

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

November 21, 2023

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 November 21, 2023, at 6:00 p.m., there being present the following members:

James Hammond, Mayor

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

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

**PLEDGE OF ALLEGIANCE:** Members of Girl Scout Troup 2121 led the pledge of allegiance. Brian Newberry, Chief Executive Officer of Girl Scouts of Eastern Washington & Northern Idaho said it was the third year of Council having the Troup lead the pledge of Allegiance during a meeting. He said October 11 was recognized as “Day of the Girl,” which states girls and their voices matter. He mentioned they had a Gold Award Girl Scout from Coeur d'Alene who had made dog beds for shelter animals, and it was their region's 13th Gold Award. He noted there were now 4,000 Girl Scouts in the chapter.

**PUBLIC COMMENTS:**

Evalyn Adams, Coeur d'Alene, said she was previously an executive officer for the North Idaho Building Contractor's Association and said she was concerned with an item scheduled later on the agenda regarding impact fees. She requested the fees not be increased too high as affordable housing was needed for low-income households.

Susie Snedaker, Coeur d'Alene, said she was a trustee for the Jeanne Holmberge Memorial Trust for the Performing Arts and the trustees would like to provide performances on a flatbed truck throughout the city in under-represented areas at no charge to the community. She requested Council's approval and endorsement on the proposal.

Bill Reagan, Dalton Gardens, said he encouraged Council to support the MOU between the Downtown Association and the City regarding the Christmas parade and lighting ceremony. He said City staff had worked with the DTA to develop a traffic plan to manage the traffic and reduce the costs to the City for the event. He requested Council approve the MOU.

Emily Boyd, Coeur d'Alene, said she was Director of the Downtown Association (DTA) and requested support and approval of the MOU for the lighting ceremony and parade event. She mentioned the DTA had worked collaboratively with City staff and were providing traffic control, porta potties, permits, event insurance, and labor, which equaled \$12,000 in expenditures. She said the DTA made no profit on the event. She said she had spoken with a few downtown business owners, and they had said their sales averaged an increase of 70% during the event, biggest day of the year for many, and the foot traffic was highly valued. She said One Lakeside gave her permission to share their occupancy rate which was 100% on the night of the event.

**ANNOUNCEMENTS:**

Councilmember Gookin thanked Evalyn Adams for the turkey giveaway program she was involved in. He said he would like to support the performing arts proposal Ms. Snedaker brought forward. Councilmember English asked if the performing arts item would be on a future agenda, with City Attorney Randy Adams clarifying the item would need to be placed on a future agenda as an action item. Mayor Hammond directed staff to place the item on the next council agenda. Councilmember Wood suggested the performing arts group speak with Parks Director Bill Greenwood. Councilmember Miller asked if a staff report would be provided on the performing arts item, and said she was in support of performing arts and cautioned that there may be other groups wishing to do the same type of program and Council should be mindful in case of similar requests.

Mayor Hammond congratulated the recently reelected Councilmembers and said he looked forward to continuing to work with them. He mentioned he had been recognized for his efforts regarding the 2022 Pride in the Park event where Patriot Front members were arrested for conspiring to riot. He said he had acknowledged the Police Department for their work on the case, and would also like to acknowledge the City's Prosecutor's Office for their continued work on the cases.

Mayor Hammond requested confirmation of the appointments of Shannon Sardell, Walter Burns, and Sandy Emerson to the Historic Preservation Commission.

**MOTION:** Motion by Wood, seconded by Evans, to appoint Shannon Sardell, Walter Buns, and Sandy Emerson to the Historic Preservation Commission. **Motion carried.**

**CONSENT CALENDAR:**

1. Approval of Council Minutes for the November 7, 2023 Council Meeting.
2. Approval of Minutes from the November 13, 2023, General Services/Public Works Committee.
3. Setting of the November 27, 2023 General Services/Public Works Committee Meeting.
4. Setting a public hearing for December 5, 2023 for Birkdale Annexation; Requested by: William and Sandra Braden located at: 3549 N 15th Street
5. Approval of Bills as Submitted.
6. Approval of Financial Report.
7. Approval of a Cemetery Lot Repurchase from Valerie Benecke; Trustee: Section RIV; Block H, Lot 507 in the amount of \$800.00.

