

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

December 6, 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 December 6, 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	)
Amy Evans	) Absent

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

**INVOCATION:** Amanda Nicol with Community United Methodist Church of Coeur d'Alene gave the invocation.

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

**Award to Eleanor Moore, Winner of the Streets and Engineering Department's "Name the Storm" contest.** Streets and Engineering Director Todd Feusier stated that the Department held a contest in conjunction with the Library for this year's name the storm contest. They had a box at the Library for submittals and 75 were received. The year's selected winner is Eleanor "Nora" Moore, who submitted storm names based on female names, so the department named the first storm of the year after Eleanor, naming it Nora. Mayor Hammond provided the winning prize to Ms. Moore and thanked her for her contribution.

**2022-2023 Annual Snow Plan** – Mr. Feusier presented the City's annual snow plan. He noted that there will be two (2) shifts during the winter, split between days and nights, consisting of 21 operators. The snow assessment is broken down into three (3) groups consisting of red (3"- 4" of snow), yellow (0-2" snow and/or freezing rain), and green (dry conditions). He explained the plowing priorities were arterials and hillsides. He expressed the importance for cars parked on the street to be removed before plows come through as they create visual problems, and if they don't move by mid-season, they can be buried to the point of looking like a snow pile. He clarified that the City does not plow alleyways as they are not wide enough and the overhead lines are too low for the equipment to get through. Additionally, sidewalk clearing is the responsibility of the abutting property owner. Mr. Feusier reminded citizens that it is illegal to deposit snow upon the streets and sidewalks from private property. He concluded that it is the department's desire to have the entire community plowed within 40 hours, after arterials are

complete, and the website map at <https://maps.cdaid.org/snowplow/> will be updated during snow events when they get to the residential streets. He said additionally, there is a form on the website for snow removal issues at <https://www.cdaid.org/Forms/EmailForm/6>.

**DISCUSSION:** Mayor Hammond reiterated that it is difficult for the plow drivers to see when there are garbage cans and cars parked on the street. Councilmember Gookin asked why the City does not do an odd even street plow. Mr. Feusier said that it would slow down the city-wide plow times to get to every street, and he didn't feel they had the staff or equipment to change to that schedule. Councilmember Miller noted that that staff is doing a great job trying to keep up, and questioned if there are resources in the community to help those who need assistance with snow removal. Mr. Feusier said that the Sheriff's Office and senior center do not have programs anymore, and encouraged neighbors to help each other. Councilmember Miller noted that the website map doesn't have a notice about inactive times. Mr. Feusier explained that the software is antiquated and doesn't allow for additional text, noting that they are looking at other mapping products where they can add data.

**MOTION:** Motion by Gookin, seconded by McEvers, to approve the 2022-2023 Annual Snow Plan. **Motion carried**

#### **MAYOR AND COUNCIL COMMENTS:**

Councilmember Miller noted that the Library Board approved the board member ethics and conduct policy. Additionally, the Foundations campaign on the early literacy program is very successful. The Historic Preservation Commission has two member openings.

Councilmember Wood requested that the next Council agenda include a discussion for a councilmember to be included in the staff Executive Team meetings.

Mayor Hammond requested the appointment of Sally Shortridge to the Arts Commission.

**MOTION:** Motion by McEvers, seconded by Wood, to appoint Sally Shortridge to the Arts Commission. **Motion carried.**

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

1. Approval of Council Minutes for the November 15, 2022, Council Meeting.
2. Approval of General Services/Public Works Committee Minutes for the November 21, 2022, Meeting.
3. Approval of Bills as Submitted.
4. Setting of General Services/Public Works Committee Meeting for Monday, December 12, 2022, at 12:00 noon.
5. Setting of Hearings:
  - a. January 3, 2023: Appeal of Design Review Commission Approval of Garden Lofts and Townhouses by Jacquelyn Doyle
  - b. January 17, 2023: ZC-2-22: A Proposed Zone Change from R-3 to R-8 Located at 1095 E. Timber Lane; Applicant: Richard and Susan Bennett

6. Approval of Final Plat for SS-22-14c: Cottage Grove Condominiums Project No. 4.
7. **Resolution No. 22-057** - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING THE FOLLOWING: AGREEMENT WITH J-U-B ENGINEERS, INC., FOR THE 2022 WATER COMPREHENSIVE PLAN UPDATE IN THE AMOUNT OF \$207,700.00; LEASE AGREEMENT WITH THE KIWANIS CLUB FOR THE TASTE OF COEUR D'ALENE EVENT IN CITY PARK; AND REQUEST BY THE PARKS & RECREATION DEPARTMENT TO APPLY FOR A WATERFRONT IMPROVEMENT FUND GRANT FOR NEW BOAT DOCKS AT THE 3RD STREET MOORING DOCKS.

