



Coeur d'Alene

CITY COUNCIL MEETING

August 5, 2008

MEMBERS OF THE CITY COUNCIL:

Sandi Bloem, Mayor

Councilmen Edinger, Goodlander, McEvers, Bruning, Hassell, Kennedy

CONSENT CALENDAR

MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT THE LIBRARY COMMUNITY ROOM,
JULY 15, 2008

The Mayor and Council of the City of Coeur d'Alene met in a regular session of said Council at the Coeur d'Alene Library, July 15, 2008 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)	
Mike Kennedy)	
John Bruning)	
Deanna Goodlander)	
Loren Ron Edinger)	

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

INVOCATION was led by Pastor Jonathan Owens, Heart of the City Church.

PLEDGE OF ALLEGIANCE: Councilman McEvers led the pledge of allegiance.

PRESENTATIONS:

PROPOSED JAIL EXPANSION: Tad Leach, Undersheriff in the Kootenai County Sheriff's Department, announced that the projected population of Kootenai County by 2020 is over 250,000 people. Commissioner Todd Tondee reported that the jail expansion has been an issue that the Commissioners have faced since he was elected. He noted that the plan presented this evening would be a plan into the future until 2020, and staff would be presenting the actual needs and associated costs for the Sheriff's facilities in order to allow the citizens to make an informed decision this coming November.

Undersheriff Leach presented the facility needs for the Sheriff's Office. He reported that the consultants believe that the Sheriff's Department has about ½ the amount of square footage needed for employees due to the Council increasing from 105 employees in 1988 to 280 employees today. The current facility does not have a break room, physical fitness room/tactical training room. He noted one room that houses police evidence contains just the evidence for the Duncan case which will probably need to be stored for the next 20 years. He reviewed the alternative solutions that the Sheriff's office looked at such as modular units, renting space, or building additional space which they believe is the most cost effective. He presented the current overcrowding conditions for evidence and records. He noted that the Sheriff's Department will be glad to do tours for any of the public interested in viewing the storage areas.

Lieutenant Neal Robertson, acting Jail Bureau Commander, presented the current conditions and operating costs of the existing jail. He reported that the jail was first constructed in 1987 and expanded in 2002. In 2006, due to overcrowding of the jail, the County tried sending inmates to other facilities; however, those facilities are filling up and will no longer accept Kootenai County inmates so the County is now increasing the distance to which they send inmates. The projected daily housing rate between 2009 to 2020 will be over \$20,882,311, transport cost will total \$20,002,485, and administrative costs will be \$2,130,106, for a total cost of \$51,904, 902. Undersheriff Leach noted that taxpayers are now paying for shipping out inmates.

Councilman Kennedy asked about Officer safety. Undersheriff Leach noted that when you pack in the number of inmates they currently house it increases the occurrence of fights which increases the risk for Sheriff's officers.

Councilman Kennedy asked about a regional facility and how about tents. Commissioner Tondee responded that they had researched the "tent City" of Sheriff Joe which showed that this program is for an extremely small amount of the inmates housed in Sheriff Joe's jails. Sheriff Joe has 7 different facilities and only one "tent city". He also noted that the staffing for tent city is a lot more than in the traditional facilities.

Councilman Goodlander asked about the effect on staffing when sheriff's officers transport inmates. Undersheriff Leach responded that that is done on overtime with a minimum of two officers for the transporting.

Councilman Edinger asked if taxpayers approve the jail – will you have to hire more employees and if that does happen where would the money come from. Undersheriff Leach responded that staff is based on the number of inmates and not the size of the building so, as the jail population grows, they will need to add staff no matter what the facility is. He added that if there is less overcrowding they can probably use fewer officers.

Councilman Edinger noted that Commissioner Currie did not agree with the \$1.45 million dollar price tag. Commissioner Tondee noted that although Commissioner Currie may not agree with the cost, he agrees that additional facilities are needed.

Councilman Edinger noted that it was stated that if this facility is built it is projected to accommodate the county's needs until the year 2020 which is only 12 years away. Shouldn't it be a little bit bigger with the facility plans to last for a longer period of time. Commissioner Tondee responded that the food and laundry facilities will be oversized which will accommodate future expansion of the inmate portion of the facility.

Councilman McEvers asked what would be the cost to the average citizen. Commissioner Tondee responded that it will cost the citizens nothing. He explained that it will increase sales tax with half of the sales tax revenue going back to property owners in the form of tax relief. The sales tax will pay for half of the cost of the jail facilities. He added that the Commissioners will then bond for the other half of the cost which would be paid

through property taxes that will be equivalent to the savings of the property tax relief so there will be no difference in property taxes. In other words, the only additional cost to citizens is the increased cost in sales tax.

Councilman Edinger asked if the sales tax initiative does not pass would the County then go through judicial validation. Commissioner Tondee noted that they would have to construct the facilities if the judges so order.

Mayor Bloem commented that between the savings of transporting prisoners, and tourists paying 33% of the sales tax revenue, citizens are being asked to actually fund \$46,000,000. Undersheriff Leach concurred.

PUBLIC COMMENTS:

JAIL EXPANSION: John Williams, 6222 Parkwood Drive, invited the Council to support the jail measure. He noted that he knows the conditions in the jail and this expansion is definitely needed. He commented that every city in the county has only one location to take the people they arrest and it is the County jail facilities.

LANDINGS PARK: Lou Soumas, 3900 Long Meadow Dr., reported that the Parks and Recreation Commission recommended that both Phases 1 and 2 be completed immediately. However, because of projected budgetary constraints additional staff for the Parks department is not in next year's budget plan for maintaining this park. They requested the Council incorporate the staff Doug needs to maintain this new park. Doug Eastwood reported that the proposal before the Parks and Rec. Commission was to do this in phases; however, the Parks and Recreation Commission recommended that both phases be done next year. The issue was additional staffing needed when Phase 2 is completed. With phase 2 being completed by August, 2009 additional staff will need to be added in next year's budget.

FIREWORKS: Glen Lauper, Deputy Fire Chief, reported on the 4th of July activities including issuance of 9 fireworks stand permits and a total of 144 fireworks complaints being received during the week of the 4th of July. One incident did occur where a child had thrown a firecracker in front of another family that resulted in a confrontation between the families which resulted in having the Police Department intervene. Councilman Kennedy commented that he is for safe and sane fireworks but does not support the igniting of illegal fireworks. He recounted an incident where he had approached a neighbor who was igniting illegal fireworks who in turn had threatened Councilman Kennedy with the end result of having the Police being called.

CONSENT CALENDAR: Motion by Hassell seconded by McEvers to approve the Consent Calendar as presented.

1. Approval of minutes for July 1, 8, 2008.
2. Setting General Services Committee and Public Works Committee meetings for July 21st at 12:00 noon and 4:00 p.m. respectively.
3. RESOLUTION 08-041: 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 THE RENEWAL OF THE MUTUAL AID AGREEMENT WITH THE CITY OF SANDPOINT FIRE DEPARTMENT; APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE BUREAU OF LAND MANAGEMENT (BLM) FOR THE PRAIRIE TRAIL LAND EXCHANGE AND APPROVAL OF AN AGREEMENT WITH THE COEUR D'ALENE SCHOOL DISTRICT #271 FOR SCHOOL RESOURCE OFFICERS FOR THE DISTRICT'S FISCAL YEAR 2008 – 2009

4. V-08-1 - Setting of public hearing for vacation of easements within the Riverstone West and Riverstone West 1st Addition subdivisions for August 19, 2008.
5. Approval of bills as submitted and on file in the Office of the City Clerk.
6. SS-6-08 - Approval of final plat for Parkside Condominiums
7. Setting of Public Hearings: A-3-08 (Riverstone West) for August 5, 2008.

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

RECESS: Motion by Hassell, seconded by Edinger to have a 5- minute recess. Motion carried. The council recessed at 7:30 p.m. The meeting reconvened at 7:40 pm.

COUNCIL COMMENTS:

COUNCILMAN BRUNING: Councilman Bruning thanked the Parks and Recreation Departments for the Parks Day Celebration held last Saturday in Bluegrass, Ramsey and Riverstone parks and the grand opening of the Prairie Trail. He noted that there were approximately 1,000 people who participated in this event.

COUNCILMAN KENNEDY: Councilman Kennedy commended City Attorney Mike Gridley and credited him for the creation of the Prairie Trail.

COUNCILMAN HASSELL: Councilman Hassell thanked all the citizens who volunteered to help with this event.

COUNCILMAN EDINGER: Councilman Edinger thanked Matt and Jake for giving him a ride in their pedicab between the parks along the Prairie trail. Also, he congratulated Capt. Lee Holbrook who was named the American Legion's State Firefighter of the Year.

COUNCILMAN GOODLANDER: Reported that the Library is constantly "packed with people" this summer. She thanked the Library staff for working hard to serve our community. She noted that the Muddy and Millie project will be completed in September.

MAYOR BLOEM: Mayor Bloem congratulated Nancy Mueller, School District 271 teacher, who was also voted as the American Legions' State's School Teacher of the year.

APPOINTMENT - PERSONNEL APPEALS BOARD: Motion by Edinger, seconded by Goodlander to re-appoint Sharmon Schmitt and Ted Lloyd to the Personnel Appeals Board. Motion carried.

ADMINISTRATORS REPORT: Wendy Gabriel, City Administrator, congratulated the Mayor on receiving regional honors from the Salvation Army. The Library just

received an art gift from Art on the Green. The Police Dept. has been invited to apply for a \$500,000 grant for use in establishing computer forensics within the Police Dept. The Idaho Transportation Department will be hosting an open house for the public to discuss a statewide roadway funding program. She announced that Gov. Otter will be attending this open house as well. Mrs. Gabriel reported that with the rising cost of fuel there is a Ride Sharing Program in Kootenai County and Spokane County. For more information, you can go to their website at www.rideshareonline.com.

Councilman Hassell noted that with the increased fixed routes by Citylink ridership now has increased to over 33,000 riders per month.

RESOLUTION NO. 08-042

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN AGREEMENT OF INTENT TO LEASE CITY PROPERTY WITH ST. VINCENT DE PAUL.

Motion by Hassell, seconded by Goodlander to adopt Resolution 08-042.

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

CARRIAGE RIDES IN THE DOWNTOWN AREA: Deputy City Administrator Jon Ingalls presented a request from the Downtown Association to permit the Association in conjunction with the Spokane Teachers Credit Union to provide free horse-drawn carriage rides in the downtown area each Saturday from 7 p.m. to 10 p.m. beginning July 19th through August 30th. He noted that the Police Department was supportive of this request as long as the carriage obeys the slow moving vehicle regulations including appropriate signage. Mr. Ingalls also noted that on August 2nd and August 30th, Sherman Avenue has been approved for closure due to events planned by the Downtown Association and so he recommended that carriage rides not be allowed on those two occasions.

Motion by Edinger, seconded by Kennedy to approve the Downtown horse-drawn carriage rides from July 19th through August 23rd with the requirements set out in the letter of request and including that the carriage be posted with the appropriate slow-moving vehicle signage, that all rules relating to slow moving vehicles to adhered to, that picking up and dropping off clients will not be allowed in any lanes of traffic, and that carriage rides are not permitted on August 2nd and August 30th due to Sherman Avenue being closed to traffic.

Councilman Goodlander voiced her concern of doing horse drawn carriage rides in the summer when you mix horses with motorcycles and cars. Terry Cooper, Downtown Association Executive Director, responded that traffic is much lighter during the hours in which the carriage rides would be operated.

Motion carried.

RESOLUTION NO. 08-043

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ESTABLISHING A NOTICE OF TIME AND PLACE OF PUBLIC HEARING OF THE PROPOSED BUDGET FOR FISCAL YEAR 2008-2009, AND INCLUDING PROPOSED EXPENDITURES BY FUND AND/OR DEPARTMENT, AND STATEMENT OF THE ESTIMATED REVENUE FROM PROPERTY TAXES AND THE TOTAL AMOUNT FROM SOURCES OTHER THAN PROPERTY TAXES OF THE CITY FOR THE ENSUING FISCAL YEAR AND LISTING EXPENDITURES AND REVENUES DURING EACH OF THE TWO (2) PREVIOUS FISCAL YEARS, AND PROVIDING FOR PUBLICATION OF THE SAME.