8. **RESOLUTION NO. 23-082** - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING THE FOLLOWING: PURCHASE OF A CCTV SYSTEM FROM CUES NORTHWEST FOR THE WASTEWATER DEPARTMENT; AMENDMENT TO THE COLLECTIVE BARGAINING AGREEMENT WITH LOCAL 710 FOR FIREFIGHTERS; MEMORANDUM OF UNDERSTANDING WITH THE COEUR D'ALENE DOWNTOWN ASSOCIATION FOR THE 2003 CHRISTMAS PARADE, LIGHTING CEREMONY, AND FIREWORKS DISPLAY; PROFESSIONAL SERVICES AGREEMENT WITH HMH FOR THE PONDEROSA DRAINAGE PROJECT; AND CONTRACT WITH SPECIALTY PUMP SERVICES FOR THE LINDEN WELL REHABILITATION PROJECT.

**DISCUSSION:** Councilmember Gookin asked what the Finance Department's large expenditures on the budget finance report were in regard to, with City Administrator Troy Tymesen responding they were related to the City's annual audit. Councilmember Gookin said he had questions regarding the purchase of the new CCTV system, and asked if it included a new truck, with Wastewater Department Director Mike Anderson responding it included a Ford E-450 with a cargo box which would house the CCTV unit, and the old truck would be sold. Councilmember Gookin asked if the DEQ grant application for Ponderosa included stormwater mitigation, with Streets & Engineering Department Director Todd Feusier responding the grant was for design of plans and part of the design included connecting the street drainage to the stormwater system; however, no construction was included at this point in time. Councilmember Gookin asked why the Linden Well rehabilitation project's bid was \$162,000 with all bid alternatives, yet the request was for \$192,240? He asked what the extra funds would be used for, with Water Department Director Kyle Marine responding the extra funds would be used if it was discovered that additional repairs were needed during the rehabilitation, as some parts can't be analyzed until they are exposed during rehabilitation of the well. He said in previous well rehabilitation projects, they had to return to Council for emergency funding for unplanned issues. Councilmember Wood thanked the Hagadone Corporation and Downtown Association for their efforts with organizing the downtown lighting parade and fireworks show. She thanked the Hagadone Corporation for their generous gift to the community for the past 37 years. Mayor Hammond would like Councilmembers Gookin, Wood, Evans, McEvers, and city administration to discuss appropriate agenda items for the General Services/Public Works (GS/PW) Committee meetings. Councilmember Evans responded she would be happy to participate in the conversation. Councilmember Wood asked why Council was tasked with approving items already discussed and approved during the budget process? Councilmember McEvers said the GS/PW Committee meetings provided Council insight on how staff completed projects, gave a prospective of how departments operated, and helped keep Council engaged in City business. Councilmember Gookin said he felt the public's business should be done during the public meetings and the GS/PW Committee meetings had been created to reduce the length of the regular Council meetings. He noted that items should be discussed and approved during the regular business meeting as he was in support of transparency. Councilmember Wood mentioned all meetings were televised and therefore transparent. Councilmember Miller said she was appreciative of the subcommittee chairs getting together to discuss the process, and the GS/PW meetings were helpful and gave Council the opportunity to work through some items which would be coming forward to the full Council. Councilmember English said the system in place worked, yet it was good to discuss the process and make adjustments as appropriate.

**MOTION:** Motion by McEvers, seconded by Evans, to approve the Consent Calendar as presented, including **Resolution No. 23-082**.

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

### **RESOLUTION NO. 23-083**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, DECLARING A 2016 CUSTOM CANOPY AS SURPLUS PROPERTY AND AUTHORIZING ITS SALE THROUGH CUSTOM TRUCK FOR \$1,500.00.

**STAFF REPORT:** Deputy Fire Chief Lucas Pichette requested the Council declare a 2016 custom canopy to be surplus and authorize the sale through Custom Truck. He said the custom canopy was purchased in June of 2021 for use on the Fire Department's Ford pickup which was being placed into service as a "backcountry" response vehicle at Station 3. He noted the canopy was a custom designed piece of equipment in which an error was made when the part was ordered. He mentioned that after receiving the canopy, it was discovered that it would not fit the Department's vehicle. He said the Department had no use for it and additionally, no other City department had indicated any interest in it. He said Custom Truck in Coeur d'Alene had been working to find an interested party, and they had an interested buyer who offered to purchase it for \$1,500.00. He noted this was the best option, the offer was fair and reasonable, and it was in-line with the fair market value of the canopy. He requested Council declare the 2016 custom canopy to be surplus and authorize the sale through Custom Truck for \$1,500.00.

