

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

June 21, 2016

The Mayor and Council of the City of Coeur d'Alene met in a regular session of said Council at the Coeur d'Alene City Library Community Room June 21, 2016 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

Loren Ron Edinger) Members of Council Present
Dan Gookin)
Kiki Miller)
Amy Evans)
Dan English)

Councilmember Woody McEvers was absent.

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

PLEDGE OF ALLEGIANCE: Councilmember Gookin led the pledge of allegiance.

CONSENT CALENDAR: Motion by Miller, second by Evans, to approve the consent calendar.

1. Approval of Council Minutes for the June 7, 2016 Council Meeting.
2. Approval of Bills as Submitted.
3. Approval of the General Services Committee Minutes for the June 13, 2016 Meeting.
4. Setting of General Services and Public Works Committees meetings for June 27, 2016 at 12:00 noon and 4:00 p.m. respectively.
5. Setting of Public Hearing to be held on July 19, 2016 for A-2-a6: Annexation of a portion of city owned land on Blackwell Island and zoning from County RR to City C-17.
6. Approval of a Cemetery Lot Transfer from Ester Webb to Daniel James Webb; Lot 230, Block C Riverview Forest Cemetery Annex.
7. Approval of a Beer and Wine License; Sweet Lou's, 601 E. Front Avenue, #101; Foust Restaurants, Inc. (new).
8. Approval of Fireworks stands for the 2016 Season, TNT Fireworks, Eric Campbell, Thunder Fireworks, and Big Boom Fireworks to be located at Albertson (220 Ironwood); Fred Meyer (560 Kathleen); Safeway (1002 N. 4th); Skate Plaza (5685 Pioneer); Super 1 Food (305 Kathleen); Silver Lake Mall (200 W. Hanley); Walgreens (225 W. Appleway); Ramsey 7 Appleway; Runges Furniture (303 Spokane Avenue); and Corner of Ramsey and Prairie.
9. **Resolution No. 16-030 - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING THE BELOW-DESCRIBED CONTRACTS AND OTHER ACTIONS OF THE CITY OF COEUR D'ALENE,**

SPECIFICALLY: AN AGREEMENT WITH GE WATER & PROCESS TECHNOLOGIES, INC., FOR THE SOLE-SOURCE PROCUREMENT OF TERTIARY MEMBRANE FILTRATION EQUIPMENT; APPROVAL OF FINAL PLAT, SUBDIVISION AGREEMENT AND SECURITY FOR COEUR D'ALENE PLACE 26TH ADDITION (S-3-12); A LEASE WITH THE CHAMBER OF COMMERCE FOR USE OF CITY OWNED PARKING LOTS FOR THE 4TH OF JULY; AN ADDENDUM TO THE AGREEMENT WITH SYRINGA PROPERTY MANAGEMENT SERVICES FOR 106 HOMESTEAD AVENUE; DECLARATION OF SURPLUS PATROL, INVESTIGATIONS, AND RANGE VEHICLES; AND AN INTERLOCAL AGREEMENT WITH KOOTENAI COUNTY REGARDING THE 2016 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD.

ROLL CALL: Edinger, Aye; Miller, Aye; Gookin, Aye; Evans, Aye; English, Aye. **Motion carried.**

PUBLIC COMMENTS:

Steve Wilson, CEO of the Coeur d'Alene Chamber of Commerce, thanked the council for entering into a partnership with the Chamber for parking the 4th of July events, and for the great partnerships on a number of other events and activities. He is looking forward to a great event this weekend (half Ironman).

Mayor Widmyer asked Mr. Wilson how the half Ironman compares with the full Ironman in regard to participants. Mr. Wilson responded that the number of participants for the half Ironman is about double that of the full Ironman and that the half Ironman seems to be incredibly popular with racers around the country. The full Ironman is the third week of August this year, and will move to the 4th week of August for the next four years after that.

MAYOR AND COUNCIL COMMENTS:

Councilmember English asked about the line item for Community Canopy on the financial statements that were provided to council in their packet. Mr. Tymesen said that it is a line item for the Urban Forester and noted that the city collects funds from developers and uses the money to plant trees, and for pruning as they do the overlay programs, etc.

Councilmember Miller noted that she is heading down to the Association of Idaho Cities conference for the next couple of days. They are offering a couple of great programs on public works, city planning and contracting, and she is looking forward to bringing back information to share with staff.

Mayor Widmyer welcomed new Deputy City Administrator, Sam Taylor.