**DISCUSSION:** Councilmember Miller noted that she has been in discussions regarding a nonmotorized vehicle boat path and would like it to be explored with this new grant opportunity.

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

**PUBLIC COMMENTS:**

Mary Angelfire Gotcha, Coeur d'Alene, spoke about her faith and healing.

Roger Ruddick, Coeur d'Alene, noted he lives in the Indian Meadows development, and continues to do so due to its charm. He asked the Council to preserve a unique portion of the City. The Comprehensive Plan preserves certain places within the community based on neighborhood identity, which he believes Indian Meadows has.

Don Schmitt, Coeur d'Alene, noted he lives in the Indian Meadows development, and thinks the Coeur Terre project is good but has concerns about its egress and entrance. He believes that Appaloosa Avenue will become a thoroughfare and a reasonable circle at the end of Arrowhead and Appaloosa with R-8 zoning, would create the same kind of neighborhood that exists today. If 12,000 people funnel through their neighborhood it would not work, noting an existing traffic jam on Atlas Avenue.

Susan Knutson, Coeur d'Alene, noted she lives in the Indian Meadows development, noting that she attended the October 11 Planning and Zoning meeting. She believes the proposed development will negatively affect their neighborhood due to staff requiring five (5) points of egress rather than the two (2) required by code. In speaking to area residents, they express disappointment in the development and fears the Council does not care about this neighborhood. She hoped the Council hears their concerns and will care about their neighborhood.

Laurie Robb, Coeur d'Alene, noted she lives in the Indian Meadows development, and believes it is unique. It is a long-established neighborhood, and the things that make it special will be disturbed by this development. She suggested that the school planned within the development be moved toward Hanley Avenue.

Holiday Saunderson, Coeur d'Alene, noted she has lived off Atlas for almost 23 years, just east of Indian Meadows in the Queen Anne neighborhood. She believes that with all the growth the

traffic on Atlas has already increased too much, and allowing people to cut through the neighborhood will turn their neighborhood into a race track.

Teressa Potts, Coeur d'Alene, noted she lives in the Indian Meadows development, and doesn't want to lose trees and bushes, nor does she want noisy, speedy traffic. She believes that they can design streets to handle the traffic within the Coeur Terre development.

Dan Chapelski, Coeur d'Alene, noted he lives in the Indian Meadows development, and has been a home inspector in the area for the past 20 years. He has been in every neighborhood and chose to move into Indian Meadows as it is a special unique place. If the streets become throughfare through the neighborhood it would change the neighborhood character.

Justin O'Connell, Coeur d'Alene, spoke about the removal of Mount Hink, and suggested that the funding for Meals on Wheels should come from an Arts Commission budget reallocation.

Andrew Hall, Coeur d'Alene, noted he lives in the Indian Meadows development, and their property abuts the field that will be developed with the Coeur Terre development. They currently feel safe to walk, jog, and ride horse through the neighborhood due to the low traffic flow. If the traffic increases it will change the character of the neighborhood. This will set a precedent for future growth.

Katherine Hall, Coeur d'Alene, noted she also lives in the Indian Meadows development and expressed concern about their neighborhood streets becoming through streets for the Coeur Terre development. She wants a safe place to ride bikes and requested Council to preserve their neighborhood.

John Pulsipher, Coeur d'Alene, encouraged the Council to look at the recently completed Comprehensive Plan rather than reexamining codes, as the community was involved in the development of the plan and it has good compromises included within it.