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

BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene, that the following be and the same is hereby adopted as an Estimate of Expenditures and Anticipated Revenue of the City of Coeur d'Alene for the fiscal year beginning October 1, 2008:

	FY 2005-06 ACTUAL	FY 2006-07 ACTUAL	FY 2007-2008 BUDGET	FY 2008-09 PROPOSED
<u>GENERAL FUND EXPENDITURES</u>				
Mayor and Council	\$171,870	\$192,544	\$193,585	\$196,635
Administration	450,224	496,191	787,352	807,460
Finance Department	585,352	665,351	771,370	753,392
Municipal Services	905,346	1,043,257	1,251,108	1,300,580
Human Resources	211,887	217,285	244,632	251,441
Legal Department	1,049,628	1,137,161	1,211,519	1,291,886
Planning	458,345	506,252	546,406	539,815
Building Maintenance	318,344	395,878	527,636	422,359
Police Department	7,000,913	8,044,123	8,675,965	9,246,765
Juvenile Incentive Grant	54,631	-0-	-0-	-0-

	FY 2005-06 ACTUAL	FY 2006-07 ACTUAL	FY 2007-08 BUDGET	FY 2008-09 PROPOSED
<u>GENERAL FUND EXPENDITURES CON'T</u>				
KCJA	76,027	76,093	24,340	51,640
Local Law Enforcement Grant	18,185	-0-	-0-	-0-
Fire Department	4,634,232	5,240,560	5,879,934	6,617,518
General Government	2,058,639	3,341,216	344,313	202,890
Engineering Services	1,713,208	1,158,958	1,310,081	1,241,233
Streets/Garage	2,332,259	2,328,016	2,351,755	2,657,117
ADA Sidewalk Abatement				211,814
Byrne Grant – Police Dept	38,615	39,390	45,730	80,662
Building Inspection	238,366	779,535	834,321	904,815
Parks Department	1,206,458	1,390,919	1,643,316	1,707,209
Recreation Department	660,477	788,599	800,110	762,233
<u>TOTAL GENERAL FUND EXPENDITURES:</u>	<u>\$24,386,854</u>	<u>27,919,290</u>	<u>\$27,501,534</u>	<u>\$29,247,464</u>
COPS Grant	203,848	77,962	58,061	-0-

	FY 2005-06 ACTUAL	FY 2006-07 ACTUAL	FY 2007-08 BUDGET	FY 2008-09 PROPOSED
<u>SPECIAL REVENUE FUND EXPENDITURES:</u>				
Library Fund	904,441	995,746	1,074,027	1,155,404
Impact Fee Fund	1,831,832	877,846	585,000	2,000,000
Parks Capital Improvement	901,437	510,485	487,500	1,578,000
Annexation Fee Fund	410,000	100,000	230,000	400,000
Self Insurance	247,427	271,236	310,500	318,000
Cemetery Fund	249,793	293,665	293,738	296,734
<u>TOTAL SPECIAL FUNDS:</u>	<u>4,544,930</u>	<u>3,048,978</u>	<u>2,980,765</u>	<u>5,748,138</u>

	FY 2005-06 ACTUAL	FY 2006-07 ACTUAL	FY 2007-08 BUDGET	FY 2008-09 PROPOSED
<u>ENTERPRISE FUND EXPENDITURES:</u>				

Street Lighting Fund	485,650	509,318	560,203	572,090
Water Fund	7,902,439	6,066,236	6,284,904	7,020,412
Wastewater Fund	15,538,664	7,611,957	13,001,464	17,180,612
Water Cap Fee Fund	1,756,013	206,406	960,000	1,000,000
WWTP Cap Fees Fund	5,193,810	1,802,931	2,482,683	3,798,325
Sanitation Fund	2,864,629	2,951,639	3,025,984	3,100,546
City Parking Fund	153,604	155,167	167,132	184,132
Stormwater Management	1,140,958	1,155,422	1,504,169	1,569,026
TOTAL ENTERPRISE EXPENDITURES:	<u>35,035,767</u>	<u>20,459,076</u>	<u>27,986,539</u>	<u>34,425,143</u>
TRUST AND AGENCY FUNDS:	805,528	3,185,711	2,647,708	3,709,548
CAPITAL PROJECTS FUNDS:	3,963,090	1,776,961	3,190,015	1,720,000
DEBT SERVICE FUNDS:	2,463,230	3,119,117	2,372,479	2,383,816
GRAND TOTAL OF ALL EXPENDITURES:	<u>\$71,199,399</u>	<u>\$59,509,133</u>	<u>\$66,679,040</u>	<u>\$77,234,109</u>

	FY 2005-06 ACTUAL	FY 2006-07 ACTUAL	FY 2007-2008 BUDGET	FY 2008-2009 PROPOSED
<u>ESTIMATED REVENUES:</u>				
Property Taxes:				
General Levy	10,712,147	11,228,773	12,811,905	13,821,946
Library Levy	856,336	950,838	1,058,677	1,129,565
Policeman's Retirement Fund Levy	152,076	150,639	152,000	152,000
Comprehensive Liability Plan Levy	50,028	106,303	108,257	108,257
Fireman's Retirement Fund Levy	250,000	250,000	250,000	250,000
2006 G.O. Bond Levy	1,081,463	985,186	1,000,000	1,000,000

<u>TOTAL REVENUE FROM PROPERTY TAXES:</u>	<u>\$13,102,050</u>	<u>13,671,739</u>	<u>\$15,380,839</u>	<u>16,461,768</u>
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	FY 2005-06 ACTUAL	FY 2006-07 ACTUAL	FY 2007-08 BUDGET	FY 2008-09 PROPOSED
<u>ESTIMATED OTHER REVENUES:</u>				
Interfund Transfers	13,562,222	6,064,456	6,660,061	9,573,294
Beginning Balance	33,113,392	29,841,796	32,738,405	33,087,612
Other Revenue:				
General Fund	12,009,740	13,167,252	12,210,067	12,933,893
Library Fund	16,034	60,497	15,350	25,839
Parks Capital Improvement Fund	148,994	515,168	114,500	153,000
Insurance/Risk Management	36,261	98,416	95,000	80,000
Cemetery	117,311	118,111	148,800	160,500
Annexation Fee Fund	50,871	355,951	100,000	100,000

	FY 2005-06 ACTUAL	FY 2006-07 ACTUAL	FY 2007-08 BUDGET	FY 2008-09 PROPOSED
<u>ESTIMATED OTHER REVENUES CON'T:</u>				
Impact Fee Fund	1,384,319	1,528,381	1,200,000	825,000
Street Lighting Fund	444,036	453,280	455,203	465,090
Water Fund	5,483,266	6,653,932	3,511,000	3,542,000
Wastewater Property Management	-0-	-0-	-0-	-0-
Wastewater Fund	7,949,173	7,219,124	10,341,255	6,484,165
Water Cap Fee	866,462	782,937	815,000	600,000

Fund				
WWTP Capitalization Fees	2,861,544	2,634,779	1,670,340	1,391,540
Sanitation Fund	2,990,818	3,031,174	3,126,632	3,144,000
City Parking Fund	190,519	229,058	150,000	150,000
Stormwater Management	1,250,934	1,281,114	1,296,000	1,318,000
Trust and Agency Funds	2,502,276	3,012,028	2,269,200	3,314,599
Capital Projects Fund	9,180,432	3,007,465	-0-	200,000
Debt Service Fund	2,731,350	1,474,942	1,266,000	1,035,370
SUMMARY:				
PROPERTY TAXES	13,102,050	13,671,739	15,380,839	16,461,768
OTHER THAN PROPERTY TAXES	96,889,954	81,529,861	78,182,813	78,583,902
<u>TOTAL ESTIMATED REVENUES</u>	<u>\$109,992,004</u>	<u>\$95,201,600</u>	<u>\$93,563,652</u>	<u>95,045,670</u>

BE IT FURTHER RESOLVED, that the same be spread upon the Minutes of this meeting and published in two (2) issues of the Coeur d'Alene Press, seven (7) days apart, to be published on July 21, 2008 and July 28, 2008.

BE IT FURTHER RESOLVED, that a Public Hearing on the Budget be held on the 2nd day of September, 2008 at the hour of 6:00 o'clock p.m. on said day, at which time any interested person may appear and show cause, if any he has, why the proposed Budget should or should not be adopted.

STAFF REPORT: Finance Director Troy Tymesen presented the preliminary budget for Fiscal Year 2008-2009. He noted that tonight the Council will need to set their preliminary budget and the decision before them is to determine if \$77,234,109 is sufficient. He reviewed the proposed changes to the preliminary budget. He reported that staff looked at the priorities the Council set when creating this budget and noted that the budget plan does have the construction of the Landings Park; however, no additional Parks Dept. staffing is included due to this park coming on board very late in the fiscal year. The only additional staffing in the General Fund was for the ADA Compliance Officer. Mr. Tymesen noted that there are a total of 3FTEs in the Wastewater Enterprise Fund and a ½ FTE in the Water Enterprise Fund. He announced that this year's new construction valuation is approximately \$79,000,000 less than last year. The total valuation of the City is down \$264,000,000 including new growth from last year which means the City's preliminary levy rate will be \$4.64/\$1,000 valuation compared to

\$3.98/\$1,000 valuation in 2008. Assuming your property valuation stays the same, you will not be paying more property taxes to the City next year since homeowners exemptions have increased. In regard to forgone taxes, staff is proposing that the City Council approve taking \$378,493 in foregone taxes to fix the mistake made by the County in not collecting the correct amount of property taxes last year, and \$200,000 for the ADA Sidewalk Abatement program.

Mr. Tymesen reported that as the City's Chief Financial Officer, he does not recommend the addition of any new staff positions in this year's budget as this would not be fiscally responsible in light of the declining valuation projections by the County. He noted that tonight the Council must decide to either adopt the proposed preliminary budget or increase the dollar amount of the proposed budget.

COUNCIL DISCUSSION: Councilman Edinger asked what the effect would have been on our budget if the County had not made the error in tax collections. Mr. Tymesen responded that the City would not have needed to use their foregone taxes to make up the difference between what was budgeted and what the County collected.

Councilman McEvers commented that now that the valuation is leveling off, what is the impact with URD's on the overall valuation of property. Mr. Tymesen explained that the levy rate is based on the entire city's valuation, and the City receives the base tax rate at the time the URD's were formed. The issue of decreasing valuation is the same dilemma that every city faces. Mr. Tymesen noted that when new construction slows, staffing reorganization will be necessary in order to balance the budget. Due to the State's laws the City can only raise their budget by 3% which equates to \$431,000; which he noted could be gone with one major incident in the city and added that just in plowing the streets this past winter it cost the City an additional \$100,000.

Councilman Kennedy asked Mr. Tymesen how could the City control personnel costs. Mr. Tymesen responded that there are several ways that the City looks at managing personnel costs including encouraging retirement, not filling vacant positions and looking at medical benefits for employees. Councilman Edinger noted that he would not be in favor of cutting medical benefits for employees.

Councilman Kennedy recalled how difficult it was to understand the budget and he had read articles in the newspaper stating there is an enormous amount of increase in the City's budget and he knows that the City can only increase the budget by 3% and asked how the City could better explain the budget process to citizens. Mr. Tymesen responded that although newspaper headlines may have been misleading the actual articles were pretty accurate. Some of the increases occur in the enterprise funds, impact fees, trust and agency funds and are not General Fund increases.

Mayor Bloem noted that Coeur d'Alene is in a better financial position than those cities that have not experienced growth this year. She further explained that tonight the budgeted amount the Council adopts will set the ceiling for next year's budget – in other

words the Council can decrease this amount but they cannot go above the dollar amount after they set the preliminary budget tonight.

Councilman Edinger commented that the budget includes the Landings park development, and he feels that with the increase in the number of parks, Doug Eastwood needs to have more staff. Mr. Tymesen responded that every staff position requested is justified; however, the day will come when new construction will level out and the Council will be faced with reorganizing or laying off staff and so as the City's Financial Director he cannot recommend adding staff at this time. Councilman McEvers commented that bottom line is we cannot add staff unless we can get the URD's to release some tax funds back to the City. Councilman Kennedy commented that the only tool the State gives cities is Urban Renewal, yet if the State legislature would allow for local option sales tax, we could charge hotel/motel bed tax; yet, the state legislators year after year will not give cities the authority to vote to tax themselves in sales tax.

Councilman Hassell complimented staff in balancing the budget in light of the decrease in valuation. Councilman Goodlander commented that this is the first year that foregone taxes have been used to balance the budget since she has been on the City Council. She believes that the City has done a great job at maintaining the budget and although the City would like to build a park this year, maybe building a new park will need to wait a year, as adding staff to the Library will have to wait a year. She added that as a service industry, the City departments have made hard decisions in balancing the preliminary budget.

MOTION: Motion by Goodlander, seconded by Hassell to adopt Resolution 08-043.

Councilman Kennedy noted that, although this is not the cap on the budget the Council would like, it is a responsible cap and Council should set the cap as recommended.

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

BUDGET WORKSHOPS: Mayor Bloem asked if the Council's budget workshop has been set. City Administrator Wendy Gabriel responded that staff is looking at either August 5th following the City Council meeting or August 6th or even possibly the 2nd week in August. Mayor Bloem suggested that if the workshop is held on August 5th that either the Council meeting or the workshop start sooner than 6:00 p.m. It was decided that the budget workshop would be from 4 to 6 p.m. and Council meeting would start at its regular time.

PUBLIC HEARING - I-1-08 - APPEAL OF NEW FEDERAL BUILDING

PARKING SPACES REQUIREMENT: Mayor Bloem gave the rules of order for this public hearing. Dave Yadon, City Planning Director gave the staff report.

Mr. Yadon reported the under the prior codes, staff was required to apply existing parking standards that would have required 183 parking spaces at the new Federal Courthouse building. On March 11, 2008 the Planning Commission reviewed and recommended approval of an ordinance change that would separate courthouses as its own zoning use. Under the proposed codes, courthouses are to be brought before the Planning Commission for review (0-3-08). On April 15, 2008 the City Council approved the requested ordinance change. On April 15, 2008 ALSC Architects made a formal request for the Planning Commission to review the Federal Courthouse, located on Mineral Avenue, parking space requirement. On May 13, 2008 the Planning Commission determined that 183 parking spaces should be required. On June 16th, the applicant submitted an appeal of the Planning Commission's determination to the City Council.

Mr. Yadon explained that on April 14, 2008 ALSC Architects provided a break down of the uses by employee count and seating within the Federal Building and their request for an exterior parking surface parking lot and underground stalls for a total of 95-99 stalls. Staff reviewed their request and is recommending that a total of 105 stalls be required.