**DISCUSSION:** Councilmember McEvers asked what the original purchase price of the canopy was, with Deputy Chief Pichette responding it was purchased for \$3,000 and would fit a 2016 model truck.

**MOTION:** Motion by Wood, seconded by English, to approve **Resolution No. 23-083**; Declaring the surplus of a custom 2016 Custom Canopy and authorization to sell through Custom Truck.

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

### **RESOLUTION NO. 23-084**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, FINDING THAT, PURSUANT TO IDAHO CODE § 50-1403(4), IT IS IN THE BEST INTERESTS OF THE CITY OF COEUR D'ALENE TO TRANSFER TO THE COEUR D'ALENE URBAN RENEWAL AGENCY, D/B/A IGNITE CDA, A PARCEL OF LAND OWNED BY THE CITY, BEING A PORTION OF TRACT 1, ATLAS WATERFRONT SECOND ADDITION, RECORDED IN BOOK "L" OF PLATS, AT PAGE 708, RECORDS OF KOOTENAI COUNTY WHICH IS SEVEN THOUSAND SEVEN HUNDRED SIXTY (7,760) SQUARE FEET IN SIZE, AND IS MORE FULLY DESCRIBED IN THE EXHIBIT "A" HERETO,

**STAFF REPORT:** City Administrator Troy Tymesen requested Council determine that it is in the best interest of the City to transfer +/- 0.178 acres of real property in Atlas Waterfront to ignite cda, a tax-supported governmental entity and to set a public hearing to consider the transfer on December 5, 2023. He said the City had begun the process of purchasing the Atlas Waterfront property in May of 2017. In 2018, the City purchased nearly 47 acres of Spokane River waterfront property which was the former Atlas Mill site with the goal of creating permanent, public waterfront access and encouraging economic development initiatives on the site. He said the purchase price of the property was \$7,850,000, and funded by a loan from the City's Wastewater Utility. The project size was increased to approximately 70 acres when a triangle parcel was acquired through a land exchange and vacation of unused road right-of-way along the south side of Seltice Way. Subsequently, the City transferred the property, except for property intended for parkland, to ignite cda, to oversee the development. He noted ignite cda had been working closely with the City, Welch-Comer, and Heartland LLC to develop the property. He said the project was currently in phase 2. He noted Councilmember Christie Wood had served on the Atlas Scoring Committee, along with City staff representatives Hilary Patterson and himself, representatives from the ignite cda board, Heartland Development (advisor to ignite cda), and Phil Boyd of Welch-Comer. He said the committee had been apprised of the challenges of developing what is known as "Area 13" and the need for public and fire access along the eastern boundary. He mentioned Area 13 was the last remaining developable parcel in the Lake District within the Atlas Waterfront project and the sale of the parcel was critical to help pay back the Wastewater Utility for the loan made to acquire the Atlas Waterfront property. He said there have been three (3) requests for proposals and multiple failed attempts to sell the parcel, largely due to the size and shape of it, as well as the significant grade change from Atlas Road down to the waterfront trail. Ignite cda had recently signed a Development Disposition Agreement with deChase Miksis (deChase) for Area 13 and a closing date is scheduled for December 8, 2023. Thus, it was critical that the public hearing to consider the transfer occur on December 5, 2023. The property to be conveyed by the City to ignite is described as 7,760 square feet or +/- 0.178 acres located adjacent to and along the eastern property line of Atlas Waterfront Area 13 and along the western edge of the Atlas Waterfront Park. Conveyance of the 30-foot strip of property would make development of Area 13 more feasible and enable the pending sale to close. The strip of property was required to provide Fire Department access around the buildings. Additionally, it would provide a public promenade, an enhanced landscape buffer between the park and the mixed-use development on Area 13, provide more land on the City's tax rolls, and help with sale and development of Area 13. The promenade connection was envisioned in the original Atlas neighborhood plan, but there was not sufficient budget to construct the connection as part of the waterfront park project. The Atlas Architectural Design Review Committee (ADRC) has been reviewing several iterations of the deChase proposed development of Area 13. deChase proposes to build the project in phases; Phase 1 is an 8,000 to 10,000 sf House of Western restaurant and bar and Phase 2 is a 22-unit multi-family (Condo or for rent TBD). The deChase RFP submittal proposed accessing the building's below-grade parking under the Phase 2 building from the east. The area in question has no value to the City other than as a 30-foot strip of unimproved area of parkland and the conveyance would provide a public promenade, Fire Department access, an enhanced landscaped buffer between the park and the mixed-use development on Area 13, provide more land on the City's tax rolls, help with sale and development of Area 13, and help pay back the City's Wastewater Utility. The ADRC supports the proposed fire access road/public promenade because it allows Area 13 to be developed in a manner consistent with the Atlas Development Standards, specifically: 1. No surface parking; 2. Activating both the Atlas Road and waterfront trail sides for the parcel with a