#### **RESOLUTION NO. 22-058**

#### **A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING A CONTRACT WITH WELCH COMER FOR AN IMPACT AND ANNEXATION FEE STUDY USING THE IMPACT FEES FUND.**

**STAFF REPORT:** Hilary Patterson, Community Planning Director explained that the City Council directed staff to update the development impact fees due to the fact that the last update to the fees was in 2005. The City's annexation fees also need to be adjusted, as they were last updated in 1998. A Request for Qualifications (RFQ) was issued on July 22, 2022, for the impact and annexation fee update and the Capital Improvement Plan (CIP) updates necessary to update the annexation fees. The City received three (3) Statement of Qualification submittals from the following groups: Welch Comer/FCS/Iteris; Tischler Bise; and Whiskey Rock. A City staff committee conducted a review of the proposals and ranked the Welch Comer team as the top firm to perform the work. Ms. Patterson noted that this is an extensive multi-part project requiring defensible justification, coordination with City staff and the Development Impact Fee

Advisory Committee, KMPO and stakeholder input. She outlined the Development Impact Fee Code and its intent. The negotiated contract with Welch-Comer for updating impact fees, capital improvement plans, and annexation fees is \$153,200. The cost is based on a stipulated-sum agreement that defines all work necessary and limits any cost changes unless the scope of work changes significantly. The funding for this update is recommended to come from the budgetary line item "Impact Fee Fund" using accrued interest income generated through time by holding collected fees prior to capital improvement expenditures. If approved, this approach would allow for 100% of future fee generation to be applied toward much needed capital improvements. The Impact Fee Report Update including CIP updates as needed and the Annexation Fee Update are expected to be completed within 10 months after execution of the agreement. Based on this timeline, the new proposed fees could be brought forward for City Council review by the end of October 2023. Staff and Welch-Comer will make every effort to keep this project on-time and within budget.

**DISCUSSION:** Councilmember McEvers asked what the timeline is for completion, with Ms. Patterson explaining that they will start gathering data this week, in hopes that fees will be approved within 10 months. She also noted that they plan to include annual incremental increases within the plan. Councilmember Miller asked how long ago did the City update the impact fees, with Ms. Patterson stating it was in 2005. Ms. Patterson noted that the annexation fees has not been updated since the late 1980's. Councilmember Miller noted that other cities have updated their fees and they are substantial higher than Coeur d'Alene, noting that the North Idaho Building Contractors Association stated that they would not object to fees that are fair. Councilmember Gookin noted that he would like to see councilmembers be involved in selection committees. Councilmember English noted that he felt that the Council has all the information and has final decision authority without serving on the selection committee; but does agree they should have a representative on the Executive Team.

**MOTION:** Motion by Miller, seconded by English, to approve **Resolution No. 22-058**, Providing Authorization to Enter into a Contract with Welch-Comer for the Impact and Annexation Fee Study Using the Impact Fees Fund.

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

### **RESOLUTION NO. 22-059**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING THE FOLLOWING CITY OF COEUR D'ALENE PERSONNEL RULES: RULE 5: COMPENSATION; RULE 11: ATTENDANCE AND LEAVES; RULE 26: APPOINTED OFFICERS AND DEPARTMENT HEADS; RULE 27: FLSA EXEMPT EMPLOYEES.

**STAFF REPORT:** Human Resources Director Melissa Tosi explained it is the desire of the City to adopt a bi-weekly payroll effective January 1, 2023, and the following Personnel Rules need to be amended to effect that change. Additionally, these proposed amendments have been discussed by the Executive Team, the Lake City Employees Association (LCEA), Police Association, and Fire Union, who expressed no concerns with the proposed amendments. There

was a unanimous vote in favor of the proposal from all three (3) employee groups. Rule 5 – Compensation: removes semi-monthly pay detail and adds employees bi-weekly pay. Employees will be paid on the Friday following the end of the pay period and most payroll deductions will be taken over twenty-four (24) pay periods, rather than twenty-six (26) pay periods. Rule 11 – Attendance and Leaves: The City of Coeur d'Alene 7-day work week is being amended to begin on Sunday and end on Saturday. For vacation and sick accruals, the accruals will be earned over twenty-four (24) pay periods rather than twenty-six (26) pay periods. This means in the two (2) months when there are extra wage disbursements, employees will not receive accruals in that pay period in order to remain with our current accruals. Rule 26 – Appointed Officer and Department Heads & Rule 27 – FLSA Exempt Employees: For vacation and sick accruals, the accruals will be earned over twenty-four (24) pay periods rather than twenty-six (26) pay periods. This means in the two (2) months when there are extra wage disbursements, employees will not receive accruals in that pay period in order to remain with our current accruals.

