION 4.** All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 5.** 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 6.** 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 7.** 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 2<sup>nd</sup> day of May, 2006.

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Sandi Bloem, Mayor

ATTEST:

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Susan K. Weathers, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. \_\_\_\_\_  
REPEALING SECTIONS 2.66.040 AND 10.27.050 AND  
ADDING A NEW SECTION 10.27.050 – APPEAL

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, REPEALING SECTION 2.66.040 ENTITLED *APPEAL BOARD*; REPEALING SECTION 10.27.050 ENTITLED *APPEAL TO PARKING COMMISSION APPEAL BOARD* AND ADDING A NEW SECTION 10.27.050 ENTITLED *APPEAL*; TO CHANGE THE APPEAL PROCESS FOR PARKING VIOLATIONS FROM AN IN-PERSON APPEAL HEARING TO A WRITTEN APPEAL PROCESS; 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. \_\_\_\_\_, repealing Sections 2.66.040 and 10.27.050 and adding a new Section 10.27.050 – Appeal, 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 2<sup>nd</sup> day of May, 2006.

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Warren J. Wilson, Deputy City Attorney

**STAFF REPORT  
GENERAL SERVICES COMMITTEE**

**April 24, 2006**

**From: Doug Eastwood, Parks Director  
Wendy Carpenter, Police Chief**

**SUBJECT: PARKING LOT LIGHTS AT INDEPENDENCE POINT**

**DECISION POINT:**

Add two parking lot lights at Independence Point.

**HISTORY:**

This site is experiencing increased use year after year. The use is varied from people accessing the Commercial Docks, viewing the lake, visiting downtown or the Resort, or hanging out in the parking lot.

**FINANCIAL ANALYSIS:**

The cost to install two more parking lot lights is estimated at \$7,685.00. This would include poles and fixtures to match the existing lights including the paint color. Funds for this improvement would have to come out of the City's parking lot fund.

**PERFORMANCE ANALYSIS:**

Increased activity in this parking lot is occurring later in the evening. There are a couple of dark spots in the parking lot that could be corrected with the additional lighting. This request was brought forward by the CDA Police Officers last summer. The officers are frequently called to this parking lot late in the evening. It would make the officers job a little easier if the parking lot was lit better than it is currently. The proposed lights should not cause issues with ambient lighting as the fixtures will be 'down-lights' and not flooding the night sky.

**DECISION POINT:**

Authorize the funding for the additional parking lot lights at Independence Point.

# City of Coeur d'Alene

## FIRE DEPARTMENT

*"City of Excellence"*

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### Staff Report

**Date:** April 17, 2006

**From:** Dan Cochran, Deputy Fire Chief

**Re:** Blasting/ Use of Explosives Ordinance

**DECISION POINT:**

Mayor and City Council to adopt an ordinance regulating the possession, manufacture, storage, handling, sale and use of explosives within the City of Coeur d'Alene.

**HISTORY:**

Council directed staff to develop an ordinance regulating blasting/ the use of explosives within the city.

**FINANCIAL ANALYSIS:**

There will be no financial cost to the city. Though there will be some inspection, clerical and paperwork expenses involved in the permitting/ inspection process, however these costs will be covered by the permit fee structure.

**PERFORMANCE ANALYSIS:**

Currently there is no regulation of the use of explosives within the city other than the requirements of the International Fire Code. All costs incurred by the Fire Department for inspections, etc. must be currently paid for with tax dollars. In addition, there is really no incentive for using alternate, less intrusive excavation methods. This ordinance will require the approval of the City Engineer that alternate excavation methods are not feasible prior to issuance of a permit and any costs incurred by the city will be covered by the applicant through the permit fees.

**QUALITY OF LIFE ANALYSIS:**

With a goal to maintain and enhance the quality of life of the citizens and visitors of the City of Coeur d'Alene, this ordinance will restrict and regulate the use of explosives within the city. Explosives will only be allowed when alternate excavation methods are not feasible and will provide protections to the utilities, buildings and people within the vicinity of blasting activity.