Councilman Bruning noted that there might be future expansion of the building and there was concern of not enough parking. Mr. Yadon responded that additional parking would be required if an expansion of the building was undertaken.

PUBLIC COMMENTS: John Luger, owner of JDL Enterprises, 405 Shoreland Dr, SE, Bellevue, WA, assured the Council that if there were a change in usage that the owners of the property would adjust the number of parking spaces required. John Manning, ALSC Architects, 203 Washington #403, Spokane, WA, commented that although the number of parking spaces recommended is higher than they requested, they are supportive of staff's recommendation. He explained the process his company went through to reach the number of parking spaces for the type of building being constructed. Scott Matson, General Service Administration of the U.S. Government based in Seattle, Washington, noted that a Federal Building does not require any public parking. He commented that Pocatello, which is approximately the same size as Coeur d'Alene, had required 95 parking spaces for the federal building in their city and he has never heard of any complaints about parking at that facility. He believes that a parking garage would increase their operating costs and increase liability to police officers and would require additional security.

Councilman Kennedy noted that any savings on this project will not go back to the taxpayers but to the developer. Mr. Matson responded that the increased cost of this project does not provide for an overall increase in profit by the developer, but by decreasing the number of required parking spaces, it gives him some negotiating room for

additional features to the facility. Councilman Hassell commented that staff's analysis makes sense because it is based on actual use of the building.

John Stone, S 104 Division, Spokane, noted that Riverstone had a similar situation with a parking garage and believes that the issue is the protection of the public and supports staff's recommendation.

Councilman Bruning asked if the Planning Commission had seen the staff analysis prior to their decision. Mr. Yadon responded that they were aware of staff's analysis. He added that the Planning Commission's concern was that of a peak event such as a high profile trial that would require more parking and they were more comfortable with requiring the developer to meet the peak demand than the every daily demand for parking spaces as staff is recommending.

MOTION: Motion by Goodlander, seconded by Edinger to deny the Planning Commission's determination of the required number of parking spaces and to set the number of spaces needed to serve the Federal Courthouse at 105 parking stalls as recommended by staff.

Councilman Bruning commented that he sees large parking lots all over town that are never full and believes staff's analysis is reasonable. Councilman Kennedy commented that he is going to vote in favor of the motion.

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

EXECUTIVE SESSION: Motion by Hassell, seconded by McEvers to enter into Executive Session as provided by I.C. 67-2345 SUBSECTION F: To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel as executive session does not satisfy this requirement; and,

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

The Council met in Executive Session at 9:35 p.m. Those present were the Mayor, City Council, City Administrator, and City Attorney.

Matters discussed were those of litigation. No action was taken and the City Council returned to their regular session at 9:45 p.m.

ADJOURNMENT: Motion by Kennedy, seconded by Edinger to recess this meeting to July 17, 2008 at 12:00 noon for a joint City Council/Planning Commission workshop to be held in the Old Council Chambers and then to August 5, 2008 at 4:00 p.m. in the Library Community Room for their budget workshop. Motion carried.

The meeting recessed at 9:46 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, CMC
City Clerk

A JOINT WORKSHOP
BETWEEN THE
COEUR D'ALENE CITY COUNCIL AND
CITY PLANNING COMMISSION
HELD ON JULY 17, 2008 AT 12:00 NOON
IN THE CITY HALL COUNCIL CHAMBERS

The City Council met in a continued session of the City Council on July 18, 2008 at 12:00 noon in the former City Hall Council Chambers, there being present upon roll call a quorum

Ron Edinger, Mayor Pro Tem

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

Brad Jordan, Chairman)	Commission Members present
Heather Bowlby)	
Scott Raser)	
Tom Messina)	
Amy Evans)	
Peter Lutthrop)	

Staff Present: Wendy Gabriel, Administrator; Susan Weathers, City Clerk; Dave Yadon, Planning Director; John Stamos, Senior Planner; Mike Gridley, City Attorney.

CALL TO ORDER: Mayor Pro Tem Edinger called the meeting to order.

EAST GATEWAY OVERLAY DISTRICT: City Planer Dave Yadon recalled that the Council's discussions regarding the building height issues along Sherman Avenue. As a result of those discussions the Council asked the Planning Commission to review heights and other issues along the East Sherman Overlay district. The Planning Commission has looked at this issue as well as consideration a special commercial zoning district and other alternatives that might fit within the framework that has already been developed within the other infill districts. Mr. Yadon presented for the Council's feedback a draft for a concept that expands the infill regulations for the East Sherman area. He noted that consultant Mark Hinshaw worked with the Planning Commission to develop the overlay district regulations.

Mark Hinshaw noted that unlike other C-17 areas, the East Sherman has a very constricted area which consists of a 1/2 block depth of C-17 zoning. Today, the issue is to create regulations that encourage economic development yet protects the residential

neighborhoods abutting Sherman Avenue. He believes that the cleanest avenue would be to rezone East Sherman a different zoning; however, this meeting is for council to determine what they want for this area. The proposed regulations use a floor-area ratio which would be more intense than Mid-town but less intense than Downtown. Mr. Hinshaw did emphasize that it does have a height limit. He believes that the greatest controversy will be over what the height limit should be. The proposed basic allowable height of 45 feet is similar to immediate abutting zoning districts but it could be up to 75 feet with considerations. The reason for limiting it to 75 feet is the additional building codes that are required for structures exceeding 75 feet. Another issue is off-site parking. He reported that the proposed design standards are very similar to other infill districts with some mid-rise development included in this in-fill district. He believes that this area will see a lot of various types of structures in this lower scale zoning district compared to Downtown.

Councilman Edinger asked area is included in the East Sherman Gateway Infill District. Dave Yadon noted that it begins at 11th and Sherman and ends at Fernan City limits.

Planning Chairman Jordan personally believes that 45 feet may be too short for East Sherman. He also expressed his concern that currently there is the 220-foot limit for the Downtown Infill District then it goes down to an 38-foot limit from 8th to 11th and then back up to a 45-foot limit east of 11th and Sherman. Dave Yadon noted that the R-17 zoning adjacent to Sherman Avenue allows for buildings up to 45 feet. Chairman Jordan noted that without some Design Standards the existing IGA store could construct a building similar to McEuen Towers at their site.

Councilman McEvers asked what would be the next step. Dave Yadon responded that the next step would be to present the proposed regulations to those that own property along the East Sherman, then to public hearings. Chairman Jordan asked the Council if they want this to move forward. Councilman Bruning commented that Mr. Hinshaw had mentioned doing an overlay district or creating a new zone and wanted to know what he meant. Mr. Hinshaw responded that it basically using the same overlay regulations but creating a zoning district with those standards. Dave Yadon distributed a comparison between an overlay district and a zoning district created for East Sherman. Mr. Hinshaw noted that the overlay removes the forcing of a mixed use building.

Councilman Edinger noted that under permitted uses -principal uses they have removed retail gasoline. Dave Yadon said that the permitted uses are up to the Council, do they want gasoline stations in this overlay zone or not.

Councilman McEvers believes that the Planning Commission should take the next step and take this to the owners along this district for discussion.

Councilman Hassell asked why the plan does not include all those businesses that currently exist such as the gasoline station at the east end of Sherman.

Councilman Kennedy recalled the public's complaint of not being informed of meetings for the East Mullan Overlay and wanted to know what is being done differently now to make sure that all interested parties are aware of any meetings. Dave Yadon responded that due to the sheer number of mailings and the associated cost he would recommend doing newspaper articles and sending letters to homeowner association presidents. Councilman Kennedy feels individual mailings are worth doing to make sure every owner is informed. Councilman Goodlander suggested having the East Infill owners and the homeowners associations distribute flyers. Councilman McEvers volunteered to feed a Boy Scout troop breakfast to drop off flyers to each residence. Councilman Bruning recommended sending notices to all properties along the corridor from Front Avenue to Lakeside Avenue. Commission Chairman Jordan believes that all owners along Sherman should receive a written notice. Mr. Yadon suggested doing the first mass mailing and then have the residences notify staff if they desire to continue be on the mailing list to receive future meeting notices, similar to what is done for Design Review meetings.

Councilman Edinger suggested notifying the East Sherman residents from 11th Street to 23rd Street on Sherman, Lakeside and Front Avenues on both the north and south sides of the street. Councilman Hassell added that City could print up fliers if homeowner associations wanted to distribute. Councilman Kennedy agreed to have Troop 202 Boy Scouts distribute flyers and McEvers agreed he will feed them breakfast.

OTHER ISSUES: Planning Director Dave Yadon noted that the Planning Commission felt that there were some areas of design standards and issues in all other commercially zoned areas that needed review. The Planning Commission would like to pursue a course of developing regulations in detail that would apply to most of the remaining commercial zones in the City. Several issues on this proposed process have been on the Commissioners goal list for several years. Mark Hinshaw noted that the Council could further define the specific commercial areas that would fall within design standards and noted that currently there are no or very minimal design standards in the remaining commercial zones. Councilman Hassell believes that commercial design standards need to be addressed for commercial zones city-wide. Councilman Bruning believes that standards for biking and pedestrian travel should be included in the standards. He also believes that we need to look at bus stops with the Citylink bus system growing.

Commission Chairman Jordan requested Council's direction on whether to proceed with these design guidelines.

Motion by Hassell, seconded by Kennedy to authorize the Planning Commission to proceed with city-wide Commercial Zone Districts Design Standards. Motion carried.

PUBLIC ART: Councilman Goodlander announced that the Arts Commission has identified funds to place a piece of artwork on the island near Michael D's.

ADJOURNMENT: Motion by Kennedy, seconded by Bruning that, there being no further business, the meeting is adjourned. Motion carried.

The meeting adjourned at 12:50 p.m.

Loren Ron Edinger, Mayor Pro Tem

ATTEST:

Susan K. Weathers, CMC
City Clerk

RESOLUTION NO. 08-044

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 BID AWARD AND APPROVAL OF A CONTRACT WITH CAMERON – REILLY, LLC FOR THE SAFE ROUTES TO SCHOOL LAKES MIDDLE SCHOOL PROJECT; APPROVAL OF CHANGE ORDER NO. 1 WITH GENERAL INDUSTRIES INSTALLATION FOR THE WWTP AMMONIA CONTROL MODULES; AUTHORIZING THE EXTENSION OF NO PARKING ON MILWAUKEE STREET AND AUTHORIZING THE DESTRUCTION OF CERTAIN ADMINISTRATION RECORDS.

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 4" and by reference made a part hereof as summarized as follows:

- 1) Bid Award and Approval of a Contract with Cameron – Reilly, LLC for the Safe Routes to School Lakes Middle School Project;
- 2) Approval of Change Order No. 1 with General Industries Installation for the WWTP Ammonia Control Modules;
- 3) Authorizing the extension of No Parking on Milwaukee Street;
- 4) Authorizing the Destruction of Certain Temporary Administrative Records;

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 4" 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 5th day of August, 2008.

Sandi Bloem, Mayor

ATTEST

Susan K. Weathers, City Clerk

Motion by _____, Seconded by _____, to adopt the foregoing resolution.

ROLL CALL:

COUNCIL MEMBER BRUNING Voted _____

COUNCIL MEMBER GOODLANDER Voted _____

COUNCIL MEMBER MCEVERS Voted _____

COUNCIL MEMBER HASSELL Voted _____

COUNCIL MEMBER KENNEDY Voted _____

COUNCIL MEMBER EDINGER Voted _____

_____ was absent. Motion _____.

CITY COUNCIL STAFF REPORT

DATE: August 5, 2008
INITIATED BY: Gordon Dobler, City Engineer *GD*
SUBJECT: Approval of Low Bidder Safe Routes to School Project

DECISION POINT

Staff is requesting City Council to approve Cameron/Reilly Inc as low bidder for the Safe Routes to School Sidewalk project.

HISTORY

The City received four responsive bids for the Safe Routes to School Sidewalk Project

CdA Paving Inc	\$97,390.75
Wm Winkler Company	\$96,300.00
ACI Northwest Inc	\$89,438.62
Cameron/Reilly Inc	\$75,510.25
Engineer's Estimate	\$81,395.00

FINANCIAL ANALYSIS

This project is funded through Idaho Transportation Department.

PERFORMANCE ANALYSIS

The City of Coeur d' Alene received four responsive bids for the Safe Routes to School Sidewalk Project. It appears that the reason for the high bids was due to their cost for mobilization and traffic control.

SUMMARY / RECOMMENDATION

Staff recommends a motion to approve Cameron/Reilly Inc as low bidder and to enter into a contract.

CONTRACT

THIS CONTRACT, made and entered into this 5th day of August, 2008, between the **CITY OF COEUR D'ALENE**, Kootenai County, Idaho, a municipal corporation duly organized and existing under and by virtue of the laws of the state of Idaho, hereinafter referred to as the "**CITY**", and **CAMERON-REILLY, LLC**, a corporation duly organized and existing under and by virtue of the laws of the state of Washington, with its principal place of business at **11201 W. 21st Ave., Airway Heights, WA 99001**, hereinafter referred to as "**CONTRACTOR**",

WITNESSETH:

THAT, WHEREAS, the said **CONTRACTOR** has been awarded the contract for the **City of Coeur d'Alene Safe Routes to School Lakes Middle School Project** according to plans and specifications on file in the office of the City Clerk of said **CITY**, which plans and specifications are incorporated herein by reference.