**DISCUSSION:** Councilmember Gookin asked how they were going to deal with bi-weekly payrolls when there is a 27<sup>th</sup> Friday, with Ms. Tosi noting that the first year that happens is 2027. They are looking toward options and ensured that they will continue to pay people. She explained that they need some assistance with the software company and will bring a recommendation forward to Council soon.

**MOTION:** Motion by Wood, seconded by McEvers, to approve **Resolution No. 22-059**, Approving Amendments to Personnel Rule 5 – Compensation, Rule 11 – Attendance and Leaves, Rule 26 – Appointed Officer and Department Heads, and Rule 27 – FLSA Exempt Employees, Regarding the Transition to Bi-Weekly Payroll, Effective January 1, 2023.

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

### **RESOLUTION NO. 22-060**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AMENDMENT NO. 1 TO THE AGREEMENT WITH THE FIREFIGHTERS LOCAL NO. 710, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF) TO ALLOW FOR THE IMPLEMENTATION OF A BI-WEEKLY PAYROLL.

**STAFF REPORT:** Human Resources Director Melissa Tosi explained that the proposed Amendment No. 1 to the Agreement with the Firefighters Local No. 710, are specific changes necessary to transition from a semi-monthly to a bi-weekly payroll effective January 1, 2023. Changing from a semi-monthly to bi-weekly payroll will make the timecard inputting, review, approval process easier, and paydays will be consistent and easier for employees to budget around. The amendments have been approved by Local 710. The following are the amendments necessary to provide clarity for the bi-weekly payroll change: Article 16 – Sick Leave & Article – 22 Vacation: For vacation and sick accruals, the accruals will be earned over twenty-four (24) pay periods rather than twenty-six (26) pay periods. This means in the two (2) months when there are extra wage disbursements, employees will not receive accruals in that pay period in

order to remain with our current accruals. Additionally, since pay periods will generally no longer start on the 1st of the month, language that refers to the 1st is being amended to at the beginning of the pay period that includes the 1st. Article 21 – Work Schedule/Overtime: In order to match up our pay periods with the Fire Department’s Fair Labor Standards Act (FLSA) work cycle, the work cycle is being amended to 14 days and being restarted effective January 1, 2023. Article – 23 Wages: Updating the October 1, 2023, market adjustment increase of six percent (6%) to the beginning of the pay period that includes October 1 since the bi-weekly payroll schedule will have October 1 in the middle of a pay period.

**MOTION:** Motion by Miller, seconded by McEvers, to approve **Resolution No. 22-060**, Approval of Amendment No. 1 to the Agreement with the Firefighters Local No. 710, International Association of Firefighters (IAFF) to agree to a Bi-Weekly Payroll.

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

### **RESOLUTION NO. 22-061**

A RESOLUTION OF THE CITY OF COEUR D’ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AMENDMENT NO. 1 TO THE AGREEMENT WITH THE POLICE OFFICER ASSOCIATION (POA) TO AGREE TO A BI-WEEKLY PAYROLL.

**STAFF REPORT:** Human Resources Director Melissa Tosi noted that Amendment No. 1 to the Agreement with the Police Officer’s Association are necessary to transition from a semi-monthly to a bi-weekly payroll effective January 1, 2023. The amendments have been approved by the Association. The following are the amendments necessary to provide clarity for the bi-weekly payroll change: Article – 8 Wages: Updating the October 1, 2023, and October 1, 2024, Cost of Living Increases to the beginning of the pay period that includes October 1 since the bi-weekly payroll schedule will have October 1 in the middle of a pay period. Article – 13 Overtime: In order to match up our pay periods with the Police Department’s Fair Labor Standards Act (FLSA) work cycle, the work cycle is being restarted effective January 1, 2023. The amendments capture the necessary articles that require updating regarding the mutually agreed upon bi-weekly payroll change that will be implemented effective January 1, 2023, and will create consistency across the City.

**MOTION:** Motion by Gookin, seconded by Wood, to approve **Resolution No. 22-061**, Approval of Amendment No. 1 to the Agreement with the Police Officer Association (POA) to agree to a Bi-Weekly Payroll.

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

### **RESOLUTION NO. 22-062**

A RESOLUTION OF THE CITY OF COEUR D’ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING A REAL ESTATE PURCHASE AND SALE AGREEMENT WITH ETD

ENTERPRISES, LLC, FOR LAND ABUTTING THE POLICE DEPARTMENT HEADQUARTERS BUILDING.