**DECISION POINT/RECOMMENDATION:**

**For Mayor and City Council to adopt the Blasting/ Use of Explosives Ordinance.**

COUNCIL BILL NO. 06-1010  
ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, BY ADDING A NEW SECTION 15.06.060, ENTITLED *USE OF EXPLOSIVES*; REQUIRING THAT A BLASTING PERMIT BE OBTAINED FROM THE CITY PRIOR TO USING ANY EXPLOSIVES WITHIN THE CITY LIMITS; ESTABLISHING CRITERIA FOR ISSUING A PERMIT INCLUDING INSURANCE, PRE-BLAISTING INSPECTIONS AND NOTIFICATION , MONITORING AND ESTABLISHING THAT A VIOLATION OF THIS SECTION SHALL BE A MISDEMEANOR PUNISHABLE BY A FINE OF THREE HUNDRED DOLLARS OR IMPRISONMENT FOR SIX MONTHS OR BOTH; 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 General Services, 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 Section 15.06.060, entitled USE OF EXPLOSIVES, is hereby added to the Coeur d'Alene Municipal Code as follows:*

**15.06.060: USE OF EXPLOSIVES:**

**A. Scope:** The provisions of this section regulating the use of explosives are to be observed in addition to the requirements of the currently adopted edition of the International Fire Code. Where requirements conflict the provisions of this section apply.

**B. Permit Required:** A blasting permit shall be required prior to the use of any explosive within the City. Permits will be issued by the Fire Department after compliance with the requirements of this section.

**C. Site Plan Required:** The application for a blasting permit must be accompanied buy a site plan of the proposed blasting operation that identifies all utilities and structures within a one hundred (100) foot radius of each explosive blast. The site plan must also identify the proposed location of all seismographic sensing devices.

**D. Insurance Required:** Before a permit for the use of explosives is issued, the applicant must file with the City a liability insurance policy, naming the City as an additional insured, on an occurrence from basis in the principal amount of one million dollars (\$1,000,000) combined single limit for the purpose of the payment of all damages to persons or property which arise from or are caused by the

conduct of any act authorized by the permit. The insurance policy must be certified by the maker or underwriter to be unencumbered by claims or legal proceedings which may reduce available coverage below the one-million-dollar limit. The Fire Chief may require a greater or lesser amount of coverage when, in his opinion, conditions at the location of use indicate a greater or lesser amount is of coverage is required. Public agencies and utilities shall be exempt from this insurance requirement.

**E. Release of Liability:** Before any permit shall issue the applicant for said permit shall agree in writing to indemnify defend and hold the City and its officers, agents and employees harmless from any and all liability resulting from the issuance of the blasting permit and any blasting activity associated with the permit.

**F. Demonstrated Lack of Alternate Method:** Prior to the issuance of a blasting permit the applicant must demonstrate to the satisfaction of the City Engineer that excavation cannot be accomplished by use of suitable power excavation equipment. Suitable power excavation equipment is defined as a single-tooth ripper pulled by a crawler-type tractor having a flywheel rating of not less than three hundred (300) horsepower. When, in the opinion of the City Engineer, the circumstances of the proposed blasting make the requirement of this subsection impractical, the demonstration may be waived.

**G. Permit Fee:** The application for a blasting permit must be accompanied by the required fee in the amount established by resolution of the City Council. **[Draft resolution to set fee at two hundred dollars (\$200.00) for multiple detonation blasting and one hundred dollars (\$100.00) for single detonation blasting.]**

**H. Notification Required:** Whenever blasting is being conducted in the vicinity of any structures or gas, electric, water, sewer, telephone or other utility lines or facilities, the blaster shall notify the appropriate representative of each utility and owner of each of the structures and all additional persons identified by the Fire Chief of date, time and location of the blasting at least twenty-four (24) hours and no more than ten (10) days in advance. The blaster must document, to the satisfaction of the Fire Chief that the required notification has occurred prior to each blasting event. The Fire Chief may waive or reduce the requirements of this subsection in the event of an emergency or when the blaster has documented, to the satisfaction of the Fire Chief, that they have made at least four (4) attempts to contact each required person or entity with at least two (2) attempts occurring between the hours of 8 a.m. and 6 p.m. and two (2) attempts between the hours of 6 p.m. and 9 p.m.

**I. Pre-Blasting Inspection:** At the time of notification required by subsection H above, the blaster must offer to perform a pre-blast inspection of each structure or facility at a date and time acceptable to the property owner. The purpose of the inspection is to identify and document all pre-blast damage, including cracks in walls, floors, ceilings and around windows, loose bricks and other defects inside and outside the structures.