RESOLUTION NO. 16-031

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ACCEPTING THE BID OF GINNO CONSTRUCTION CO., FOR THE COEUR D'ALENE FIRE STORAGE BUILDING, THE COEUR D'ALENE POLICE OFFICE/STORAGE BUILDING, AND THE COEUR D'ALENE POLICE CARPORT.

STAFF REPORT: Deputy Fire Chief Jim Washko presented a request for council to accept the bid from Ginno Construction to construct the fire storage building, the Coeur d'Alene Police Office/Storage building, and the Coeur d'Alene Police carport, and approve the use of Police Department Impact Fees to build out the Police Department office space. Mr. Washko said that the General Obligation Bond approved plan for the storage facility originated from a need to house Fire Department equipment that is stored outside 12 months of the year, which destroys paint, tires and interior. The plan was then enhanced to create 2,400 square feet of office space in the pole building for the PD. Modifications to the plans, in order to save costs, have included splitting the building to reduce the square footage per building, thus lessening the costs in regards to fire code items. This modification created two buildings, a storage building for Fire and an office/storage building for Police. The PD carport was also in the GO Bond Project list. With all of the projects being in the same vicinity it made sense to consider bidding the multiple plans as one project which allowed for a lower combined cost and one general contractor. Mr. Washko noted that Ginno Construction was the lowest bidder at a cost of \$848,000 for all three structures and that they went with a single bid for all three projects because they felt they could get a better price having one contractor for the whole project. \$810,000 was included in the General Obligation Bond, and the total project cost is anticipated to be \$912,000, which includes office space for the PD, A&E fees, electrical service installation, and improvements to the parking area at the PD. The funding source for the \$102,000 needed to complete the projects is Police Department Impact Fees.

Councilmember Gookin asked what equipment is being stored outside. Deputy Chief Washko said a mass casualty rig, a big storage van, a rescue vehicle, flat bed trailer, and three trailers (two for canine rescue and one for the technical rescue team). They have about half a million dollars of equipment in the vehicles. Having one storage location will allow them to push the trailers into the facility with a tow vehicle in front of them. Everything in the building will be organized and ready for deployment. The building also provides space for the ladder truck when they get the new one. They will also keep the old ladder truck. Also, if the fire boat has to come out of the boathouse during the winter, it will give them a place to put it. Deputy Chief Washko commented that they will have nine bays, and will probably fill up every bay.

Councilmember Gookin commented that the modifications to the plans in order to save costs, including splitting the building, don't seem to have saved costs. Deputy Chief Washko said that because of the size of the building, they were going to have to put in sprinklers or have to do a two-hour fire wall. In order to eliminate that requirement, they were able to split the building 20 feet – which reduces the square footage to below the requirement for fire sprinklers and allows them to get rid of the fire wall requirement, which saved quite a bit of money.

Councilmember Gookin asked if the final price includes items like cabinetry and furnishings. Deputy Chief Washko said that it does not include furnishings, and there is no cabinetry other than in the bathrooms, which are all ADA compliant. The storage facility will be vinyl wrapped with insulation that has a fire rating, and manual doors. The PD office area will have drywall, and will also include carpeting. He also noted that part of the cost is asphalt on the east side of the building which will allow for 19 more parking spaces for law enforcement and includes the carport which covers 14 cars and allows the PD to have electrical service which maintains the computer equipment in the cars.

Mayor Widmyer asked Captain Childers about the space challenges at the existing PD building, and who would be transferred to the new building. Captain Childers said that the building will add an additional 2,400 square feet, and they will be moving their equipment logistics person, the 3-member IT division, the code enforcement officers, and one of their volunteer units.

Councilmember Edinger asked when they expect to move into the building. Deputy Chief Washko said that it will probably be a 90 to 120 day build. One of the things they did to reduce costs is have all the engineering on the building incorporated into the bid with the general contractor. Because of that, there will be a 30 day delay in getting permits for the two structures themselves, but they have the permits for the carports now. Ginno Construction will provide the engineering drawings and Deputy Chief Washko hopes that they will be provided to the Building Department within the next 5 to 7 days to get them through the permit process.

MOTION: Motion by Edinger, seconded by English, to approve Resolution No. 16-031, approving a Contract with Ginno Construction for the Fire and Police Storage, Storage Office Building and Carport project.

DISCUSSION: Councilmember Gookin commented that he would not be voting in favor because it is over budget. He noted that a lot of work has been done on it, and council is only seeing it now.