**STAFF REPORT:** City Attorney Randy Adams noted that the Council has approved \$4,500,000 in American Rescue Plan Act (ARPA) funds for the remodel and expansion of the Police Department (Department) Headquarters Building. The Department negotiated a contract with CORE West, Inc., a national firm that specializes in municipal buildings and, specifically, public safety buildings, to act as the Construction Manager/General Contractor (CM/GC) for the project. The Department is currently working to finalize a contract with an architectural firm, Castlclaw + KOM and Treanorhl. to design the project. This project is intended to utilize a vacant parcel of property, approximately 1.6 acres, north of and adjacent to the current site of the Police Headquarters building at 3818 N. Schreiber Way, which parcel is owned by ETD Enterprises, LLC. The purchase of the parcel will facilitate the expansion of the Police building without the need for two (2) separate sites and allow the Department to remain as a single facility. Talks have been underway with the owner of the subject parcel for the last several months. A tentative agreement, subject to Council approval, has been reached for the City to purchase the parcel for the price of \$1,186,532, which is reasonable considering the size and location. A title report has been issued and, with a release provided by Acclivity Financial, it has been determined that title to the parcel is clear. The Department had budget savings in the last fiscal year due to open positions. That savings, per policy, rolled over into Fund Balance for this fiscal year and it is proposed to take the money from Fund Balance to purchase the property.

**DISCUSSION:** Councilmember Gookin asked if there are legal requirements for purchasing property. Mr. Adams explained that there are no purchasing requirements, as opposed to when a City is selling property. He noted that an appraisal is not necessary but there should be some evidence of reasonableness of price/value. He explained that this is a unique piece of property for the Police Department, as it is next door, and is a once in a lifetime opportunity and felt that the price was in the range of area parcels. Councilmember Wood noted that this has been discussed for a while and noted that the build-out opportunity for this property will be approximately 30 years. City Administrator Tymesen concurred that the value is remarkable for the assemblage of the Department campus and has been in the works for many, many years.

**MOTION:** Motion by Wood, seconded by Gookin, to approve **Resolution No. 22-062**, Approval of a Real Estate Purchase and Sale Agreement with ETD Enterprises, LLC, for land abutting the Police Station.

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

**LEGISLATIVE PUBLIC HEARING FOR FEE INCREASES AS FOLLOWS:  
BUILDING DEPARTMENT- PROPOSED INCREASES BASED ON STAFFING COSTS  
AND THE ADOPTION OF THE VALUATION CHART PROVIDED BY THE  
INTERNATIONAL CODE COUNCIL; FINANCE DEPARTMENT- PROPOSED  
INCREASES TO STREET LIGHTING AND NEW CHART FOR GARBAGE FEES (NO  
INCREASES); LEGAL- RECOMMENDS FEES ASSOCIATED WITH  
ADMINISTRATIVE AND APPEAL HEARING; LIBRARY- PROPOSED FEE FOR**



**NON-RESIDENT CARDHOLDERS; MUNICIPAL SERVICES DEPARTMENT- RECOMMENDING SINGLE FEE IN PLACE OF SEVERAL FEES RELATED TO TEMPORARY SIGNS; PARKS AND RECREATION DEPARTMENT- UPDATED CEMETERY FEES BASED ON STAFFING COSTS, AND RECREATIONAL FEES BASED ON STAFFING, EQUIPMENT REPAIR/MAINTENANCE AND RECREATIONAL PROGRAM T-SHIRT COSTS; PLANNING DEPARTMENT- PROPOSED INCREASE TO SHORT-TERM RENTAL PERMITS TO COVER COSTS, SETTING A FEE FOR DEVELOPMENT AGREEMENTS, AND INCREASE TO FEES ASSOCIATED WITH STAFFING COSTS; POLICE DEPARTMENT- PROPOSED INCREASE TO THE HOURLY RATES BASED ON CURRENT OVERTIME AND CONTRACT RATES FOR SECURITY/TRAFFIC CONTROL; WATER DEPARTMENT- UPDATING DAMAGE DEPOSIT FOR THE PORTABLE STATIONS TO COVER THE ACTUAL COST OF REPLACEMENT AND INCREASES BASED ON STAFFING COSTS, EQUIPMENT COST, AND FUEL COSTS.**