**J. Seismographic Monitoring Required:** Seismographic equipment, approved by the Fire Chief, and of a type that measures and records seismographic information resulting from blasting activities must be placed in approved locations during all blasting events. Copies of all seismic activity recorded during each blasting event shall be submitted to the Fire Chief immediately following each day of blasting. Professional assistance may be required by the Fire Chief to interpret and certify recorded data at the expense of the blasting contractor. The requirements of this subsection may be waived by the Fire Chief for approved single charged detonations. The following formula shall be used in the determination of charge size relative to distance from exposure for single charged detonations:

$$\left[ \frac{\text{DISTANCE}}{50} \right]^2 = \frac{\text{ALLOWABLE}}{\text{POUNDS OF EXPLOSIVES}}$$

**K. Blasting Operations:** The permit holder shall provide sufficient personnel to maintain visual contact with all areas surrounding the blasting site to control vehicular and pedestrian access to the entire blasting area. A method, approved by the Fire Chief, of signaling or communication between these personnel and the blaster must be provided.

**L. Maximum Peak Particle Velocities:** Blasting that produces peak particle velocities in excess of 0.5 inches per second at the foundation of any structure is prohibited regardless of the frequency of ground vibration.

**M. Penalties for Violation:** Failure to provide required information or conform to the requirements of this section may cause the permit for the proposed blasting to be canceled and revoked at the discretion of the Fire Chief. Any person who continues with a blasting event after a permit has been denied, canceled or revoked or otherwise violates any of the mandatory requirements of this Section shall be guilty of a misdemeanor and punished as provided in Municipal Code Section 1.28.010.

**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 2<sup>nd</sup> day of May, 2006.

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Sandi Bloem, Mayor

ATTEST:

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Susan K. Weathers, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. \_\_\_\_\_  
Adding a new Section 15.06.060 entitled USE OF EXPLOSIVES

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, BY ADDING A NEW SECTION 15.06.060, ENTITLED *USE OF EXPLOSIVES*; REQUIRING THAT A BLASTING PERMIT BE OBTAINED FROM THE CITY PRIOR TO USING ANY EXPLOSIVES WITHIN THE CITY LIMITS; ESTABLISHING CRITERIA FOR ISSUING A PERMIT INCLUDING INSURANCE, PRE-BLAISTING INSPECTIONS AND NOTIFICATION , MONITORING AND ESTABLISHING THAT A VIOLATION OF THIS SECTION SHALL BE A MISDEMEANOR PUNISHABLE BY A FINE OF THREE HUNDRED DOLLARS OR IMPRISONMENT FOR SIX MONTHS OR BOTH; 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. \_\_\_\_\_, Adding a new Section 15.06.060 entitled USE OF EXPLOSIVES, 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 2<sup>nd</sup> day of May, 2006.

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Warren J. Wilson, Deputy City Attorney

# City of Coeur d'Alene

## FIRE DEPARTMENT

*"City of Excellence"*

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### Staff Report

**Date:** April 17, 2006

**From:** Dan Cochran, Deputy Fire Chief

**Re:** Key Lock Box Ordinance

**DECISION POINT:**

Mayor and City Council to adopt an ordinance requiring certain structures have a key lock box installed on the exterior of the structure.

**HISTORY:**

Buildings in the City of Coeur d'Alene that have life safety systems, such as fire alarm and fire sprinkler systems have been required to have key lock boxes for many years. These key lock boxes have allowed the Fire Department to rapidly enter these buildings, minimizing damage and loss of valuable time. Currently when responding to calls for emergency service in buildings without key lock boxes the Fire Department must either wait for a responsible party to arrive with a key, causing loss of valuable life saving time or as in many instances, force entry into the structure causing costly damage to the building.

**FINANCIAL ANALYSIS:**

The cost of installing the key lock boxes will be the responsibility of the building owner.

**PERFORMANCE ANALYSIS:**

The key lock system helps eliminate forced entries into structures thereby avoiding costly, unnecessary and time-consuming efforts in gaining access to locked structures. The installation of a high security key lock box near the entrance of the building will provide onsite storage of keys, access cards and emergency information. The security of the building and its contents is maintained, because the key lock box is keyed specifically for the Coeur d'Alene Fire Department and would be used only in cases of emergency or to ensure safety of the property.