ROLL CALL: Miller, Aye; Gookin, No; Evans, Aye; English, Aye; Edinger, Aye. **Motion carried with Councilmember Gookin voting No.**

RESOLUTION NO. 16-032

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING AND APPROVING AMENDMENT 1 TO THE ANNEXATION AGREEMENT BETWEEN THE CITY OF COEUR D'ALENE AND VISTA MEADOWS, LLC.

STAFF REPORT: City Attorney Mike Gridley said that the City approved an Annexation Agreement with Vista Meadows, LLC on May 3, 2016 that called for payment of annexation fees of \$79,500. The owner has paid \$22,500 and has requested that the remaining \$57,000 be paid prior to the recording of the plat for the Second Phase of the PUD. The City will receive the balance of the annexation fees owed contemporaneously with the development of the property.

Mr. Gridley noted that the City has phased the payment of annexation fees for other developments over the years. Payment is ensured because no plat or building permits will be approved for the Second Phase until the balance of the money is received by the City.

Mr. Gridley commented that the key is to have the annexation fees tracked and to have a trigger to make sure that the fees are paid.

MOTION: Motion by Evans, seconded by English, to approve Resolution No. 16-032, approving Amendment 1 to the Annexation Agreement with Vista Meadows.

ROLL CALL: Gookin, Aye; Evans, Aye; English, Aye; Edinger, Aye; Miller, Aye. **Motion carried.**

(LEGISLATIVE) CONSIDERATION OF FINANCE DEPARTMENT FEES RELATED TO INCREASES TO THE COMMERCIAL GARBAGE COLLECTION RATES, EXTRA PICK UP RATES, TEMPORARY SERVICE AND CONTAINER RENTAL FEES, AND CLEANING AND SANITIZING RATES. ONE NEW FEE FOR AN EXTRA 64 GALLON RECYCLE BIN AT \$5.25/MONTH. THE SETTING OF A NEW FEE FOR A PORTABLE TOILET PERMIT AT A RATE OF \$50.00 PER PERMIT.

STAFF REPORT: Troy Tymesen noted that the City is required to hold a public hearing for proposed fee increase that exceeds 5%. The Finance Department oversees the billing of the garbage services for the City of Coeur d'Alene. The City Council approved an agreement with Northern State PAK; LLC d/b/a Coeur d'Alene Garbage Service (CDA Garbage) at its April 19, 2016 meeting. Staff noted that the residential rates would remain the same; however, some of the commercial garbage rates would increase. Increases include general commercial garbage rates, extra pick up rates, temporary service and container rental fees, and cleaning and sanitizing rates. One new fee for an extra 64 gallon recycle bin at \$5.25/month.

The Planning Department also brought forward a request to create a \$50/year fee for a portable toilet permit to the City council on May 17, 2016, which was approved. The new fee would cover the cost of review and issuance of such a permit. The permits will be handled through the Municipal Services Department with review by the Planning Department.

Mr. Tymesen noted that none of the fee changes affect residential customers unless they want a second recycling bin. A number of the fees exist but are seldom used. The City of Coeur d'Alene has 110 different line items for garbage service choices, and he is proposing to modify 27 of them. Of those 27 items, eleven are for cleaning and sanitizing containers, which they do not do a lot of during the year.

Mr. Tymesen commented that the change to the new garbage hauler has significantly lowered the overall cost to the city, primarily in residential services, with a 27% decrease. The proposal is to bring the Sanitation Fund back to break-even status, and then work towards recycling glass. Mr. Tymesen noted that he is meeting with Kootenai Environment Alliance this week and will continue to look for reuse and recycling opportunities.

Councilmember English asked about the cleaning and sanitizing line items. Mr. Tymesen clarified that if a customer wants to have their bin cleaned and sanitized, the garbage hauler will come and get it, clean it, and bring it back to the customer. The cleaning and sanitizing charges are specifically for the larger containers. Mr. Tymesen noted that all of the containers going out on the new contract are brand new.

Councilmember Evans said that when the City entered into the garbage hauling contract a couple of months ago, the understanding was that residential rates would not increase, but she feels that with the extra recycle bin fee of \$5.25, the fees are increasing. Mr. Tymesen explained that the extra recycle bin fee was not on the books and that the previous hauler was doing that at no cost.

