

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

October 4, 2022

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 on October 4, 2022, at 6:00 p.m., there being present the following members:

James Hammond, Mayor

Woody McEvers) Members of Council Present
Christie Wood)
Dan Gookin)
Kiki Miller)
Dan English)

Councilmember Absent:

Amy Evans)

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

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

MAYOR AND COUNCIL COMMENTS:

Mayor Hammond expressed condolences to the friends and family of Chris Guggemos, a longtime community member that recently passed away. Mr. Guggemos provided the concert series in the City Park since 1995. He will be missed by the community.

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

1. Approval of Council Minutes for the September 20 and September 28, 2022 Council Meetings.
2. Approval of Bills as Submitted.
3. Setting of General Services/Public Works Committee meeting for Monday, October 10, 2022, at 12:00 noon.
4. S-22-09c; Thomas George - Approval of Final Plat. Location: 116 S. 3rd Street.
5. **Resolution No. 22-045-** A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING THE FOLLOWING: A PARKING AGREEMENT BETWEEN FRONT ROW PROPERTIES, LLC, AND FRONT ROW SHERMAN, LLC., FOR THE USE BY THE US BANK BUILDING; ACCEPTANCE OF A UTILITY EASEMENT OVER A PORTION OF LOT 2, BLOCK 1, ATLAS WATERFRONT FIRST ADDITION FROM ATLAS MILL 10/12 INVESTMENTS, LLC; AND DECLARATION OF THREE CHEVROLET IMPALAS (MODEL YEARS

2005, 2009 AND 2014), ONE 2003 CHEVROLET BLAZER, AND ONE 2002 DODGE INTREPID USED BY THE POLICE DEPARTMENT AS SURPLUS AND AUTHORIZING THE SALE AT AUCTION.

DISCUSSION: Councilmember Gookin noted that the parking agreement is between a person that owns two parcels and this concerns him as part of the agreement is to swap 5 parking spaces in the tower from the US Bank lot and there is a lack of parking in the downtown area. He would like the city to look at the parking regulations, as more parking is needed. Councilmember Miller asked if he reviewed the dates and number of parking spaces needed within the existing parking study. Councilmember Gookin noted that he knew there was a general study and doesn't recall any projection of parking in the future. Councilmember Wood she would like to see educational items on the agenda such as this, then the Council could decide if any additional action is needed. Councilmember English noted that it would be good for discussion, the new parking garage has been very active, and the City should be ahead of parking needs. Councilmember McEvers asked City Attorney Randy Adams to explain the legality of the parking agreement. Mr. Adams explained that the new tower building is being built where the US Bank parking lot was, so the city is requiring the parking for the US Bank building be recovered, noting both parcels are owned by the same person. Mayor Hammond asked for a future agenda item regarding the existing parking study.

ROLL CALL: Wood Aye; Miller Aye; McEvers Aye; Gookin Aye; English Aye. **Motion Carried.**

PUBLIC COMMENTS:

Joe Alfieri, Coeur d'Alene, wanted to acknowledge the life of Chris Guggemos and asked that the Rotary Park be named in his honor. Councilmember English noted that he appreciated the thought of renaming the park; however, the Rotary Club has naming rights of the park. He noted that there are some pocket parks on East Sherman or other locations that might have naming opportunities. Mr. Alfieri asked the Council to send a letter to the Rotary group to rename the park. Councilmember Wood noted that the Council should not tell the Rotary group to rename the park, with Mr. Alfieri noting that it would be a request not a demand.

Justin O'Connell, Coeur d'Alene, spoke in regards to the closure of the Urban Renewal District and believes the community will now gain a benefit.

RESOLUTION NO. 22-046

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A CONTRACT WITH K & N ELECTRIC MOTORS, INC., FOR THE REHABILITATION OF TRICKLING FILTER PUMPS #2 AND #1 IN THE AMOUNT OF THREE HUNDRED TWENTY-SIX THOUSAND TWO HUNDRED FIFTEEN AND 65/100'S DOLLARS (\$326,215.65).

STAFF REPORT: Mike Becker, Capital Programs Manager explained that the City originally installed the pumps in 1996. The Wastewater Treatment Facility utilizes three (3) Fairbanks

Morse K3X2 pumps, that are specially built, to convey partially treated wastewater to the top of the Facility's two (2) trickling filters. These are specialized pumps designed especially for wastewater applications. Under normal operations, two pumps run continuously with the third serving as a backup should one fail. Outside of routine maintenance, these pumps have never been replaced or rebuilt. In 2021, Pump #3 failed and was successfully rebuilt. Earlier this year, (2022) Pump #2 failed, and in lieu of the possibility of a similar situation, the Wastewater Department (WW) desires to rebuild both Pumps #2 and #1. Based on recent updated pump quotes and in compliance with the City of Coeur d'Alene's (City) Procurement of Personal Property above \$100,000 Policy, WW solicited competitive bids. On September 9, the City received a base bid of \$318,419.73 from K&N Electric Motors, Inc. K&N also provided a cost add on totaling \$7,795.92 for replacing both pump shafts if needed. The condition of a pump shaft is undetermined until the pump is dismantled and inspected. At this time, WW recommends including the cost adder with the base bid. Mr. Becker noted that this is a budgeted project within FY 2022/2023.