**QUALITY OF LIFE ANALYSIS:**

With a goal to minimize loss of life, property, personal injury, and environmental damage from fire and other emergencies, the Coeur d'Alene Fire Department (CDAFD) is a professional fire

department with a rich tradition of service. The key lock boxes will allow rapid entry into a building, which may mean the difference between life or death during an emergency.

**DECISION POINT/RECOMMENDATION:**

**For Mayor and City Council to adopt the Key Lock Box Ordinance.**

COUNCIL BILL NO. 06-1011  
ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADOPTING A NEW SECTION 15.06.040 REQUIRING THAT KEY LOCK BOXES BE INSTALLED ON THE EXTERIOR OF COMMERCIAL AND MULTI-FAMILY RESIDENTIAL STRUCTURES AND ESTABLISHING THAT A VIOLATION OF THIS SECTION SHALL BE A MISDEMEANOR PUNISHABLE BY A FINE OF THREE HUNDRED DOLLARS OR IMPRISONMENT FOR SIX MONTHS OR BOTH; 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, the Mayor and City Council of Coeur d'Alene have determined that the health, safety, and welfare of the citizens of the City of are promoted by requiring certain structures to have a key lock box installed on the exterior of the structure to aid the Coeur d'Alene Fire Department in gaining access to the structure when responding to calls for emergency service; and

WHEREAS, will operate on a master key basis that will expedite entry into a structure during an emergency; and

WHEREAS, the key lock box system will help eliminate forced entries into structures thereby avoiding costly and time-consuming efforts in gaining access to locked structures during an emergency; and

WHEREAS, the City Council of Coeur d'Alene is authorized to pass this Ordinance pursuant to its police power and its home rule power; NOW, THEREFORE,

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

**SECTION 1.** *That a new Section 15.06.040, entitled KEY LOCK BOXES REQUIRED, is hereby added to the Coeur d'Alene Municipal Code as follows:*

**15.06.040: KEY LOCK BOXES REQUIRED:**

A. All newly constructed and remodeled industrial, commercial and multi-family residential structures shall be equipped with a key lock box at or near the main entrance or other location required by the Fire Chief. The key box must be installed at a height of six (6) feet above ground level.

B. The Fire Chief shall designate the type of key lock box to be installed within the City and shall have authority to require all structures subject to this section to install and use the designated system.

C. The owner or operator of a structure subject to this section must, at all times, keep a key in the lock box that will allow access to the structure and all tenant units within the structure in the event of an emergency.

D. Any person who owns or operates a structure subject to this section shall be subject to the penalties set forth in section 1.28.010 of this code for any violation of this section.

**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 2<sup>nd</sup> day of May, 2006.

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Sandi Bloem, Mayor

ATTEST:

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Susan K. Weathers, City Clerk



SUMMARY OF COEUR D'ALENE ORDINANCE NO. \_\_\_\_\_  
Adding a new Section 15.06.040, entitled KEY LOCK BOXES REQUIRED

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADOPTING A NEW SECTION 15.06.040 REQUIRING THAT KEY LOCK BOXES BE INSTALLED ON THE EXTERIOR OF CERTAIN STRUCTURES AND ESTABLISHING THAT A VIOLATION OF THIS SECTION SHALL BE A MISDEMEANOR PUNISHABLE BY A FINE OF THREE HUNDRED DOLLARS OR IMPRISONMENT FOR SIX MONTHS OR BOTH; 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. \_\_\_\_\_, Adding a new Section 15.06.040, entitled KEY LOCK BOXES REQUIRED, 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 2<sup>nd</sup> day of May, 2006.

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Warren J. Wilson, Deputy City Attorney

# City of Coeur d'Alene

## FIRE DEPARTMENT

*"City of Excellence"*

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### Staff Report

**Date:** April 17, 2006

**From:** Dan Cochran, Deputy Fire Chief

**Re:** Firefighter Equipment Room Ordinance

**DECISION POINT:**

Mayor and City Council to adopt an ordinance requiring firefighter equipment rooms in all new buildings/towers of ten (10) or more stories in height and other large new construction projects where any point of the buildings interior is more than one hundred and fifty (150) feet from a fire department access point if the Fire Chief determines, based on the occupancy types and layout of the building, that the equipment rooms are necessary to allow the fire department to safely fight a fire in the building.