IT IS AGREED that for and in consideration of the covenants and agreements to be made and performed by the City of Coeur d'Alene, as hereinafter set forth, the **CONTRACTOR** shall complete improvements as set forth in the said plans and specifications described above, in said **CITY**, furnishing all labor and materials therefore according to said plans and specifications and under the penalties expressed in the performance bond bearing even date herewith, and which bond with said plans and specifications are hereby declared and accepted as parts of this contract. All material shall be of the high standard required by the said plans and specifications and approved by the City Engineer, and all labor performed shall be of first-class workmanship.

The **CONTRACTOR** shall furnish and install barriers and warning lights to prevent accidents. The **CONTRACTOR** shall indemnify, defend and hold the **CITY** harmless from all claims arising from the **CONTRACTOR**'s actions or omissions in performance of this contract, and to that end shall maintain liability insurance naming the **CITY** as one of the insureds in the amount of One Million Dollars (\$1,000,000) for property damage or bodily or personal injury, death or loss as a result of any one occurrence or accident regardless of the number of persons injured or the number of claimants, it being the intention that the minimum limits shall be those provided for under Idaho Code 6-924. A certificate of insurance providing at least thirty (30) days written notice to the **CITY** prior to cancellation of the policy shall be filed in the office of the City Clerk.

The **CONTRACTOR** agrees to maintain Workman's Compensation coverage on all employees, including employees of subcontractors, during the term of this contract as required by Idaho Code Sections 72-101 through 72-806. Should the **CONTRACTOR** fail to maintain such insurance during the entire term hereof, the **CONTRACTOR** shall indemnify the **CITY** against any loss resulting to the **CITY** from such failure, either by way of compensation or additional premium liability. The **CONTRACTOR** shall furnish to the **CITY**, prior to commencement of the work, such evidence as the **CITY** may require guaranteeing contributions which will come due under the

Employment Security Law including, at the option of the **CITY**, a surety bond in an amount sufficient to make such payments.

The **CONTRACTOR** shall furnish the **CITY** certificates of the insurance coverage's required herein, which certificates must be approved by the City Attorney.

The **CONTRACTOR** agrees to receive and accept as full compensation for furnishing all materials, and doing all the work contemplated and embraced in the contract, an amount equal to the sum of the total for the items of work. The total for each item of work shall be calculated by determining the actual quantity of each item of work and multiplying that actual quantity by the unit price bid by the **CONTRACTOR** for that item of work. The total amount of the contract shall not exceed Seventy-five Thousand Five Hundred Ten and 25/100 Dollars (**\$75,510.25**).

Partial payment shall be made on the fourth Tuesday of each calendar month on a duly certified estimate of the work completed in the previous calendar month less five percent (5%). Final payment shall be made thirty (30) days after completion of all work and acceptance by the City Council, provided that the **CONTRACTOR** has obtained from the Idaho State Tax Commission and submitted to the **CITY** a release of liability for taxes (Form 10-248-79). Payment shall be made by the City Finance Director.

The number of calendar days allowed for completion of the Contract work shall be 45 calendar days. The Contract time shall commence within 10 days of the Notice to Proceed issued by the **CITY** herein.

The **CITY** and the **CONTRACTOR** recognize that time is of the essence and failure of the **CONTRACTOR** to complete the work within the time allowed shall result in damages being sustained by the **CITY**. Such damages are and will continue to be impractical and extremely difficult to determine. Therefore, in the event the **CONTRACTOR** shall fail to complete the work within the above time limit, the **CONTRACTOR** shall pay to the **CITY** or have withheld from monies due, liquidated damages at the rate of Five Hundred and No/100 Dollars (\$500) per calendar day, which sums shall not be construed as a penalty.

IT IS AGREED that the **CONTRACTOR** must employ ninety-five percent (95%) bona fide Idaho residents as employees on any job under this contract except where under this contract fifty (50) or less persons are employed by the **CONTRACTOR**, in which case the **CONTRACTOR** may employ ten percent (10%) nonresidents; provided, however, in all cases the **CONTRACTOR**, must give preference to the employment of bona fide residents in the performance of said work.

The **CONTRACTOR** further agrees: In consideration of securing the business of constructing the works to be constructed under this contract, recognizing the business in which he is engaged is of a transitory character and that in the pursuit thereof, his property used therein may be without the state of Idaho when taxes, excises or license fees to which he is liable become payable, agrees:

1. To pay promptly when due all taxes (other than on real property), excises and license fees due to the State of Idaho, its subdivisions, and municipal and quasi-municipal corporations therein, accrued or accruing during the term of this contract, whether or not the same shall be payable at the end of such term.
2. That if the said taxes, excises and license fees are not payable at the end of said term but liability for said payment thereof exists, even though the same constitutes liens upon his property, to secure the same to the satisfaction of the respective officers charged with the collection thereof.
3. That in the event of his default in the payment or securing of such taxes, excises and license fees, to consent that the department, officer, board or taxing unit entering into this contract may withhold from any payment due him hereunder the estimated amount of such accrued and accruing taxes, excises and license fees for the benefit of all taxing units to which said **CONTRACTOR** is liable.

IT IS FURTHER AGREED that for additions or deductions to the plans and specifications, the unit prices as set forth in the written proposal of the **CONTRACTOR** are hereby made part of this contract.

For the faithful performance of this contract in accordance with the plans and specifications and payment for all labor and materials, the **CONTRACTOR** shall execute good and sufficient performance bond and payment bond in a form acceptable to the City Attorney each in the amount of one hundred percent (100%) of the total amount of the bid as hereinbefore stated, said bonds to be executed by a surety company authorized to do business in the state of Idaho.

The term "CONTRACT DOCUMENTS" means and includes the following:

- A) Advertisement For Bids
- B) Information For Bidders
- C) Bid Proposal
- D) Bid Bond
- E) Bidding Forms as Required
- F) Contract
- G) Labor and Materials Payment Bond
- H) Performance Bond
- I) Notice of Award
- J) Notice to Proceed
- K) Change Order
- L) General Conditions
- M) Technical Specifications

- N) Special Provisions
- O) Plans
- P) Addenda

No. _____, dated _____, _____

THIS CONTRACT, with all of its forms, specifications and stipulations, shall be binding upon the parties hereto, their successors and assigns.

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 **CONTRACTOR** has caused the same to be signed by its President, the day and year first above written.

**CITY OF COEUR D'ALENE,
KOOTENAI COUNTY, IDAHO**

**CONTRACTOR:
CAMERON-REILLY, LLC**

Sandi Bloem, Mayor

By: _____
Mike Reilly, Manager
Its: _____

ATTEST:

Susan K. Weathers, City Clerk

STATE OF IDAHO)
) ss.
County of Kootenai)

On this 5th day of August, 2008, before me, a Notary Public, personally appeared **Sandi Bloem and Susan K. Weathers**, known to me to be the Mayor and City Clerk, respectively, of the City of Coeur d'Alene that executed the foregoing instrument and acknowledged to me that said City of Coeur d'Alene executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