food and beverage operation; and 3. Creating 22 residential units. He said the ADRC discussed deChase's proposal with the Atlas Development Team and the Team suggested it may be in the City's best interest to complete a Boundary Line Adjustment with ignite cda to move Area 13's east boundary 30' east, so the fire access road would be completely on Area 13 (private property). Later the City Attorney suggested an alternate approach would be simply to convey the property to ignite cda by ordinance, as authorized by Idaho Code § 50-1403(4). Idaho Code § 50-1403 provides that the City may transfer property, with or without consideration, to any tax supported governmental unit if it is in the best interest of the City. Ignite cda is a tax supported governmental unit, and staff believes that it is in the best interest of the City to transfer the property to ignite cda for the reasons stated in the report. He noted that if the property was conveyed, a permanent and perpetual easement to the City for the publicly accessible promenade would be granted by ignite cda, which easement would be binding on future owners of Area 13. The owner of Area 13 would be responsible for promenade maintenance. The public open space area is currently irrigated turf and there is a stormwater line that runs along the alignment. He mentioned other considerations demonstrating the importance of conveying the property to ignite cda were: 1. Area 13 has been offered for RFP three (3) times and the proposal was the closest ignite cda had come to closing the sale, 2. After December 31, 2023, ignite cda would not be able to offer the parcel for sale through an RFP process and the land would have to be transferred to the City of Coeur d'Alene. The City would be limited in its ability to sell property for development, and having additional parkland in Atlas Waterfront would not be beneficial to the City due to costs to improve the parkland and ongoing operation and maintenance expenses, 3. The deChase proposal satisfies the Atlas Development Standards, 4. The existing Atlas Waterfront area proposed to be included in Area 13 is lightly used irrigated turf that does not generate property tax. The proposed transfer of real property would add that area to taxable land while still retaining a public promenade to the Atlas Waterfront Trail as envisioned in the original Atlas Development Standards, 5. The access road/public promenade with sitting areas overlooking the park would be constructed and maintained at deChase's expense, 6. Any modifications of existing public utilities (such as the stormwater line, adjustments to the park irrigation system) would be made at deChase's expense. Mr. Tymesen mentioned conveyance of the property to a tax-supported governmental entity by ordinance was preferable to doing a Boundary Line Adjustment. The Legal Department had reviewed the conveyance and had determined that it met the requirements of Idaho Code. Mr. Tymesen requested Council approve the conveyance of real property to ignite cda by ordinance pursuant to Idaho Code § 50-1403(4), secure a permanent and perpetual easement across the property from ignite cda, and authorize the Mayor and the City Clerk to sign the required documents consummating the conveyance. He said Council should set the public hearing to complete the sale for December 5, 2023.

**DISCUSSION:** Councilmember Evans noted the project provided public waterfront access. Councilmember Wood said the number one priority for the Committee was to ensure the Performa was good and the revenue paid off what was owed to the Wastewater Utility. She said in discussions on Area 13, it had been discussed that it would include a restaurant, and it would be best to include a road and access to the trail. Councilmember English said the balance was to have a park and have the other development help pay for the park amenities and other improvements. He noted he was still hoping docks could be added at some time in the future. Councilmember Miller was in support of the project, yet stated there were no guarantees that the improvements would be made as proposed, and asked if trail access would remain, with Mr. Tymesen responding that if changes were made the developer would have to seek approval from ignite cda. Mr. Adams

noted the easement would be set in stone before transferring the property to the buyer. Councilmember McEvers clarified the previous three (3) RFPs couldn't make the project work, with Mr. Tymesen responding that was correct. Councilmember Gookin asked for conferment that the easement would be permanent and if the City was selling or transferring the property to ignite cda, with Mr. Tymesen responding it was a transfer. Councilmember Gookin asked what happened if the sale fell through, with Mr. Tymesen responding the property would be returned to the City and the buyer would forfeit their deposit. Mr. Adams said the easement would no longer exist if the property was returned to the City, as the City was not allowed to have an easement on its own property. Councilmember McEvers asked if the time pressure was due to the Lake District closing and all business having to be completed by December 31, 2023, with Mr. Tymesen responding it was. Mayor Hammond said the importance of conveying the property to ignite was it would be far more difficult for the City to dispose of it by sale or auction than ignite.