**HISTORY:**

One of the greatest logistical challenges facing fire departments in high-rise fires is getting the needed equipment from the ground floor to the upper floors and still maintain enough personnel and energy to carry out a sustained firefighting operation. In most instances the elevators cannot be used and everything must be carried up the stairs. Because of this many jurisdictions have adopted ordinances requiring equipment rooms in high-rise buildings.

**FINANCIAL ANALYSIS:**

There will be no financial cost to the city for construction of the firefighter equipment rooms. The cost of constructing these rooms will be the responsibility of the builder/developer.

**PERFORMANCE ANALYSIS:**

Getting the needed equipment from the ground floor to the upper floors and still maintain enough personnel and energy to carry out a sustained firefighting operation continues to be a challenge for large metropolitan departments, let alone the Coeur d'Alene Fire Department. Our staffing levels have been and continue to be at levels where a large percentage of our energy during firefighting operations in our high-rise buildings is expended in merely transporting the needed equipment up to the upper floors. The equipment rooms will allow us to strategically place needed firefighting equipment, such as air packs, spare air tanks, hose and nozzles, in these equipment rooms.

**QUALITY OF LIFE ANALYSIS:**

With a goal to minimize loss of life, property, personal injury, and environmental damage from fire and other emergencies, the Coeur d'Alene Fire Department (CDAFD) is a professional fire department with a rich tradition of service. The firefighter equipment rooms will allow us to strategically place needed firefighting equipment, requiring our personnel to expend less energy getting up to the upper floors and help our department to carry out a sustained firefighting operation with the current staffing levels.

**DECISION POINT/RECOMMENDATION:**

**For Mayor and City Council to adopt the Firefighter Equipment Rooms Ordinance.**

COUNCIL BILL NO. 06-1012  
ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADOPTING A NEW SECTION 15.06.050 REQUIRING THAT FIREFIGHTER EQUIPMENT ROOMS BE PROVIDED IN ALL NEW BUILDINGS OVER TEN (10) OR MORE STORIES AND OTHER LARGE BUILDINGS AND ESTABLISHING LOCATION AND DESIGN CRITERIA FOR THE EQUIPMENT ROOMS; 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 General Services, 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 Section 15.06.050, entitled **FIREFIGHTER EQUIPMENT ROOMS**, is hereby added to the Coeur d'Alene Municipal Code as follows:*

**15.06.050: FIREFIGHTER EQUIPMENT ROOMS:**

**A. Equipment Rooms Required:** In all new buildings/towers of ten (10) or more stories in height, the owner/operator shall provide firefighter equipment rooms intended for the sole purpose of the fire department during emergency operations. This section may be applied to other large new construction projects where any point of the buildings interior is more than one hundred and fifty (150) feet from a fire department access point if the Fire Chief determines, based on the occupancy types and layout of the building, that the equipment rooms are necessary to allow the fire department to safely fight a fire in the building.

**B. Location of Equipment Rooms:** The final number, location, type, size, intervals, access, and floor plan of the firefighter equipment rooms shall be approved by the fire department but generally shall meet the following guidelines:

**1. Buildings With 10 or More Stories:** Unless otherwise specified, each firefighter equipment room shall be located within the pressurized service elevator lobbies as follows: Beginning at the ground level, count five (5) floors up for the first firefighter equipment room and then every five (5) floors thereafter. The fire department will evaluate the final lowest level floor location. Additional firefighter equipment room locations may be required depending on the building size and configuration of the building.

**2. Other Large Buildings:** In other large buildings subject to the requirements of this section, the firefighter equipment rooms shall be located so that no portion of the building is more than one hundred and fifty (150) feet from a fire fighter equipment room or exterior access point.

**C. Design Requirements:**

**1. Protection:** Each firefighter equipment room shall be protected within a 2-hour fire resistive occupancy separation/enclosure.

**2. Size:** The firefighter equipment room shall be large enough to provide for complete access to all stored equipment, and shall have a minimum unobstructed floor area of 16 square feet. The firefighter equipment room is intended to store hoses and mounted equipment ready for rapid deployment.