**STAFF REPORT:** Municipal Services Director Renata McLeod explained that Idaho Code requires a public hearing for proposed fees in excess of five percent (5%). These proposed changes include some fees that are less than 5%, simply being clarified, and/or removed, which is not required to be included in the public hearing; however, it is staff's desire to keep all changes together for ease of tracking all changes. She noted that the Building Department proposes several fee increases and a valuation chart adoption as provided by the International Code Council. This valuation chart is used by several area cities including Post Falls, Rathdrum and Hayden. Mr. Lantzy presented these fee amendments to the North Idaho Building Contractors Association on November 15, 2022, and there was no opposition. The Finance Department proposes a 5% increase in the street light fee, which equals a \$0.16 increase for 2023 and 2024. The fees are being increased to cover increased costs in electrical and repairs. Additionally, the garbage rates categories need to be organized in accordance to the contract with CDA Garbage, which means a full repeal of the old chart (attached) to be replaced with the proposed chart below; fees will remain the same. The Legal Department would like to include fees related to administrative and appeal hearings to cover staff costs. The Library would like to charge the appropriate fee for non-resident cardholders. They have reviewed several area library's fees (provided below) and recommends a fee that is based on an average property tax for library services, which for Coeur d'Alene comes to approximately \$30.00. The Municipal Services Department issues sign permits and with the March 1, 2022, updates to the Sign Code, the temporary sign category needed clarity on fees. This fee reflects one cost for the entire temporary sign category rather than breaking them down into old non-existent categories. The Parks and Recreation Department has experienced an increase in costs related to staffing, equipment repair/maintenance, and recreational program t-shirt costs. The Planning Department is proposing fees for a Short-Term Rental permit to be increased to cover the cost associated with the use of a host compliance agency. Additionally, the City adopted the code to allow for development agreements and staff has now tracked time spent on such preparation of the agreements and recommends a fee to cover costs. Other fees are recommended to increase based on associated staffing costs. The Police Department reviewed all fees and had the following amendments including removing fees associated with the training facility for services no longer provided and an increase to the hourly rates based on current overtime and contract rates. The Water Department proposes an increase for the call-out water services/tag fees by 5% due to

associated costs including employee's time, equipment, and fuel costs. Bulk water use fees should be increased to cover the increased costs and have not been increased in over five (5) years. Additionally, they are proposing an increased amount to help accommodate the pumping cost and wear and tear of the infrastructure used to supply the bulk water stations to keep them in good working order. Water Radio read set-up fee (MXU) is proposed to increase 5% due to the cost of time and materials to shoot the location (GPS/Mapping) and any parts needed to make sure the equipment is in good working order/communicating with our radio read equipment.

**DISCUSSION:** Councilmember Wood noted that the Parks and Recreation fees would likely be of the most interest to the public, and wondered how the information will get out to the public. Ms. McLeod explained that there was a notice in the paper regarding the hearing and the proposed fees have been on the City's website for approximately 2.5 weeks. There will be an updated fee list on the web, and each department will work on informing the users of their new rates. Councilmember Miller thanked staff for answering questions and still had questions regarding the short-term rental permit fee and wondered if the City could pay Granicus draws when we know the process at the end of March, and doesn't believe it is fair to charge those in compliance more money than those who haven't. Ms. McLeod noted that the Granicus contract has been approved and the fee is due in full. The proposal presented to Council at the time the contract was approved was to pay the fee out of the General Fund, then pay the fund back with the dollars collected at the time of the permit renewals in March. She reiterated that it is the City's intent to have the permit programs pay for all the cost associated with the program. Councilmember Miller noted that she doesn't believe the current permit holders should pay the cost for the non-permitted operators. Councilmember Miller noted that the time block for the facility use has been changed and now the cost has increased to \$300.00 and felt that was too high for our local citizens use of the gazebo. Mr. Tymesen noted that the fee allows a person to reserve the gazebo for a certain date and time; however, if others want to use the gazebo and it is not otherwise reserved, they can use it for free on a first come, first serve basis. Councilmember Miller noted the alcohol permit fee seemed to be a large increase in addition to other fees paid. Mr. Tymesen noted that this provides oversight in the area as not all security is being carried out as needed. Councilmember Miller questioned the need for the legal fee and what would be included in this category. Mr. Adams noted that there is no breakdown, rather these are reasonable estimates for his time spent on appeals, which doesn't occur very often, but he spends a lot of time on preparation for the appeals. Councilmember Miller felt that the cost to appeal a \$100 or \$200 fine seems like it would be a deterrent to appeal and wondered if there would be a return of the fee if the persons case was overturned. Mr. Adams noted that there is no provision for refund if they prevail at a hearing. Councilmember English noted that they had to make a call on the STR program and believes it is a reasonable fee, and believes it will be sustainable over time. Councilmember Gookin asked about the Street Light fees and wondered if the fund balanced. Mr. Tymesen noted that the fund does not cash flow. Councilmember Gookin suggested the Street Light fee go back into the General Fund, as he is concerned about the legality of charging it. Mr. Tymesen noted that the Street Light fund is a \$760,000 expense.