**MOTION:** Motion by Miller, seconded by Evans, to approve **Resolution No. 23-084**; – Declaring that it is in the best interest of the City to convey a parcel of property to ignite cda, a tax-supported governmental entity, without consideration and setting a public hearing for December 5, 2023, as required by Idaho Code § 50-1403.

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

**(LEGISLATIVE) ADOPTION OF THE CAPITAL IMPROVEMENT PLANS FOR PARKS, TRANSPORTATION, POLICE AND FIRE IN SUPPORT OF DEVELOPMENT IMPACT FEES.**

**RESOLUTION NO. 23-085**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADOPTING AN UPDATED CAPITAL IMPROVEMENTS PLAN FOR PARKS, TRANSPORTATION, POLICE, AND FIRE.

**STAFF REPORT:** Senior Planner Sean Holm said City staff along with Welch Comer Engineers were present to address a critical milestone in the City's progress in adopting new Capital Improvement Plans (CIPs). He noted the CIPs, which were a cornerstone in guiding the City's development, had not been updated since 2004. He said Title 67, Chapter 82, of Idaho Code authorized cities to address the demands of new development (growth's share). He said there were three (3) parts necessary in order to update impact fees: step one was to adopt the CIPs as presented tonight, step two would be to adopt the Impact Fee Study (which were the maximum defensible fees) scheduled as a public hearing on December 5, 2023, and lastly to adopt the Fee Resolution also scheduled on December 5, 2023. He introduced Melissa Cleveland of Welch Comer Engineers who was working with the Community Planning Department on the CIPs and updated Impact Fees. Ms. Cleveland said the purpose of the hearing was to adopt the CIPs in support of Development Impact Fees. She noted they were gathering feedback and the official action on the fees would be during the December 5, 2023, public hearing. She said the City of Coeur d'Alene (City) had been conducting a study to update both the Development Impact Fees in accordance with Title 67, Chapter 82, Idaho Code, and Annexation Fees in accordance with Title 50, Chapter 2, Idaho Code, with the assistance of Welch Comer Engineers, FCS Group, and Iteris. She said