**3. Dimensions:** The firefighter equipment room shall have a minimum unobstructed floor dimension of 4 feet wide by 4 feet deep.

**4. Doors:** The door to the firefighter equipment room and all intervening doors shall be a minimum of 3 feet in nominal width and 6 feet 8 inches in height. The doors to the firefighters equipment room shall swing completely outward and not be obstructed by any equipment in the stairway.

**5. Storage:** The fire department may require wall mounting for equipment as needed. If required, shelving for the firefighter equipment shall be approved on the floor plan.

**6. Conditions:** The firefighter equipment room shall be painted in a neutral light color and be free of any obstructions on the walls or the floor. The firefighters equipment room shall be kept dry and maintain normal humidity.

**7. Floor:** The floor shall be painted or coated with a durable nonslip surface, and shall be a neutral light color.

**8. Lighting:** The firefighter equipment room shall be provided with substantial work space lighting. Power for the lighting shall be supplied from the building premise wiring and by the standby power system (emergency generator) as outlined in current IFC. In addition, at least one egress illumination device, *emergency battery pack light*, shall be provided as outlined in accordance with IBC and IFC.

**9. Building Isolation:** There shall be no building plumbing, electrical, mechanical, HVAC, or other system components contained within or passing through the firefighter equipment room, except those required to provide service to the room. There shall be no panels, controls, or access to any other systems within the firefighter equipment room.

**10. Signs and Markings:** The firefighter equipment rooms shall be clearly identified outside and inside each room using a sign. Signs shall be permanently fixed and shall be of brass, stainless steel or plastic, engraved with lettering 1 inch in height and 3/32 inch stroke lettering stating: FIREFIGHTER EQUIPMENT ROOM. The fire department may also require that the firefighter equipment room door be marked with a triangular section of reflective tape with a red strip attached to the bottom and top corners of the hinge side of the door.

**11. Security:** Prior to acceptance by the fire department, the firefighter equipment room shall be secured so that the fire department has the only access to the firefighter equipment room.

**12. Locks:** The firefighter equipment room door shall be equipped with a substantial lock and door tamper protection.

**13. Keys:** All firefighter equipment room access doors shall be keyed with a single key pattern. All keys and cores shall be surrendered to the fire department. No owner/operator master or pass key shall operate the firefighter equipment room locks.

**14. Firefighter Phones:** The firefighter equipment room shall be equipped with or be adjacent to a firefighter phone.

**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 2<sup>nd</sup> day of May, 2006.

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Sandi Bloem, Mayor

ATTEST:

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Susan K. Weathers, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. \_\_\_\_\_  
Adding a new Section entitled FIREFIGHTER EQUIPMENT ROOMS

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADOPTING A NEW SECTION 15.06.050 REQUIRING THAT FIREFIGHTER EQUIPMENT ROOMS BE PROVIDED IN ALL NEW BUILDINGS OVER TEN (10) OR MORE STORIES AND OTHER LARGE BUILDINGS AND ESTABLISHING LOCATION AND DESIGN CRITERIA FOR THE EQUIPMENT ROOMS; 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. \_\_\_\_\_, Adding a new Section entitled FIREFIGHTER EQUIPMENT ROOMS, 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 2<sup>ND</sup> day of May, 2006.

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Warren J. Wilson, Deputy City Attorney

OTHER BUSINESS

## MEMORANDUM

DATE: APRIL 14, 2006  
TO: MAYOR BLOEM AND CITY COUNCIL  
FROM: PAM MACDONALD, HUMAN RESOURCE DIRECTOR  
RE: CLASSIFICATION/COMPENSATION PLAN AMENDMENTS

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### **DECISION POINT:**

To authorize Resolution No. \_\_\_\_\_, amending the classification and compensation plan to provide for a position title change from City Engineer to Deputy Engineering Services Director and the reclassification of the Library Electronic Information Systems Coordinator, pay grade 6, to the proposed Information Technology Coordinator, pay grade 8 reflecting the increase level of position responsibility.

### **HISTORY:**

The proposed classification and compensation plan amendment was posted 10 days before this Council meeting. Additionally, BDPA reviewed the Information Technology Coordinator position requirements and had the following comments.