**PUBLIC COMMENT:**

Tyler Gabriel, Coeur d'Alene, stated that the logic being applied to the short-term rental fees is flawed and fees should be recovered through enforcement. The proposed fee penalizes people that are doing the right thing.

With no other comments received, the Mayor closed public comments.

**DISCUSSION CONT:** Councilmember Gookin asked what other ways the City can divide the STR permit fees. Ms. McLeod noted that the Granicus contract is approximately \$36,000 and the fee increase was based on the number of permits issued today, as there is no way to know if the future code will lower the number of permits allowed and what level of enforcement will be. Ms. Patterson noted it would be difficult to predict fine data without the final code development as we may require warnings first, and we currently don't know how many units are out there. Mr. Adams concurred you could not count on revenues and would not be in a predictable time due to appeals, noting fine collection is never a certainty as it may end up in collections. Councilmember Gookin asked what the current fine is and how many fines have been issued. Ms. McLeod noted that the fine for violating the Municipal Code is \$100.00 and can be charged daily; however, staff provides people with the notice they need to comply and everyone contacted has come in to get a permit, so no tickets have been issued.

Mayor Hammond suggested pulling the STR fee and bringing it back to Council after we have the data from Granicus. Councilmember McEvers noted that it is not fair that they don't receive a penalty for running the rental unlicensed.

### **RESOLUTION NO. 22-063**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ESTABLISHING AND AMENDING CERTAIN CITY FEES PURSUANT TO IDAHO CODE §§ 63-1311 AND 63-1311A.

**MOTION:** Motion by Miller, seconded by Gookin, to Approve **Resolution No. 22-063**, Establishing Fees for the Building, Finance, Library, Municipal Services, Planning, Police, and Water Departments, minus Planning's Short Term Rental permit increase.

**DISCUSSION:** Councilmember McEvers asked about the reasoning for pulling the legal services fee for appeals. Councilmember Miller stated that she believes it needs more clarity as to which appeals it applies to rather than applying to all appeals. Councilmember McEvers asked if they felt \$300.00 was too high for a local and are they proposing to make it less for locals. Councilmember Miller felt that it was too high and wasn't sure how best to divide the costs, but feels it was too high for a local citizen already paying taxes. Councilmember English stated he would support the legal fees but still supports the motion.

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

**EXECUTIVE SESSION: MOTION:** Motion by Gookin, seconded by Wood, to enter into Executive Session pursuant to Idaho Code 74-206 (j) to consider labor contract matters authorized under section 74-206A (1)(a) and (b).

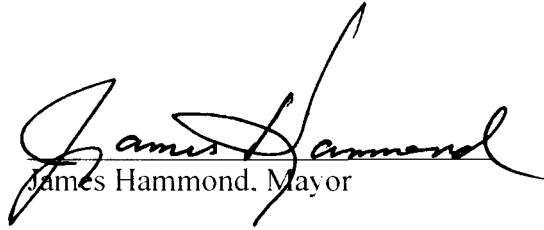
**ROLL CALL:** Miller Aye; McEvers Aye; Gookin Aye; English Aye; Wood Aye.

**Motion carried.**

The City Council entered Executive Session at 7:58 p.m. Those present were the Mayor, City Council, City Administrator, Human Resource Director, and the City Attorney. Council returned to regular session at 8:39 p.m.

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

The meeting adjourned at 8:39 p.m.

  
James Hammond, Mayor

ATTEST:

  
Renata McLeod  
City Clerk