Notary Public for _____
Residing at _____
My Commission expires: _____

~~~~~  
STATE OF \_\_\_\_\_ )  
 ) ss.  
County of \_\_\_\_\_ )

On this \_\_\_\_ day of August, 2008, before me, a Notary Public, personally appeared **Mike Reilly**, known to me to be the Manger, of **Cameron – Reilly, LLC**, and the person who executed the foregoing instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

\_\_\_\_\_  
Notary Public for \_\_\_\_\_  
Residing at \_\_\_\_\_  
My Commission expires: \_\_\_\_\_

**PUBLIC WORKS COMMITTEE  
STAFF REPORT**

**DATE:** July 21, 2008  
**FROM:** David E. Shults, Capital Program Manager *DES*  
**SUBJECT:** Change Order #1 for General Industries Installation of WWTP Ammonia Control Modules

=====

**DECISION POINT:**

The City Council is requested to approve Change Order #1, for an increased cost of \$3,621.35 to the City's agreement with General Industries, Inc. for a total installation contract amount of \$42,851.59.

**HISTORY:**

In May, 2008, the City Council authorized General Industries to install the City's five prepurchased Entex modules in existing wastewater process tanks to promote the biological conversion of ammonia. The modules consist of stainless steel frames and air diffusers with fabric media that promotes specific biological growth for reducing ammonia in the wastewater plant discharge. Installation work included equipment, labor, and construction of air lines, valves, electrical connections, and instrumentation. These improvements will be evaluated as part of a pilot test program that will ultimately be useful in selecting the process facilities for the next treatment plant upgrade to address new and more rigorous discharge requirements.

After installation, it was discovered that the interior baffle walls of the existing process tanks were not sufficiently high to fully submerge the Entex modules as required. The City's wastewater consultant, HDR Engineering, and wastewater staff agreed on an approach for extending the height of the internal concrete tank walls by attaching a 12 inch strip of stainless steel. A portion of the contractor's lump sum bid paid for the majority of the additional work, but a change order is necessary to pay the contractor for the balance owed.

**FINANCIAL ANALYSIS:**

Ammonia Control Pilot Test

|                                     |                          |              |
|-------------------------------------|--------------------------|--------------|
| Prepurchase of five Entex Modules   |                          | \$224,433    |
| Design and Construction Engineering |                          | 79,744       |
| Contractor Installation of Modules  | Original Scope           | 39,230       |
|                                     | Proposed Change Order #1 | <u>3,621</u> |
|                                     | Total                    | \$347,028    |

Funding The current city financial plan anticipates \$3 million expenditure for pilot studies.

**DISCUSSION:**

Purchase and installation of the modules were accomplished as quickly as possible to gain their use at the beginning of July, at which time the City's discharge permit requires ammonia control. The contractor worked well in fitting the modules into tight spaces and connecting them as required. Extension of the tank walls not only allows submergence of the modules, but also increases the tank capacity for better performance.

**RECOMMENDATION:**

The City Council is requested to approve Change Order #1, for an increased cost of \$3,621.35 to the City's agreement with General Industries, Inc. for a total installation contract amount of \$42,851.59.

Attachment

des1257



ONE COMPANY | Many Solutions

## CHANGE ORDER RECOMMENDATION

July 9, 2008

City of Coeur d'Alene  
Wastewater Department  
710 E Mullan Ave  
Coeur d'Alene, ID 83814

Attention: Dave Shults

RE: Integrated Fixed-film Activated Sludge Media Equipment Installation  
Change Order Recommendation

Dear Mr. Shults:

Enclosed please find the original change proposal request and change order signed by HDR and General Industries. This change order reflects work conducted by General Industries to extend the overflow walls between the sludge re-aeration tanks and solids contact tanks at the Wastewater Treatment Plant. The wall extensions were constructed of 304 stainless steel with expansion anchors. This is a durable means of extending the wall height and a relatively fast and less costly method than extending the walls with cast-in-place concrete.

The primary purpose of the wall extension is to maximize submergence of the IFAS modules. The second purpose was to create more tank height for longer residence time in the sludge re-aeration portion of the basin. This enhances the plant's ability to convert ammonia. These results are consistent with the key objectives of the near-term ammonia reduction improvements.

We recommend processing this change order for a net increase of \$3,621.35 and a revised contract price of \$42,851.59.

Please return one (1) copy of the executed change order to this office and one (1) copy to the contractor upon council approval.

If you have any questions, please contact this office at your convenience.

Very truly yours,

HDR ENGINEERING, INC.

David Keil, PE  
Project Manager

Enclosures





**CHANGE PROPOSAL REQUEST**  
(Not a Change Order)

HDR ENGINEERING, INC.

Project:  
Integrated Fixed-film Activated Sludge Media Equipment  
Installation. City of Coeur d'Alene Wastewater Treatment Plant

CPR No.:   1  

Date Sent to Contractor:   06/05/2008  

Date Rec'd from Contractor:   06/12/2008  

TO:   GENERAL INDUSTRIES, INC.  

**Please furnish your proposal for installing wall extensions between sludge re-aeration and solids contact tanks.**

HDR   *Carroll Keil*   Date:   06/05/08  

TO: HDR Engineering, Inc.

**Proposal:**

1. Supply and installation of three (3) separate wall extensions in 304 stainless steel Dimensions to be 4"X12"X3/8" thick.
2. Extensions to be fastened to concrete with 1/2" diameter stainless steel wedge anchors with minimum embedment of 6". Spacing to be 2" in from each end with 2' in the field.
3. Surface area between Extensions and concrete to be caulked.

Price: \$10,451.15

Cost   \$6,829.80   (Authorized under Bid Item #2.)   \$3,621.35   to be authorized as a change order

(A time extension is not required for this modification unless otherwise detailed and justified:)

Contractor   Paul J. Velardi   Date   06/12/2008  

TO:   General Industries  

Accepted/Not Accepted   *Carroll Keil*    
Accepted/Not Accepted \_\_\_\_\_

HDR: Date   7/2/08    
Owner: Date \_\_\_\_\_

RECEIVED

JUL 10 2008

HDR ENGINEERING, INC



CHANGE ORDER NO. 1

OWNER: City of Coeur d'Alene, ID

DATE: July 1, 2008

CONTRACTOR: General Industries

HDR PROJECT NO.: 75130

CONTRACT PERIOD: 5/9/2008 to 6/7/2008

PROJECT: Integrated Fixed-film Activated Sludge Media Equipment Installation City of Coeur d'Alene Wastewater Treatment Plant

CONTRACT DATE: 5/8/2008

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

Provide all labor and materials necessary for installation of the work outlined in CPR Nos. 1.

The cost of this Contract modification is as follows:

| CPR                                    | Description                                                                                                                          | Cost              |
|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 1.                                     | Supply and install 304 stainless steel wall extensions, wedge anchors, and caulking of surface area between extensions and concrete. | \$3,621.35        |
| <b>CHANGE ORDER NO. 1 TOTAL AMOUNT</b> |                                                                                                                                      | <b>\$3,621.35</b> |

PART 1 - CHANGE ORDER SUMMARY

|                                                        |             |
|--------------------------------------------------------|-------------|
| Contract Price:                                        |             |
| Contract Price prior to this Change Order              | \$39,230.24 |
| Net Increase/Decrease of this Change Order             | \$3,621.35  |
| Revised Contract Price with all approved Change Orders | \$42,851.59 |

|                                                       |                  |
|-------------------------------------------------------|------------------|
| Contract Time:                                        |                  |
| Contract Time prior to this Change Order              | 29 calendar days |
| Net increase of this Change Order                     | 23 calendar days |
| Revised Contract Time with all approved Change Orders | 52 calendar days |

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

Accepted for Contractor By:

Date: 7/16/08

Approved for HDR Engineering, Inc. By:

Date: 7/2/08

Approved for Owner By: \_\_\_\_\_

Date:

Attest: \_\_\_\_\_

Date:

Distribution: Owner, Contractor, Office, Field, Other:

000...75130

City of Coeur d'Alene Wastewater Department  
Integrated Fixed-film Activated Sludge Media Equipment Installation - April 16, 2008  
00805 - 1

# **PUBLIC WORKS COMMITTEE**

## **STAFF REPORT**

**DATE:** July 21, 2008  
**FROM:** Gordon Dobler, Engineering Services Director  
**SUBJECT:** Extending the No-Parking Zone on Milwaukee St

---

### **DECISION POINT**

The Fire Department is requesting the extension of the existing no-parking zone on the south side Milwaukee St for approximately 300' easterly.

### **HISTORY**

The Fire Department routinely uses Foster / Milwaukee as their main westerly route. When cars are parked on both sides of the street it prevents two way traffic and consequently eastbound vehicles must stop and back up to allow the engines to pass. Most of Milwaukee is already posted no-parking on the south side (see attached map) however the portion east of the Spokesman Review building is not posted. The problem area is generally adjacent to the County parking lot which abuts the Spokesman building and extends about 300' further east.

### **FINANCIAL ANALYSIS**

There is no significant financial impact with this action.

### **PERFORMANCE ANALYSIS**

Eliminating parking along this portion of Milwaukee would decrease congestion and allow for two way traffic when the Fire engines use this route.

### **RECOMMENDATION**

Staff recommends that Council approve a resolution extending the no-parking zone along the south side of Milwaukee easterly approximately 300'.





EXISTING NO PARKING

PROPOSED NO PARKING



# INTEROFFICE MEMORANDUM

**TO:** CITY COUNCIL  
**FROM:** Susan Weathers  
**DATE:** July 22, 2008  
**SUBJECT:** Request for Destruction of Records

\*\*\*\*\*

**DECISION POINT:**

Would the City Council approve the destruction of certain public records?

**HISTORY:**

Pursuant to the Records Retention regulations, the attached list of records is being presented to the Council for authorization for the destruction of such records.

**PERFORMANCE ANALYSIS:**

Because of the lack of storage space, records are routinely reviewed to determine if the necessity of maintaining the record is warranted. Because the attached list of records has exceeded the time required to maintain them and their useful life has been exhausted, it is necessary to purge these files in order to maintain storage space for future records.

**DECISION POINT:**

To authorize staff to proceed with the destruction of records as listed pursuant to I.C. 50-908.

REQUEST FOR DESTRUCTION OF RECORDS

**DEPARTMENT: MUNICIPAL SERVICES**

**Type of Record:** Temporary (24 months)  
**Date of Records:** January, 2002 through December, 2005  
**Description of Records:** Hard copies of edited Heads Ups which were sent to the Coeur d'Alene Press and the Spokesman Review

\*\*\*\*\*

**Type of Record:** Temporary (24 months)  
**Date of Records:** January, 2003 through December, 2005  
**Description of Records:** Meeting Scheduling Worksheets utilized by Executive Assistant while planning and organizing meetings for the City Administrator, Deputy City Administrator, Mayor and Council, and various other department heads. (Work product)

CEMETERY LOT TRANSFER/SALE/REPURCHASE PROCEDURE AND ROUTING SLIP

Request received by: Municipal Services Kathy Lewis / Department Name / Employee Name / Date 6-12-08

Request made by: CHARLES SEYMOUR / Name / Phone 664-2863

FAIRWINDS / Address 3340 WEST SELTICE WAY #128

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

Niche(s): H / Lot(s): 37 / Block: Niche Section: FOREST

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

Copy of  Deed or  Certificate of Sale must be attached.

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

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

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

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

**ACCOUNTING DEPARTMENT** Shall complete the following:

Attach copy of original contract.

Vonnie Jensen / Accountant Signature

**CEMETERY SUPERVISOR** shall complete the following:

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

Charles + Eileen Seymour

- 3. The purchase price of the Lot(s) when sold to the owner of record was \$ 900 per lot.

RDE / Supervisor's Init. / 7/16/08 / Date

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

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

Person making request is authorized to execute the claim: MCG / Attorney Init. / 7/17/08 / Date

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

Susan K. Weather / City Clerk's Signature / 7-17-08 / Date

**COUNCIL ACTION**

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


**CEMETERY SUPERVISOR** shall complete the following:

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

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

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

**CITY COUNCIL  
STAFF REPORT**

**DATE:** August 5, 2008  
**FROM:** Christopher H. Bates, Engineering Project Manager   
**SUBJECT:** **Acceptance of Utility Easement in Coeur d'Alene Place Subdivision**

---

**DECISION POINT**

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

**HISTORY**

The dedication of this easement was a condition of the revised Coeur d'Alene Place PUD in July 2005.

**FINANCIAL ANALYSIS**

There is no cost to the City.