Councilmember Gookin asked what is the justification for the difference between what CDA Garbage is charging and what the city is charging. Mr. Tymesen said that the difference includes overhead, customer service, etc. Councilmember Gookin commented that the fees tend to be inconsistent and it looks like they are arbitrary, and asked if there was math that justifies the difference between the CDA Garbage fees and what the city charges. Mr. Tymesen said that the real driver of the math would be the volume. Many of the line items do not have any volume behind them, so there is not any real revenue, but they don't want to have a fee that they subsidize should the customer choose to use it.

Councilmember Evans asked how many residents ask for an extra recycle bin? Mr. Tymesen said they will know better after they get through the routes to see what number are out there. He doesn't think there are very many – probably not more than 50, but he is estimating that figure because they didn't keep track of it.

Councilmember Edinger commented that in the new contract the City is supposed to save money so he wonders why it is necessary then to raise the fees for commercial? Mr. Tymesen commented that they do not want to subsidize the fund any more than they already have, and thus they want every line item to break even, or better. He doesn't believe that a residential customer that is paying for their service should be subsidizing a commercial customer.

Councilmember Edinger asked if they are anticipating any other increases in the commercial or residential rates in the near future. Mr. Tymesen said that they have built in increases going forward that they will look at. There are a couple of variables in the contract in regard to fuel and labor prices that they will look at. Once they know what they can do with glass, they will have a good idea of what the enterprise fund will cost.

Mayor Widmyer noted that of the couple hundred thousand dollar piece of the City's garbage bills, the requested fee increases are just a miniscule part of that piece, and commented that it is just a matter of going through the costs and making sure that what we are charging the customer is not less than what CDA Garbage is charging us.

Councilmember Miller said that it almost feels like we are subsidizing our glass recycling piece by increasing the commercial rates. She asked how much money the fee increases represent. Mr. Tymesen said that there is no volume in the 27 line items that will create any real revenue to help offset glass recycling.

Councilmember Miller asked about the porta potty permit line item being lumped in with the garbage rate increase. Mr. Tymesen explained that the timing was good in regard to having a public hearing and they included additional requested fee increases. He confirmed that the porta potty permit fee is not a part of the garbage rate fee increases.

Councilmember Edinger asked what happens if the fee increases don't pass tonight. Mr. Tymesen said that the City of Coeur d'Alene will be subsidizing the fees for customers that ask for those services.

Councilmember Evans said that she is still uncomfortable adding the extra recycling bin fee and noted that it is a significant monthly charge. Mr. Tymesen explained that this was not a service that the City was charging for as the old hauler was providing it at no cost. The new garbage hauler said that they would charge for the service.

Councilmember Gookin suggested that council could go ahead and approve the fee increases except for the extra recycle bin charge, but the city would have to cover for that cost.

Councilmember English said that he thinks they are talking about the concept of user fees, and he supports that. If he were a commercial customer, he would expect that. He thinks the charge for the extra recycling bin is very appropriate, and noted that if a customer wants to go beyond the baseline of one container, he thinks it is reasonable that they pay for the second one.

PUBLIC COMMENT: Mayor Widmyer called for public comment, with none being received.

Public comment was closed.

RESOLUTION NO. 16-033

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

MOTION: Motion by Gookin, seconded by Miller, to approve Resolution No. 16-033 approving Finance Department fees related to Commercial Garbage Collection rates, extra pick up rates, temporary service and container rental fees, and cleaning and sanitizing rates and a new fee for an extra 64 gallon recycle bin at \$5.25/month, as well as a new fee for a portable toilet permit at a rate of \$50.00 per permit.

DISCUSSION: Councilmember Gookin offered to modify his motion to remove the fee for the extra recycle bin. Councilmember Evans said that she had just wanted a full explanation so that council could explain it to the residential customers, if asked.

ROLL CALL: Gookin, Aye; Evans, Aye; English, Aye; Edinger, No; Miller, Aye. **Motion carried, with Councilmember Edinger voting No.**

MOTION: Motion by Gookin, seconded by English, to enter into Executive Session as provided by Idaho Code 74-206 Section (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.

ROLL CALL: Gookin, Aye; Evans, Aye; English, Aye; Miller, Aye; Edinger, Aye. **Motion carried.**

The City Council entered into Executive Session at 6:55 p.m. Those present were the Mayor, City Council, City Administrator, Finance Director, Deputy City Administrator, and City Attorney. Council returned to regular session at 7:10 p.m.

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

The meeting adjourned at 7:10 p.m.

Steve Widmyer, Mayor

ATTEST:

Amy C. Ferguson, Deputy City Clerk