the current Impact Fees were established in 2004 , and the Annexation Fee was last calculated in 1998, and that they hadn't been updated since. She noted the purpose of the study was to examine the fee methodology and alternatives, update the fee basis, recommend new fees based on the update and determine the maximum defensible fee. She explained Impact Fees represented the proportionate share of the cost of system improvements needed to serve new development, and Impact Fees were a one-time fee and are not reoccurring or ongoing charges. She said Annexation Fees were intended to equitably allocate the costs of property tax-supported City functions for new areas brought into the City. She said the consultant team worked on CIPs for Parks, Transportation, Police and Fire, and needs assessments for Police and Fire. She noted *system improvements* meant capital improvements to public facilities designed to provide service to a service area, *capital improvements* meant improvements with a useful life of 10-years or more, by new construction or other actions , and *public facilities* included roads, parks, open space, public safety facilities, and fire stations and apparatus. She said other than fire apparatus, other vehicles/equipment were not "public facilities." They were vetted with each of the departments and reviewed by the Planning Commission, acting as the Development Impact Fee Advisory Committee, and discussed at the workshops held on May 17, July 18, and the joint workshop with the City Council on September 25, 2023. She noted work to date for the needs assessment and CIP tasks included the following: Welch Comer worked with both Fire and Police staff on needs assessments and CIPs, Welch Comer and Iteris worked with engineering staff to assemble a roadway CIP based on data from multiple sources and vetting with the KMPO regional demand model, Welch Comer worked with Engineering and Parks staff to develop a non-motorized transportation CIP after gathering information from various existing planning documents, Welch Comer developed a Parks CIP after gathering information from the City's 2021 Parks Master Plan and working closely with Parks Department staff, Iteris pulled trip data from the KMPO regional demand model for use in the transportation Impact Fee calculations (which helped to establish growth's share of capital costs), the Planning and Zoning Commission provided input on CIPs and alternatives for fee calculations, feedback was gathered from the North Idaho Builders and Contractor's Association (NIBCA) (which included scaling residential fees, charging the park fee to non-residential land uses, blending the assisted living facility fee with other non-residential, additional non-residential land uses, multi-family by dwelling unit, hotels by square foot, an effective date of new fees 90 days after adoption, index fees annually, and ideally to establish fees for several years to help with budgeting), FCS GROUP developed various alternatives for the Impact Fee and presented options to the Development Impact Fee Advisory Committee. They prepared a policy alternatives memo and several different versions of the draft report and fee alternatives for City staff review, and FCS GROUP also updated the Annexation Fee calculations based on the 1998 methodology. Ms. Cleveland said that in October, the draft CIPs and Impact Fees/Annexation Fees were presented to the Executive Board of the North Idaho Building Contractors Association (NICBA), who provided feedback that helped to inform the final fees. She noted the following changes had been incorporated since the last Council review of CIPs: additional non-residential land use categories, removed rolling stock other than fire apparatus, separated hotels into 50+ and 50- rooms, removed transportation project R3 (E. Sherman Corridor Study) since it was deemed 0% Impact Fee eligible, provided the Impact Fee eligible percentage and the Impact Fee eligible cost to be clear which are "growth's share" of Transportation and Parks fees. She said that in order to establish the costs, the following occurred: determined projects that were needed to accommodate growth over the next 10 years, parks costs were established using a combination of estimates in the 2017 Parks Master Plan, staff input, and estimates by Welch Comer, motorized and non-motorized costs were established using a combination of costs shown

in KMPO master plans, staff input, other traffic studies/reports, and Welch Comer cost estimates, Fire costs were determined by looking at assessed values of existing facilities, comparing costs of fire stations currently being constructed by Kootenai County Fire and Rescue, and staff input, Police costs were determined by input from the on-going police station expansion project, assessed values of existing facilities, and the City of Moscow police station construction, and the Julia Street overpass project (found in transportation CIP) only included the cost of planning/pre-design. She said care was taken to establish a defensible representation of “growth’s” share of capital projects and facilities using population and visitor growth estimates, residential and non-residential growth estimates, and growth in trips from KMPO’s model. Many of the listed projects/facilities serve both existing users and forecasted new users. Therefore, not all projects were 100% Impact Fee eligible, which was reflected under the “percentage eligible” column in the CIPs. She noted since growth’s share only covered a portion of the Impact Fee projects, the remaining costs would need to be borne through other funding mechanisms (general fund, grants, other funding partners, etc.). However, without Impact Fees, the projects would still be needed to serve the community and Impact Fees would not be available to help cover the costs. She noted the most up-to-date maximum defensible Impact Fees (as shown in the table below) reflected feedback from the City Council, Planning Commission, and NIBCA. The fee categories have also been expanded, based on the feedback at the joint workshop and input from City staff. She said Council may adopt fees lower than the fees below, but not higher. She went over questions received during the joint workshop and explained the Parks Master Plan was adopted in 2021, the Trails and Bikeway Plan was adopted in 2017, cost were based on 5 acres per 1,000 residents for community parks, neighborhood parks, and sports fields (not natural parks or open space), costs were estimated by Welch Comer, escalated costs in Master Plans and input from City staff. She said projects were determined by reviewing KMPO’s Master Plans, input from City staff, and vetting of project need using KMPO 2030 and 2040 regional demand models. Costs were determined using escalated costs in previous studies/plans, estimates by Welch Comer, and knowledge from City staff. She said in regard to questions of emergency services, costs were determined by the value of existing facilities versus need for growth, costs from the recent police station in Moscow, Idaho, the current City police building expansion project, Kootenai County Fire and Rescue fire station costs, input from City staff, and input from other fire impact fee studies. She noted fire apparatus rolling stock may be included but no other rolling stock was allowed.