**PERFORMANCE ANALYSIS**

The most recent revision of the Coeur d'Alene Place PUD (2005) required the dedication of the right-of-way or an easement for the placement of utilities in the Courcelles Parkway road corridor. This easement will allow any development that lies to the north of the subject property, and, lies within this applicable sanitary sewer drainage basin, to install the sanitary sewer and potable water facilities to allow for development. Development would no longer be required to obtain rights to utilize the existing sanitary lift station facilities in the Sunshine Meadows subdivision. Connections, if made, would tie into the existing main lines that currently terminate at Courcelles Pkwy and Charlemagne Drive.

**RECOMMENDATION**

Accept the easement on behalf of the City and direct the City Clerk to proceed with the recordation of the document.



**GRANT of EASEMENT  
FOR SEWER AND WATER UTILITIES AND APPURTENANCES**

**KNOW ALL MEN BY THESE PRESENTS**, that Greenstone-Kootenai, Inc., an Idaho Corporation, whose address is 1421 N. Meadowwood Lane, Suite 200, Liberty Lake, WA, 99019, with Jason S. Wheaton, President, the **GRANTOR**, for and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration paid by the City of Coeur d'Alene, Kootenai County, State of Idaho, receipt of which is acknowledged, does hereby grant, quitclaim, and convey unto the **CITY OF COEUR D'ALENE, Kootenai County, State of Idaho, a municipal corporation**, the **GRANTEE**, whose address is **710 Mullan Avenue, Coeur d'Alene, Idaho 83814-3958**, its successors and assigns, an easement, together with the rights of ingress and egress for the installation, improvement, operation and maintenance of public sewer and water utilities, over and through the following described property in Kootenai County, to wit:

See attached "Exhibit A" incorporated herein.

**TO MAINTAIN AND/OR USE** sewer and water facilities, together with such fixtures and appurtenances, at such locations and elevations, upon, along, over and under the area described in "Exhibit A" as **GRANTEE** may now or hereafter determine in its sole discretion without any additional compensation therefore, together with the right to use this easement for access to **GRANTEE'S** right-of-way situated in adjacent lands, without any additional compensation therefore.

**GRANTOR**, their heirs, successors and assigns shall not erect or construct or permit to be erected or constructed any building, structure or improvement or plant any tree or trees or plant any other vegetation or flora excepting grass within said easement or increase or decrease the existing ground elevations without the express written approval of the City of Coeur d'Alene as evidenced by the signature of the City Engineer on an approved plan. **GRANTOR**, their heirs, successors and assigns shall not dig or drill any hole or wells on any portion of the easement.

**GRANTOR** agrees that no other easement or easements shall be granted on, under, or over this easement without obtaining the prior written consent of **GRANTEE**.

**GRANTEE** may at any time increase its use of the easement, change the location of utilities or other facilities within the boundaries of the easement, or modify the size of existing facilities or other improvements as it may determine in its sole discretion from time to time without paying any additional compensation to **GRANTOR** or **GRANTOR'S** heirs, successors, or assigns, provided **GRANTEE** does not expand its use of the easement beyond the easement boundaries described above.

**GRANTOR** expressly warrants and represents that **GRANTOR** has the power to grant this easement in accordance with its terms.

IN WITNESS WHEREOF, the GRANTOR has executed this easement this 9<sup>th</sup> day of July, 2008.

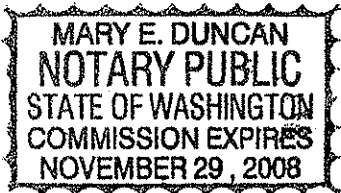
GREENSTONE-KOOTENAI, INC.

BY: *[Signature]*  
Jason S. Wheaton, President

STATE OF WASHINGTON )  
                                          ) SS  
County of Spokane )

On this 9<sup>th</sup> day of July, 2008, before me a Notary Public, personally appeared Jason S. Wheaton, known or identified to me to be the President of Greenstone-Kootenai, Inc., and the individual who executed the foregoing instrument on behalf of said corporation and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.



*Mary E Duncan*  
Notary Public for the State of Washington  
Residing at: Liberty Lake  
My Commission Expires: 11/29/2008

Legal Description  
For  
Right of Way for Courcelles Parkway

Portions of the Southeast and Southwest Quarters of Section 27, Township 51 North, Range 4 West, Boise Meridian, in the City of Coeur D'Alene, Kootenai County, Idaho, more particularly described as follows being a 60' (sixty foot) strip of land lying 30.00 feet on each side of the following described centerline:

**COMMENCING** at the intersection of Courcelles Parkway and Charlemagne Drive as shown on COEUR D' ALENE PLACE SEVENTH ADDITION, recorded in Book I of Plats, Pages 223 and 223A; said point as being on a non-tangent curve concave to the Southwest and having a radius of 1200.00 feet from which point a chord bearing of N28°09'38"W and distance of 50.05 feet; thence Northwesterly along said curve through a central angle of 2°23'23" an arc distance of 50.05 feet to the **POINT OF BEGINNING**; thence continuing along said curve through a central angle of 22°29'00" an arc distance of 470.89 feet to the beginning of a reverse curve concave to the Northeast and having a radius of 800.00 feet; thence Northwesterly along said curve through a central angle of 30°15'12" an arc distance of 422.42 feet to the East/West center of section line of said Section 27 and the terminus of this centerline description (from which the Center Quarter Corner of said Section 27 bears S88°18'06"E a distance of 85.88 feet). The sidelines of the above described strip of land shall be prolonged or shortened, so as to terminate at the East/West center of section line of said Section 27.

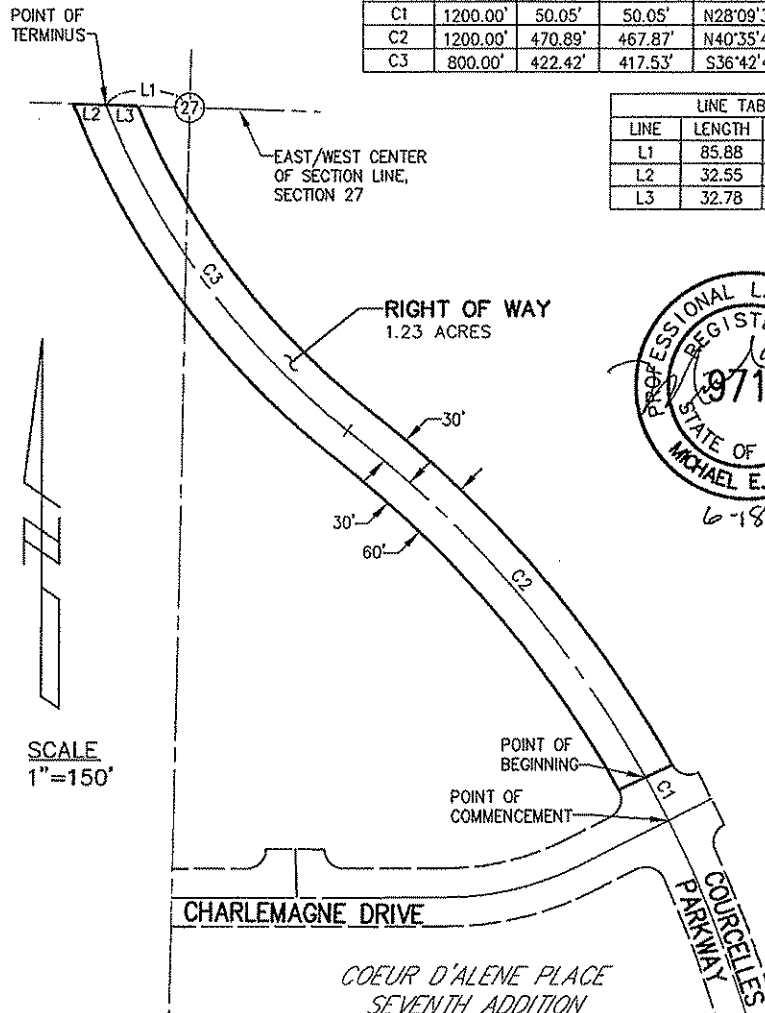
containing 1.23 acres more or less



**EXHIBIT**  
 RIGHT OF WAY FOR COURCELLES PARKWAY  
 LOCATED IN SOUTHEAST AND SOUTHWEST QUARTER OF  
 SECTION 27, TOWNSHIP 51 NORTH, RANGE 4 WEST, B.M.,  
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY

| CURVE TABLE |          |         |            |             |           |
|-------------|----------|---------|------------|-------------|-----------|
| CURVE       | RADIUS   | LENGTH  | CRD. DIST. | CRD. BRG.   | DELTA     |
| C1          | 1200.00' | 50.05'  | 50.05'     | N28°09'38"W | 2°23'23"  |
| C2          | 1200.00' | 470.89' | 467.87'    | N40°35'49"W | 22°29'00" |
| C3          | 800.00'  | 422.42' | 417.53'    | S36°42'43"E | 30°15'12" |

| LINE TABLE |        |             |
|------------|--------|-------------|
| LINE       | LENGTH | BEARING     |
| L1         | 85.88  | S88°18'06"E |
| L2         | 32.55  | N88°18'06"W |
| L3         | 32.78  | S88°18'06"E |



*COEUR D'ALENE PLACE  
 SEVENTH ADDITION  
 BOOK 1 OF PLATS,  
 PAGES 223 AND 223A*



**CLC ASSOCIATES**

12730 E MIRABEAU PKWY  
 SUITE 100  
 SPOKANE VALLEY  
 WASHINGTON 99216  
 P 509 458 0842  
 F 509 458 0844  
 CLCA2000.COM

ARCHITECTURE  
 ENGINEERING PLANNING  
 LANDSCAPE ARCHITECTURE  
 LAND SURVEYING

# ANNOUNCEMENTS

# Memo to Council

DATE: July 22, 2008

RE: Appointments to Boards/Commissions/Committees

The following re-appointments are presented for your consideration for the August 5th Council Meeting:

JIM DUNCAN  
JIM ELDER

PARKING COMMISSION  
PARKING COMMISSION

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

Sincerely,

Amy Ferguson  
Executive Assistant

cc: Susan Weathers, Municipal Services Director  
Troy Tymesen, Parking Commission Liaison

# Memo to Council

DATE: July 18, 2008

RE: Appointments to Boards/Commissions/Committees

The following appointment is presented for your consideration for the August 5th Council Meeting:

LYNN MORRIS (Alternate)

DESIGN REVIEW COMMITTEE

A copy of the data sheet is in front of your mailboxes.

Sincerely,

Amy Ferguson  
Executive Assistant

cc: Susan Weathers, Municipal Services Director  
Dave Yadon, Design Review Committee Liaison

OTHER COMMITTEE MINUTES  
(Requiring Council Action)



July 21, 2008  
**GENERAL SERVICES COMMITTEE  
MINUTES**

**COMMITTEE MEMBERS PRESENT**

Deanna Goodlander, Chairperson  
Ron Edinger  
John Bruning

**STAFF PRESENT**

Doug Eastwood, Parks Director  
Jon Ingalls, Deputy City Administrator  
Troy Tymesen, Finance Director  
Wendy Gabriel, City Administrator  
Mike Gridley, City Attorney

**Item 1. Landings Park, Phase 1.  
(Agenda Item)**

Doug Eastwood, Parks Director, explained that the Parks and Recreation Commission met to discuss bringing forward Phase 1 of the Landings Park which would include engineering, grading, perimeter and connector asphalt pathways and a parking lot. The cost of this work will be approximately \$187,000 which will come from the Parks Capital Improvement Fund. Mr. Eastwood said that after lengthy discussion the Parks and Recreation Commission decided to roll the whole park into one development rather than separate it into two Phases. Mr. Eastwood added that there has been no funding identified for maintenance of the facility such as personnel, operating supplies or vehicles and equipment. Phase 1, as proposed, will not generate a need for these maintenance costs. Those costs would be triggered by Phase 2.

Councilman Edinger asked staff to clarify the funding options for the maintenance of the park. Mr. Tymesen explained that the city won't be hiring new staff for fiscal year 08/09 because property taxes and new construction are not equaling what is needed for added staff. He noted that the city is implementing the new sidewalk replacement program which will be done with forgone taxes. He noted that the Council has listed the Landings park as one of their priorities, therefore, staff will seek out funding options for the maintenance of the park.

Councilman Edinger asked if unexpended Parks Department Employee Wages from the 07/08 budget could be rolled over to the 08/09 budget to be used for the park maintenance. Mr. Tymesen responded that that has not been done in the past. However, they have earmarked capital improvement funds from one fiscal year to the next. Historically, personnel dollars go back to the fund balance. Councilman Edinger asked, the city has not done this in the past, but could? Mr. Tymesen responded, yes. Councilman Edinger commented that at the recent City Council Retreat they stated that the Landings Park was a high priority. Councilman Goodlander clarified that when the Council makes that priority list, it is understood that it is as funding allows.

Councilman Edinger inquired as to the estimated cost for the conceptual plan of this park when it was first discussed a few years ago. Mr. Eastwood responded, approximately \$850,000. And now, Councilman Edinger asked. Mr. Eastwood responded, approximately \$1.2 million. Mr. Eastwood said that the cost for a site this size has gone up about 100K per year.

**MOTION: by Bruning, seconded by Edinger, that Council authorize staff to solicit bids for Phase 1 of the Landings Park.**

**2<sup>nd</sup> MOTION: by Edinger, seconded by Bruning, that Council direct staff to seek funding options for maintenance of the Landings Park.**

The meeting adjourned at p.m.

Respectfully submitted, *Juanita Van Cleave*, Recording Secretary

**PARKS AND RECREATION COMMISSION  
STAFF REPORT**

**Date:** July 14, 2008  
**From:** Doug Eastwood, Parks Director  
**SUBJECT: LANDINGS PARK – PHASE 1** *(General Services Action Required)*

---

**DECISION POINT:**

Recommend to the City Council to authorize staff to solicit bids for Phase 1 of the Landings Park. Phase 1 will consist of a perimeter pathway, parking lot and swale construction.

**HISTORY:**

The property for this park came to the city through a land exchange with the Parks Foundation. It was identified as park property shortly after the property in the Sunshine Meadows subdivision was donated to the city, around 2005. The Sunshine Meadows parkland was developed this year. The Landings site would be the next park site to be developed as per our master plan. The site consists of 11 acres of undeveloped land.

**FINANCIAL ANALYSIS:**

In April of this year, the City Council identified this park as a high priority at their budget workshop. The cost of developing Phase 1 is estimated to be \$190,000.00. These funds are available in the Parks Capital Improvement Fund. It is important to note that even though this project was a high priority at the council workshop, no funding has been identified for maintenance of the facility; personnel, operating supplies or vehicles and equipment. That is still being reviewed and will not be decided until later this year. Phase 1, as proposed, will not impact the need for additional personnel, operating supplies, vehicles and equipment. Phase II will trigger that need.

**PERFORMANCE ANALYSIS:**

Waterford at the Landings is a large subdivision that will ultimately have over 800 single family homes. We do not have a park in this quadrant of town other than the 2.5 acre park in Sunshine Meadows. This park will eventually relieve some of the overcrowding at existing parks.

**DECISION POINT:**

Recommend to the City Council to authorize staff to solicit bids for Phase 1 of the Landings Park. **Another consideration:** We have referred to this site as the Park at the Landings; do you want to consider a name that park contest?