MOTION: Motion by Gookin, seconded by Miller, to approve **Resolution No. 22-046**, approving an Agreement with K & N Electric Motors, Inc., for the rehabilitation of Trickling Filter Pumps #2 and #1 in the amount of \$326,215.65.

DISCUSSION: Mayor Hammond noted that this rebuild is a prudent way to go and the pumps have already outlasted the normal useful life. Councilmember McEvers noted that the total price includes all parts, build, and installation, with Mr. Becker re-confirming pump #2 would be rebuilt first.

ROLL CALL: Miller Aye; McEvers Aye; Gookin Aye; English Aye; Wood Aye. **Motion carried.**

A-2-22: A PROPOSED ANNEXATION OF 5.9 ACRES FROM COUNTY AG-SUBURBAN TO R-1 AND R-5; REQUESTED BY APPLICANT: ASPEN HOMES AND DEVELOPMENT LLC; LOCATION: 1808 N. 15TH STREET. PURSUANT TO COUNCIL ACTION ON JULY 17, 2022.

RESOLUTION NO. 22-047

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AN ANNEXATION AGREEMENT WITH ASPEN HOMES AND DEVELOPMENT, LLC, FOR A PARCEL LOCATED AT 1808 N. 15TH STREET.

MOTION: Motion by Gookin, seconded by Miller, to approve **Resolution No. 22-047**, Approving an Annexation Agreement with Aspen Homes and Development LLC, for the Annexation of 5.9 Acre Parcel Located at 1808 N. 15th Street; Zoning from County Ag-suburban to R-1 and R-5 Zoning District.

DISCUSSION: Councilmember Gookin noted that this was a split vote originally; however, it was approved, so he will vote to approve this item.

ROLL CALL: Miller Aye; McEvers Aye; Gookin Aye; English Aye; Wood Aye. **Motion carried.**

COUNCIL BILL NO. 22-1014

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTION 7, TOWNSHIP 50, NORTH, RANGE 3 WEST, BOISE MERIDIAN; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

MOTION: Motion by Gookin, seconded by Wood, to dispense with the rule and read **Council Bill No. 22-1014** once by title only.

ROLL CALL: McEvers Aye; Gookin Aye; English Aye; Wood Aye; Miller Aye. **Motion carried.**

MOTION: Motion by Gookin, seconded by Miller, to adopt **Council Bill No. 22-1014**.

ROLL CALL: McEvers Aye; Gookin Aye; English Aye; Wood Aye; Miller Aye. **Motion carried.**

RESOLUTION NO. 22-048

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING THE USE OF THE COOPERATIVE PURCHASING PROGRAM OF NATIONAL PURCHASING PARTNERS (NPPGov), FOR THE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS (SCBA) FOR THE FIRE DEPARTMENT.

STAFF REPORT: Deputy Fire Chief Lucas Pichette explained that the Fire Department currently has Scott SCBA's that were purchased in 2007. The Fire Department has finished an evaluation period on three (3) different SCBA companies. After an extensive evaluation the group determined MSA to fit the needs of the Fire Department. The agreement allows them to select the best equipment to fit their specific needs. Additionally, NPPGOV pricing provides the best current pricing available. The purchase price for 65 SCBA packs and 80 masks with all components is \$610,700.72.

DISCUSSION: Councilmember McEvers asked how long they last, with Deputy Chief Pichette noting 5-15 years. Councilmember Wood asked for a description of the safety issues surrounding the need for these items. Deputy Chief Pichette noted it is one of the most vital pieces of equipment, noting that failure to have a breathing apparatus could cause lung damage or death by one breath of toxic smoke.

MOTION: Motion by Wood, seconded by Gookin, to approve **Resolution No. 22-048**, Approving the purchase of 65 Self-Contained Breathing Apparatus and 80 masks from LN Curtis through the cooperative purchasing association of NPPGov.

ROLL CALL: English Aye; Wood Aye; Miller Aye; McEvers Aye; Gookin Aye. **Motion carried.**

RESOLUTION NO. 22-049

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A COLLECTIVE BARGAINING AGREEMENT WITH THE COEUR D'ALENE POLICE ASSOCIATION (POA).