### **Information Technology Coordinator, Recommend adjustment to level 8.**

This job provides clerical, technical and customer services at the Library. The position differs from other clerical/customer service jobs at the Library in that it requires the added technical knowledge of information systems. It also has the added customer service responsibility in providing assistance to library computer users and library patrons utilizing electronic resources. The scope of responsibility is focused on the library which makes the position somewhat different than IT Techs who focus on a variety of city functions and applications. As such, BDPA recommends that this position be assigned to level 8, comparable to Administrative Support II positions in other city departments, who are also required to perform an extended function that requires additional knowledge within their respective departments.

### **FINANCIAL:**

This change would result in a twelve (12%) percent increase to the incumbent's wage totaling \$1425 for FY05-06. No additional funding for FY05-06 will be associated with these amendments. As a result of the cancellation of a no longer needed book rental resource, the use of the currently budgeted Reference and Popular Items Library line item will accommodate the increase.

### **PERFORMANCE ANALYSIS:**

Authorizing this plan amendment will provide consistency in the classification and compensation plan.

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

To authorize Resolution No. \_\_\_\_\_, amending the classification and compensation plan to provide for a position title change from City Engineer to Deputy Engineering Services Director and the reclassification of the Library Electronic Information Systems Coordinator, pay grade 6, to the proposed Information Technology Coordinator, pay grade 8 reflecting the increase level of position responsibility.

RESOLUTION NO. 06-030

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AMENDING THE CITY OF COEUR D'ALENE CLASSIFICATION AND COMPENSATION PLAN TO PROVIDE FOR THE POSITION OF LIBRARY ELECTRONIC INFORMATION SYSTEMS COORDINATOR PAY GRADE 6 TO THE INFORMATION TECH COORDINATOR PAY GRADE 8 AND AMEND THE TITLE OF CITY ENGINEER TO DEPUTY ENGINEERING SERVICES DIRECTOR.

WHEREAS, the need to revise the Classification and Compensation plan, as noted above, has been deemed necessary by the City Council; and

WHEREAS, notice of the proposed action to adopt the Classification and Pay Plan Amendments attached hereto as Exhibit "1" was posted publicly in City Hall and on all other official bulletin boards and transmitted to the City's employee associations at least ten (10) days prior to the City Council's consideration; and

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof that such amendments, as described below, be adopted;

<u>CURRENT TITLE</u>	<u>PROPOSED TITLE</u>	<u>PAY GRADE</u>	
		<u>CURRENT</u>	<u>PROPOSED</u>
Library Electronic Information Systems Coordinator	Information Tech Coordinator	6	8
City Engineer	Deputy Engineering Services Director	(Title Change Only)	

NOW, THEREFORE,

BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene that the rule amendments attached hereto as Exhibit "A," be and is hereby adopted.

DATED this 2<sup>nd</sup> day of May, 2006.

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

ATTEST:

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

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

ROLL CALL:

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

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

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

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

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

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

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

PLEASE POST NO LATER THAN April 14, 2006

April 13, 2006

TO: EMPLOYEE ORGANIZATIONS AND ALL INTERESTED PARTIES

SUBJECT: CLASSIFICATION AND COMPENSATION PLAN AMENDMENT

The Classification and Compensation plan in the Personnel Rules adopted by resolution may be amended from time to time as deemed appropriate. Amendments and revisions are posted in City Hall and in all departments at least ten consecutive working days prior to Council Action.

As required by Personnel Rule IV, Section 2, and Personnel Rule V, Section 2, notice is hereby given that the City Council will consider the following proposed amendment to the Classification and Compensation Plans at its regular meeting on May 2, 2006.

Any changes to the Classification and Compensation Plan must be approved by the City Council. At the time of consideration any interested party is entitled to be heard.

<u>CURRENT TITLE</u>	<u>PROPOSED TITLE</u>	<u>PAY GRADE</u>	
		<u>CURRENT</u>	<u>PROPOSED</u>
LIBRARY ELECTRONIC INFORMATION SYSTEMS COORDINATOR	INFORM.TECH COORDINATOR	6	8
CITY ENGINEER	DEPUTY ENGINEERING SERVICES DIRECTOR	(Title Change only)	

(Job Descriptions available in Human Resources Office)

Should you have any questions about the proposed amendments, please contact me (ext. 203).

Pam MacDonald  
Human Resources Director