# FISCAL YEAR 2008-2009

## REQUEST NUMBER 1 of 6

### IMPLEMENTATION OF PARKS MASTER PLAN – LANDINGS PARK

**DEPARTMENT:** PARKS

**DEPARTMENT HEAD:** Doug Eastwood

**DATE:** March 1, 2008

### COUNCIL STRATEGY LINKAGE      **Meaningful Sustainable Growth**

**1. PROBLEM DEFINITION:** The City owns an 11-acre site designated for park development located in the northwest area of town in “The Landings” subdivision. The City does not have any parks west of Atlas Road and north of Kathleen Avenue. The Landings Park site would be a next logical site to develop.

**2. PROGRAM PROPOSAL TO RESOLVE PROBLEM:** Adopt the site design concept and approve the funding allocation from the Parks Capital Improvement Fund to develop this park site. Additionally, allocate funding from the General Fund to include staffing and operating supplies. The recently adopted Parks Master Plan suggests we maintain our parks at a ratio of 12 acres/employee. This park site pushes us to that management ratio. Parks within a reasonable proximity of this site would also be maintained by the additional help allocated to this new park.

**3. CONSIDERATIONS OF THE SERIOUSNESS AND GROWTH POTENTIAL OF THIS PROBLEM FOR THE CITY:** Our goal is to acquire and develop park land at a ratio of 4 acres/1,000 population. Currently we are maintaining that ratio and keeping up with growth. If we fall behind in maintaining that ratio other park infrastructures will get over used causing early wear out and unnecessary damage. Both, the Parks Master Plan and the City’s Comprehensive Plan address the importance and need to provide parks and park access to our citizenry.

**4. PROGRAM COSTS SUMMARY:**

|                |   |                      |                  |                 |
|----------------|---|----------------------|------------------|-----------------|
| 1.0 leadworker | = | \$55,000             |                  |                 |
| .5 seasonal    | = | \$12,960 (1040 hrs.) |                  |                 |
|                |   |                      | <b>Personnel</b> | <b>\$67,960</b> |
| 1 Pick-up      | = | \$22,000             |                  |                 |
| 1 Mower        | = | \$18,000             |                  |                 |
| 1 Turf Vehicle | = | \$16,000             |                  |                 |
|                |   |                      | <b>Equipment</b> | <b>\$56,000</b> |

**5. (NEW) COST/BENEFIT ANALYSIS:** Developing this park will help to meet the needs of a growing community. This will also help with strengthening the housing market while investing in the health and welfare of adults and kids by having the opportunity to enjoy leisurely outdoor recreation.

# PUBLIC HEARINGS

**PLANNING COMMISSION  
STAFF REPORT**

FROM: JOHN J. STAMSOS, SENIOR PLANNER  
DATE: AUGUST 5, 2008  
SUBJECT: A-3-08 – ZONING IN CONJUNCTION WITH ANNEXATION FROM COUNTY INDUSTRIAL TO C-17  
LOCATION: +/- 15,625 SQ. FT. PARCEL NEAR THE INTERSECTION OF BEEBE BOULEVARD AND TILFORD LANE

**DECISION POINT:**

Riverstone West, LLC is requesting Zoning In Conjunction With Annexation from County Industrial to City C-17 (Commercial at 17 units/acre) for a +/- 15,625 sq. ft. parcel.

**GENERAL INFORMATION:**

- A. Site photo





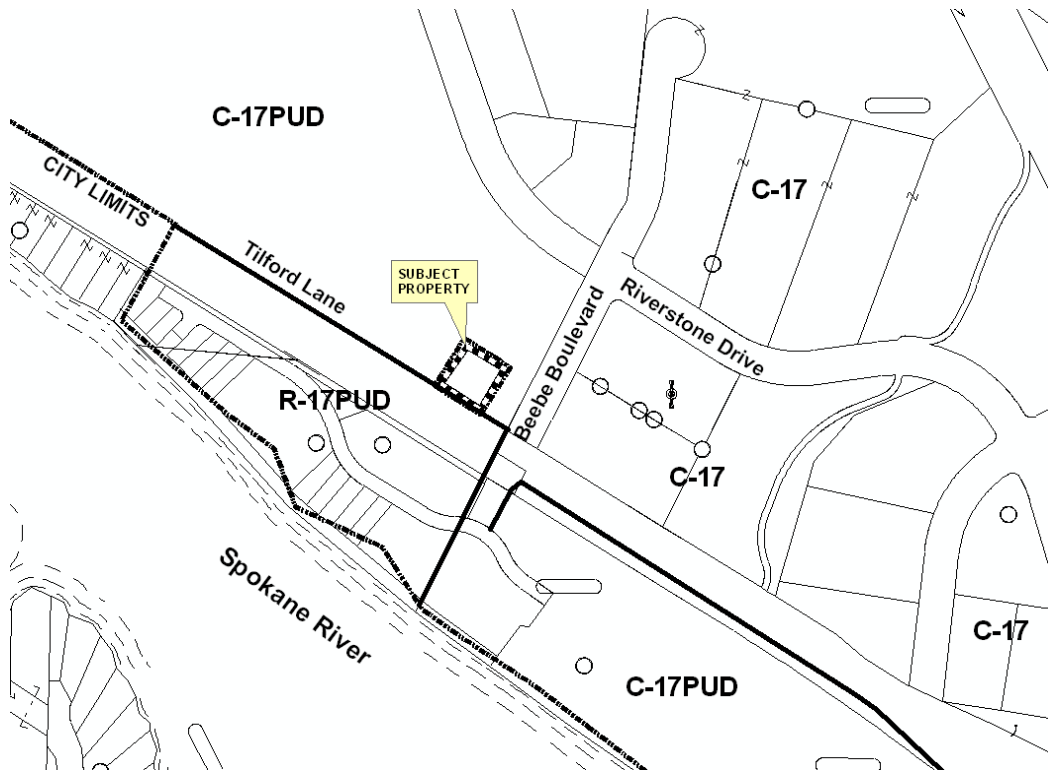
B. Subject property.



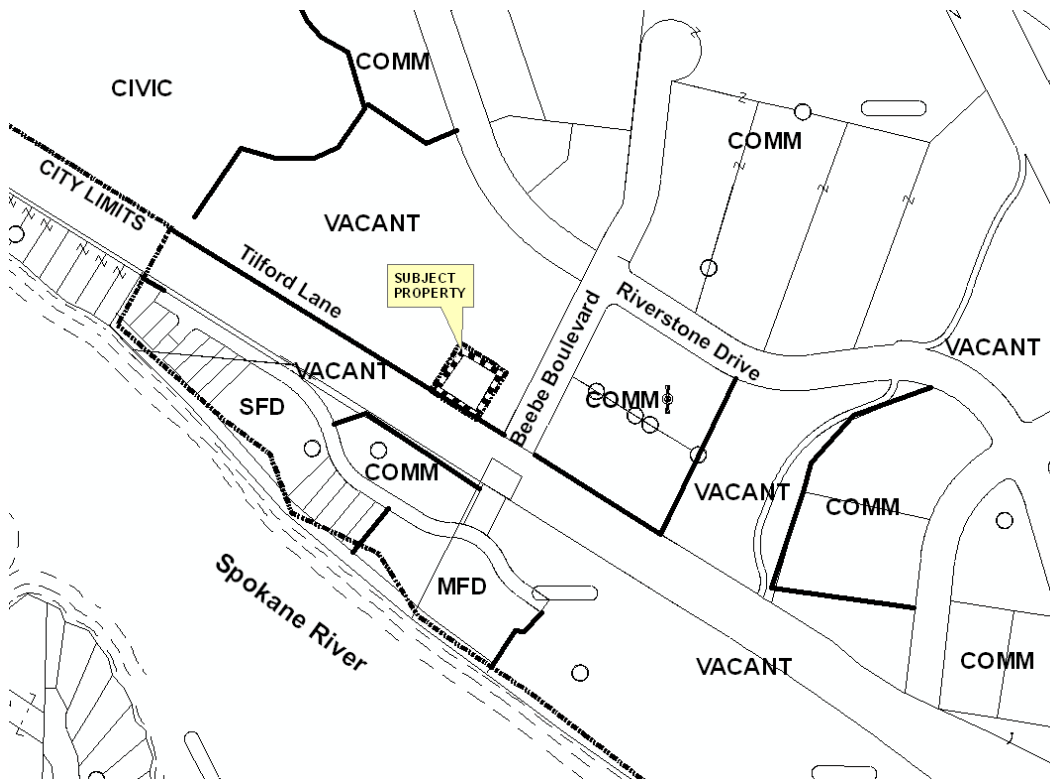
C. Subject property from Beebe Boulevard.



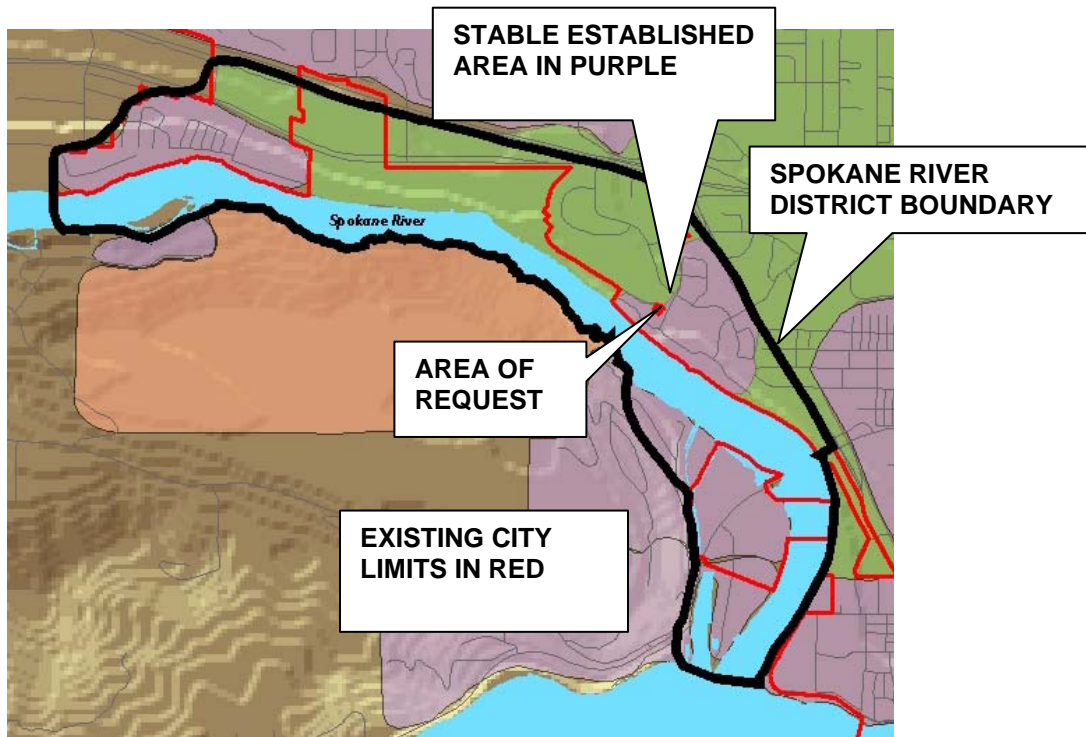
D. Zoning.



E. Generalized land use.



F. 2007 Comprehensive Plan - Stable Established – Spokane River District:



G. Applicant/: Riverstone West, LLC  
Owner South 104 Division Street  
Spokane, WA 99202

H. The subject property is vacant land.

I. Land uses in the area include residential – single-family, Riverstone Park, commercial and vacant land.

J. RCA-3-08 – Request To Consider Annexation – Approved by the City Council on February 19, 2008.

K. The Planning Commission heard this request on June 10, 2008 and approved it by a 5 to 0 vote.

**PERFORMANCE ANALYSIS:**

A. Zoning:

The C-17 district is intended as a broad spectrum commercial district that permits limited service, wholesale/retail and heavy commercial in addition to allowing residential development at a density of seventeen (17) units per gross acre.



**Permitted uses:**

1. Administrative offices.
2. Agricultural supplies and commodity sales.
3. Automobile and accessory sales.
4. Automobile parking when serving an adjacent business or apartment.
5. Automobile renting.
6. Automobile repair and cleaning.
7. Automotive fleet storage.
8. Automotive parking.
9. Banks and financial institutions.
10. Boarding house.
11. Building maintenance service.
12. Business supply retail sales.
13. Business support service.
14. Childcare facility.
15. Commercial film production.
16. Commercial kennel.
17. Commercial recreation.
18. Communication service.
19. Community assembly.
20. Community education.
21. Community organization.
22. Construction retail sales.
23. Consumer repair service.
24. Convenience sales.
25. Convenience service.
26. Department stores.
27. Duplex housing (as specified by the R-12 district).
28. Essential service.
29. Farm equipment sales.

30. Finished goods wholesale.
31. Food and beverage stores, on/off site consumption.
32. Funeral service.
33. General construction service.
34. Group assembly.
35. Group dwelling - detached housing.
36. Handicapped or minimal care facility.
37. Home furnishing retail sales.
38. Home occupations.
39. Hospitals/healthcare.
40. Hotel/motel.
41. Juvenile offenders facility.
42. Laundry service.
43. Ministorage facilities.
44. Multiple-family housing (as specified by the R-17 district).
45. Neighborhood recreation.
46. Noncommercial kennel.
47. Nursing/convalescent/rest homes for the aged.
48. Personal service establishments.
49. Pocket residential development (as specified by the R-17 district).
50. Professional offices.
51. Public recreation.
52. Rehabilitative facility.
53. Religious assembly.
54. Retail gasoline sales.
55. Single-family detached housing (as specified by the R-8 district).
56. Specialty retail sales.
57. Veterinary office

**Uses allowed by special use permit:**

1. Adult entertainment sales and service.
2. Auto camp.
3. Criminal transitional facility.
4. Custom manufacturing.
5. Extensive impact.
6. Residential density of the R-34 district as specified.
7. Underground bulk liquid fuel storage - wholesale.
8. Veterinary hospital.
9. Warehouse/storage.
10. Wireless communication facility.

The zoning pattern (see zoning map on page 3) shows C-17, C-17PUD and R-17PUD zoning in the area surrounding the subject property.

Evaluation: The Planning Commission, based on the information before them must determine if the C-17 zone is appropriate for this location and setting.

**B. Finding #B8: That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.**

1. The portion of the subject property to be annexed is within the Area of City Impact Boundary.
2. The City Comprehensive Plan Map designates the subject property as Stable Established – Spokane River District, as follows:

**Stable Established Areas:**

These areas are where the character of neighborhoods has largely been established and, in general, should be maintained. The street network, the number of building lots and general land use are not expected to change greatly within the planning period.

**Spokane River District:**

This area is going through a multitude of changes and this trend will continue for many years. Generally, the Spokane River District is envisioned to be mixed use neighborhoods consisting of housing and commercial retail and service activities that embrace the aesthetics of the proximity to the Spokane River. As the mills are removed to make way for new development, the river shoreline is sure to change dramatically.

**The characteristics of the Spokane River District will be:**

- Various commercial, residential, and mixed uses.
- Public access should be provided to the river.

- That overall density may approach ten to sixteen dwelling units per acre (10-16:1), but pockets of denser housing are appropriate and encouraged.
- That open space, parks, pedestrian and bicycle connections, and other public spaces will be provided throughout, especially adjacent to the Spokane River.
- That the scale of development will be urban in nature, promoting multi-modal connectivity to downtown.
- The scale and intensity of development will be less than the Downtown Core.
- Neighborhood service nodes are encouraged where appropriate.
- That street networks will be interconnected, defining and creating smaller residential blocks and avoiding cul-de-sacs.
- That neighborhoods will retain and include planting of future, large-scale, native variety trees.

**Significant policies:**

- Objective 1.12 - Community Design:  
Support the enhancement of existing urbanized areas and discourage sprawl.
- Objective 1.14 - Efficiency:  
Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.
- Objective 2.01 - Business Image & Diversity:  
Welcome and support a diverse mix of quality professional, trade, business, and service industries, while protecting existing uses of these types from encroachment by incompatible land uses.
- Objective 3.01 - Managed Growth:  
Provide for a diversity of suitable housing forms within existing neighborhoods to match the needs of a changing population
- Objective 3.05 - Neighborhoods:  
Protect and preserve existing neighborhoods from incompatible land uses and developments.
- Objective 3.16 - Capital Improvements:  
Ensure infrastructure and essential services are available prior to approval for properties seeking development.

➤ Objective 4.02 - City Services:

Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling, and trash collection).

Evaluation: The Planning Commission must determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.

C. **Finding #B9: That public facilities and utilities (are) (are not) available and adequate for the proposed use.**

SEWER:

If this parcel is annexed, a sewer lateral to the parcel will have to be worked out.

Comments submitted by Don Keil, Assistant Wastewater Superintendent

WATER:

If there is an existing well casing, they will have to have it abandoned by a certified well drilling contractor to prevent possible contamination of the ground water.

Comments submitted by Terry Pickel, Assistant Wastewater Superintendent

TRAFFIC, STREETS AND STORMWATER:

No comments.

Submitted by Chris Bates, Engineering Project Manager

FIRE:

No comments.

Submitted by Glenn Lauper, Deputy Fire Chief

POLICE:

No comments.

Submitted by Steve Childers, Captain, Police Department

D. **Finding #B10: That the physical characteristics of the site (make) (do not make) it suitable for the request at this time.**

The subject property is flat with no physical constraints.

Evaluation: The physical characteristics of the site appear to be suitable for the request at this time.

- E. **Finding #B11: That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.**

The subject property is surrounded by the Riverstone development, which is a rapidly developing area of commercial, residential and recreational uses and is supported by an established street network designed to handle increased traffic as the area develops.

Evaluation: The requested C-17 zoning would be compatible with the existing uses and character of the Riverstone area.

- F. Items recommended for an Annexation Agreement.

1. The applicant will submit an application to include the subject property into the Riverstone West PUD within 6 months after Council approves the annexation agreement.

- G. Ordinances and Standards Used In Evaluation:  
Comprehensive Plan - Amended 1995.  
Municipal Code.  
Idaho Code.  
Wastewater Treatment Facility Plan.  
Water and Sewer Service Policies.  
Urban Forestry Standards.  
Transportation and Traffic Engineering Handbook, I.T.E.  
Manual on Uniform Traffic Control Devices.

#### **ACTION ALTERNATIVES:**

Staff recommends the City Council take the following action:

The City Council must consider this request and make appropriate findings to approve, deny or deny without prejudice. The findings worksheet is attached.

If the Council approves the request, they may adopt the Planning Commission findings, create their own findings or use some of the Planning Commission findings and some of their own findings.

If the Council denies the request, a new set of findings must be made.

**JUSTIFICATION**

Please use this space to state the reason(s) for the requested annexation and include comments on the 2007 Comprehensive Plan Category, Neighborhood Area, and applicable Special Areas and appropriate goals and policies and how they support your request.

By annexing this lot into the City of Coeur D' Alene it will allow us to straighten out Tillfor lane that leads into the park and use the balance of the land for its current mixed use design.

In the Spokane River District section of the 2007 Comprehensive plan it is envisioned to be mixed use neighborhoods consisting of housing and commercial retail and service activities that embrace the aesthetics of the proximity to the Spokane River. This location is an extension of the Riverstone Development which is part of the River District section of the 2007 comprehensive plan. Once annexed the property will fall into the mixed use design for this area of the development which represents the vision of the 2007 comprehensive plan.

The property will be used as part of the existing mixed use concept in this area of the development which most likely will be balanced between rail and commercial.

This property is on the southwest end of the riverstone between Tillford Lane and the rail road right ofway / Centennial Trail and would naturally extend into the development with little disruption to the surrounding area. By annexing this land into Riverstone Development it would comply with the current designated land use for this area of the development.

It would also comply with the Final PUD which was submitted to the City of Coeur D' Alene in December of 2007 for final acceptance.

Applicant: Riverstone West, LLC  
Location: Near the intersection of Beebe Boulevard in the Riverstone Development  
Request: Proposed annexation from County Industrial to City C-17 (Commercial at 17 units/acre) zoning district  
QUASI-JUDICIAL (A-3-08)

Senior Planner Stamsos presented the staff report, gave the mailing tally as 1 in favor, 0 opposed and 4 neutral and answered questions from the Commission.

Commissioner Bowlby inquired if this property was originally planned as a mixed zoning development and not commercial.

Senior Planner Stamsos explained that this parcel has always been zoned commercial. The most recent change in this area was a PUD approved last year for additional height for multi-family uses.

Commissioner Luttrupp noted in the applicant's justification it stated that they feel this parcel should be included in the PUD and questioned if staff discussed this zoning with the applicant.

Senior Planner Stamsos explained that this parcel was outside the original PUD boundary and not considered part of the PUD.