STAFF REPORT: City Administrator Troy Tymesen noted that the term of the proposed agreement would commence October 1, 2022, and end on September 30, 2025. All prior resolutions and agreements between the City and the Police Association will no longer be applicable. He noted that the contract is intended to also encourage new employees. Mr. Tymesen noted the following are the significant highlights regarding the negotiated contract: 3-year contract; 8% cost of living adjustment (COLA) increase in year one, 4.5% COLA in year two, and 2.5% COLA in year three for sworn officers; 5% COLA in year one, 2.5% COLA in year two, and 2.5% COLA in year three for non-sworn members; establishes criteria for crediting lateral hires for service time, and applies service time adjustments to all prior lateral hires as of October 1, 2022; adjusts the service time increase schedule for non-sworn members; clarifies Sick Leave Bank and Bereavement Leave eligibility to include cohabiting domestic partners; provides for purchase of excess vacation leave to be placed in a tax-deferred investment vehicle chosen by the member, and provides for minimum vacation use for eligibility; provides that holiday pay for sworn officers shall be paid in the month in which it is accrued; includes Association representation in the hiring process for the Police Chief; adjusts the Military Leave Benefit and clarifies the rules pertaining thereto; clarifies the notice required for a change in an employee's work schedule; and clarifies the procedure for personnel and internal investigations. The proposed contract with the Police Association was negotiated in good faith with the City, and the compensation and benefits included will provide a competitive package for those represented by the Association.

DISCUSSION: Councilmember Miller asked for clarity regarding the military leave, with Mr. Tymesen explaining that they can use up to 100 hours for military leave outside of other leave. Councilmember Wood complimented the Council for putting public safety first and appreciated the commitment, noting it is difficult to fill the positions and takes time to train them. Councilmember Gookin noted that many cities in the country have defunded the police and it is refreshing to support and respect our Police Department, and noted crime is down 60%. The Mayor thanked the City Administrator and Police Association and expressed appreciation to the Police Department for keeping the city safe.

MOTION: Motion by Wood, seconded by Miller, to approve **Resolution No. 22-049**, Approving of an Agreement with the Coeur d'Alene Police Association, October 1, 2022 – September 30, 2025.

ROLL CALL: Wood Aye; Miller Aye; McEvers Aye; Gookin Aye. English Aye. **Motion carried.**

(LEGISLATIVE) UTILITY HEARING FOR THE RELOCATION OF UTILITY FACILITIES AS REQUIRED BY THE RESPECTIVE FRANCHISE AGREEMENTS TO ACCOMMODATE THE RECTANGULAR RAPID FLASHING BEACON PROJECT, KEY NUMBER 22874.

STAFF REPORT: City Engineer Chris Bosley explained that under the Local Highway Safety Improvement Program (LHSIP), the City was awarded \$560,593 through the Local Highway Technical Assistance Council (LHTAC) to provide safety improvements. The grant will fund pedestrian safety improvements and ADA compliance at several needed locations throughout the City. The Idaho Transportation Department requires the City to hold a Utility Hearing or obtain Utility Hearing Waivers from all utilities. In recent years, not all utility companies have been willing to sign a Utility Hearing Waiver, making Utility Hearings a requirement. Utilities were notified on August 26, 2022. Utilities that are permitted within the right-of-way under a Franchise Utility Agreement will be required to move their facilities at no cost to the City. Costs for other affected utilities to be adjusted and/or relocated, such as water meters and storm grates, which are expected to be minor, will be included in the project.

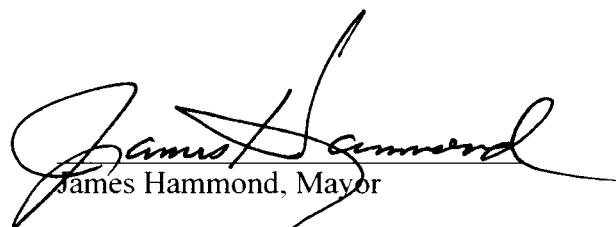
PUBLIC COMMENT: Mayor Hammond called for public comments and with none being heard he closed public comments.

DISCUSSION: Councilmember McEvers asked if the utility companies would pay for the removal of the lines. Mr. Bosley explained that if the utilities are within the right-of-way, they have to pay to relocate, but if they are not, the project would pay.

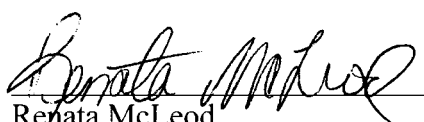
MOTION: Motion by Gookin, seconded by McEvers, to require utility companies to relocate their utility facilities as required by Franchise Agreements to accommodate the Rectangular Rapid Flashing Beacon project, Key Number 22874. **Motion carried.**

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

The meeting adjourned at 6:42 p.m.


James Hammond, Mayor

ATTEST:


Renata McLeod
City Clerk