Deputy City Attorney Wilson suggested that if the Planning Commission felt that this parcel should become part of the original PUD, that they make a recommendation to the City Council to include this in the annexation agreement.

Chairman Jordan feels that the zoning the applicant has selected is the appropriate zone for the parcel.

Chairman Jordan announced that the applicant is not present and questioned if this request could still be heard without the applicant being present.

Assistant City Attorney Wilson commented that if the Commission feels that they have enough information without a presentation from the applicant they should go forward with the hearing.

Chairman Jordan felt that this request should go forward to the City Council based on recommendations from the Planning Commission.

Commissioner Messina concurred.

Commissioner Luttrupp felt that after reading the applicant's justification this parcel should become part of the original PUD at sometime in the future.

Commissioner Rasor recommended that the applicant be required to come back to the Planning Commission within six-months to request that this parcel become part of in the PUD.

**Motion by Rasor, seconded by Messina, to approve Item A-3-08. Motion approved.**

ROLL CALL:

Commissioner Bowlby                      Voted   Aye



|                       |       |     |
|-----------------------|-------|-----|
| Commissioner Evans    | Voted | Aye |
| Commissioner Messina  | Voted | Aye |
| Commissioner Rasor    | Voted | Aye |
| Commissioner Luttrupp | Voted | Aye |

Motion to approve carried by a 5 to 0 vote.

**COEUR D'ALENE PLANNING COMMISSION  
FINDINGS AND ORDER**

**A. INTRODUCTION**

This matter having come before the Planning Commission on June 10, 2008, and there being present a person requesting approval of ITEM A-3-08, a request for zoning prior to annexation from County Industrial to City C-17 (Commercial at 17 units/acre)

LOCATION: +/- 15,625 sq. ft. parcel near the intersection of Beebe Boulevard and Tilford Lane

APPLICANT: Riverstone West, LLC

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

- B1. That the existing land uses are residential – single-family, Riverstone Park, commercial and vacant land.
- B2. That the Comprehensive Plan Map designation is Stable Established.
- B3. That the current zoning is County Industrial.
- B4. That the notice of public hearing was published on May 24, 2008, and June 3, 2008, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was not required to be posted, which fulfills the proper legal requirement.
- B6. That 72 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on May 23, 2008 and 5 responses were received: 1 in favor, 0 opposed, and 4 neutral.
- B7. That public testimony was taken on June 10, 2008 from John Stamos, Senior Planner. No other public testimony was offered. Mr. Stamos testified as follows.

**John Stamsos, Senior Planner:**

Mr. Stamsos presented the staff report and testified that the subject property is an unannexed parcel, approximately 15,625 square feet in size, that is completely surrounded by the City. He further testified that the applicant has requested C-17 zoning for the parcel. All of the surrounding property is zoned C-17 but is also subject to a PUD. He further testified that the Comprehensive Plan designation for the property is Stable Established and that the property is in the Spokane River District area of the Comprehensive Plan.

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

The staff report notes that this property is within the City's Area of City Impact Boundary and is given the Stable Established land use designation in the Comprehensive Plan. The Comprehensive Plan also designates this property as part of the Spokane River District. The Spokane River District is an area "going through a multitude of changes and this trend will continue for many years." Generally, the Spokane River District is envisioned to be mixed use neighborhoods consisting of housing and commercial retail and service activities that embrace the aesthetics of the proximity to the Spokane River. The Comprehensive Plan indicates that the characteristics of the Spokane River District will be urban in nature with various commercial, residential and mixed uses. Overall residential density in the Spokane River District will be 10-16 units per acre with areas of higher density. The requested zoning is C-17, which is the City's general commercial zone that allows a wide mix of commercial, residential (up to 17 units per acre) and mixed uses. The requested zoning closely parallels the Comprehensive Plan land use designation for this property. Additionally, Comprehensive Plan objective 1.12 (supporting enhancement of existing urbanized areas) and 1.14 (efficient use of existing infrastructure) support the applicant's request for C-17 zoning. As such, we find that the requested C-17 zoning is in conformance with the Comprehensive Plan.

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

Based on the staff report, we find that existing public facilities and services are available and adequate for the proposed zoning. The staff report indicates that water and sewer are available for extension to the subject property. Additionally, police and fire service are available to the area since all of the surrounding property is within City limits.

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

According to the staff report, the subject property is essentially flat with no physical constraints to development. As such, we find that the physical characteristics of the site do make it suitable for the requested zoning.

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

As noted above, the subject parcel is completely surrounded by property currently within the City limits that has the same zoning. The street network in this area is fully developed. Further, the surrounding area is currently being developed by the applicant, who intends to incorporate the subject property into the overall development. As such, we find that the proposed zoning will not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character or existing land uses.

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **RIVERSTONE WEST, LLC** for zoning prior to annexation, as described in the application should be **approved**.

Suggested provisions for inclusion in an Annexation Agreement are as follows:


1. The applicant will submit an application to include the subject property into the Riverstone West PUD within 6 months after Council approves the annexation agreement.

Motion by Rasor, seconded by Bowlby, to adopt the foregoing Findings and Order.

**ROLL CALL:**

|                       |           |
|-----------------------|-----------|
| Commissioner Bowlby   | Voted Aye |
| Commissioner Evans    | Voted Aye |
| Commissioner Luttrupp | Voted Aye |
| Commissioner Messina  | Voted Aye |
| Commissioner Rasor    | Voted Aye |

Motion to approve carried by a 5 to 0 vote.



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CHAIRMAN BRAD JORDAN

**D. ORDINANCES AND STANDARDS USED IN EVALUATION**

Comprehensive Plan - 2007.

Transportation Plan.

Municipal Code.

Idaho Code.

Wastewater Treatment Facility Plan.

Water and Sewer Service Policies.

Urban Forestry Standards.

Transportation and Traffic Engineering Handbook, I.T.E.

Manual on Uniform Traffic Control Devices.

Coeur d'Alene Bikeways Plan.

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

**A. INTRODUCTION**

This matter having come before the City Council on August 5, 2008, and there being present a person requesting approval of ITEM A-3-08, a request for zoning prior to annexation from County Industrial to City C-17 (Commercial at 17 units/acre).

LOCATION: +/- 15,625 sq.ft. parcel near the intersection of Beebe Boulevard and Tilford Lane

APPLICANT: Riverstone West, LLC

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

**(The City Council may adopt Items B1-through7.)**

- B1. That the existing land uses are residential – single-family, Riverstone Park, commercial and vacant land.
  
- B2. That the Comprehensive Plan Map designation is Stable Established.
  
- B3. That the zoning is County Industrial.
  
- B4. That the notice of public hearing was published on July 19, 2008, and July 29, 2008, which fulfills the proper legal requirement.
  
- B5. That the notice of public hearing was not required to be posted, which fulfills the proper legal requirement.
  
- B6. That 73 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on July 18, 2008, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
  
- B7. That public testimony was heard on August 5, 2008.
  
- B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

B9. That public facilities and utilities **(are) (are not)** available and adequate for the proposed use.  
This is based on

**Criteria to consider for B9:**

1. Can water be provided or extended to serve the property?
2. Can sewer service be provided or extended to serve the property?
3. Does the existing street system provide adequate access to the property?
4. Is police and fire service available to the property?

B10. That the physical characteristics of the site **(do) (do not)** make it suitable for the request at this time because

**Criteria to consider for B10:**

1. Topography.
2. Streams.
3. Wetlands.
4. Rock outcroppings, etc.
5. vegetative cover.

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

**Criteria to consider for B11:**

1. Traffic congestion.
2. Is the proposed zoning compatible with the surrounding area in terms of density, types of uses allowed or building types allowed?
3. Existing land use pattern i.e. residential, commercial, residential w churches & schools etc.

**C. ORDER: CONCLUSION AND DECISION**

The City Council, pursuant to the aforementioned, finds that the request of **RIVERSTONE WEST, LLC** for zoning prior to annexation, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Suggested provisions for inclusion in an Annexation Agreement are as follows:

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

**ROLL CALL:**

|                           |             |
|---------------------------|-------------|
| Council Member Hassell    | Voted _____ |
| Council Member Edinger    | Voted _____ |
| Council Member Goodlander | Voted _____ |
| Council Member McEvers    | Voted _____ |
| Council Member Bruning    | Voted _____ |
| Council Member Kennedy    | Voted _____ |

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

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

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

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MAYOR SANDI BLOEM



INFORMATION SECTION

Including

Correspondence

Board, Commission, Committee Minutes

**July 21, 2008**  
**PUBLIC WORKS COMMITTEE**  
**MINUTES**

**COMMITTEE MEMBERS PRESENT**

Council Member Mike Kennedy  
Council Member Woody McEvers  
Council Member Al Hassell

**STAFF PRESENT**

Jon Ingalls, Deputy City Administrator  
Gordon Dobler, City Engineer  
Sid Fredrickson, WW Superintendent  
Jim Washko, Deputy Fire Chief  
Amy Ferguson, Executive Assistant

**GUESTS PRESENT**

Tom Hasslinger

**Item 1 Change Order #1 for General Industries Installation of WWTP Ammonia Control Modules**

**Consent Calendar**

Sid Fredrickson, Wastewater Superintendent, presented a request for approval of Change Order #1 for an increased cost of \$3,621.35 to the City's agreement with General Industries, Inc. for a total installation contract amount of \$42,851.59. The staff report submitted stated that in May, 2008, the City Council authorized General Industries to install the City's five prepurchased Entex modules in existing wastewater process tanks to promote the biological conversion of ammonia. Mr. Fredrickson stated that after installation, it was discovered that there was not enough sidewater depth in the tank to fully submerge the units. The easiest solution was to go ahead and put a stainless steel 12 inch wall extension across the divider wall of the two main tanks. Mr. Fredrickson further stated that some of the cost was covered by the lump sum bid by the contractor, but the materials and some additional labor costs are requested. He also confirmed that the project is complete and no further change orders will be requested.

Councilman Kennedy asked whether it was a design problem, an engineering problem, or a contractor issue. Mr. Fredrickson stated that some measurements that were provided to the contractor were incorrect.

**MOTION by McEvers, seconded by Kennedy, to recommend council approval of Resolution No. 08-044 approving Change Order #1, for an increased cost of \$3,621.35 to the City's agreement with General Industries, Inc. for a total installation contract amount of \$42,851.59.**

**VOTE: Motion carried.**

**Item 2 Extending No Parking Zone on Milwaukee Street**  
**Consent Calendar**

Gordon Dobler, City Engineer, presented a request from the Fire Department to extend the existing no-parking zone on the south side of Milwaukee Street for approximately 300 feet easterly. Mr. Dobler explained that Milwaukee Street is the fire station's main route out for responses westerly. When cars are

parked along that area of the street, it eliminates two-way traffic and causes some problems. The proposed no-parking zone extension would bring the no-parking area across the frontage of the county's parking lot but would not eliminate any of the parking in the residential section. Mr. Dobler also confirmed that cars do not park along that section of the street regularly so it does not appear to be a problem.

Councilman Kennedy asked how many parking spots would be eliminated and if the proposal had been discussed with the neighbors in that area. Mr. Dobler stated that the residents don't normally park in that area and it has been used as an overflow from the county lot. He further confirmed that he did not speak with the county regarding the request and the number of spots being eliminated would be approximately 12.

**MOTION by Kennedy, seconded by McEvers, to recommend council adopt Resolution No. 08-044 extending the no-parking zone along the south side of Milwaukee Street easterly approximately 300'.**

**VOTE: Motion carried.**

The meeting adjourned at 4:12 p.m.

Respectfully submitted,

Amy C. Ferguson  
Public Works Committee Liaison