Maximum Defensible 2024 Proposed Fees:

<b>Residential Fees</b>	<b>Parks</b>	<b>Transportation</b>	<b>Police</b>	<b>Fire</b>	<b>Total</b>
SFH (\$/SF)	\$1.13	\$1.58	\$0.22	\$0.48	\$3.41
Multifamily (\$/du)	\$2,621.18	\$2,033.00	\$521.02	\$1,104.22	\$6,279.42
Assisted Living/Nursing Home (\$/SF)	\$0.08	\$1.32	\$0.95	\$2.13	\$4.48
<b>Non-Residential Fees</b>					
Industrial/Manufacturing (\$/SF)	\$0.03	\$1.49	\$0.17	\$0.36	\$2.05
Warehousing/Distribution (\$/SF)	\$0.09	\$5.15	\$0.59	\$1.25	\$7.08
Storage (\$/SF)	\$0.01	\$0.62	\$0.07	\$0.15	\$0.85
Retail/Shopping Center (\$/SF)	\$0.15	\$8.94	\$1.02	\$2.16	\$12.27
Office/Service/Restaurant/Medical (\$/SF)	\$0.08	\$4.44	\$0.51	\$1.07	\$6.10
Schools/Daycare/Church (\$/SF)	\$0.03	\$1.49	\$0.17	\$0.36	\$2.05
Government (\$/SF)	\$0.08	\$4.44	\$0.51	\$1.07	\$6.10
Accommodations (50+ rooms) (\$/room)	\$2,183.19	\$1,054.00	\$130.21	\$289.76	\$3,657.16
Accommodations (<50 rooms) (\$/room)	\$1,711.63	\$712.00	\$105.17	\$231.81	\$2,760.61
Accommodations (50+ rooms) (\$/SF)	\$5.29	\$2.56	\$0.32	\$0.70	\$8.87
Accommodations (<50 rooms) (\$/SF)	\$4.15	\$2.16	\$0.32	\$0.70	\$7.33

Ms. Cleveland said single-family and assisted living were both listed as fee per square foot, while multi-family was listed as fee per dwelling unit. The remaining non-residential fees were listed as cost per square foot and the accommodations category was listed both by fee per square foot and fee per room. Other non-residential fees were broken into more categories than previously presented, based on feedback from the joint workshop and input from staff, to create categories that would cover the grand majority of land uses the City encountered. Uncategorized land uses would go through an individual assessment of fees and were expected to occur infrequently. She noted an update was provided to the Planning Commission at its meeting on November 14, 2023. The Planning Commission, acting as the Development Impact Fee Advisory Committee, recommended that the Council adopt the CIPs and to adopt the maximum defendable fees as presented. The Commission also recommended establishing the accommodations fee as cost per square foot for hotels of 50 or more rooms, and cost per room for hotels of less than 50 rooms. She noted the Annexation Fees had not changed since they were presented to the Council previously, which was \$1,133 per equivalent residential unit (ERU). The fee was less than the 1998 fee escalated to today's dollar (\$1,419 per ERU). She said they were seeking final feedback on fees and implementation regarding the hotel Impact Fee methodology, new fees starting on April 1, 2024, credits based on current land use and current Impact Fee, and the adoption of five-year's worth of fees with an ENR index of 3.9%. She requested the Council adopt the Parks, Transportation, Police, and Fire Capital Improvement Plans in accordance with Idaho State Law to allow subsequent adoption of Development Impact Fees at the December 5, 2023 Council meeting.

Mayor Hammond opened the public testimony portion of the hearing.

**PUBLIC TESTIMONY:**

Bill Reagan, Dalton Gardens, said it was the first opportunity to provide input to the Council on the CIPs and revised Impact Fees. He agreed that fees needed to increase, yet the proposed park impact fees for non-residential uses were 41% more than the total amount for Fire, Police, and Transportation. He said the City had a lot of parkland and much of it had been gifted to the City. He mentioned hotels provided an economic benefit to the community and if the Coeur d'Alene Resort was being built today, the fees would be \$1.2 million if based on 338 guest rooms, or \$3

million if determined by square footage. He noted using square footage to determine impact fees was problematic as hotel rooms were all different sizes yet were occupied by one-party regardless of room size. He suggested the number of units would be a more accurate way of applying impact fees.

Ryan Nipp, Coeur d'Alene, said he was a partner in Northwest Properties, and they developed many types of properties. He said he was not in opposition of the adoption of the CIPs, yet would like to request the adoption of Impact Fees be delayed to late January 2024, in order to provide the development community an opportunity to provide meaningful feedback. He noted the fees, as proposed, would make a major impact on housing affordability.

Mayor Hammond closed the public testimony portion of the hearing.

**DISCUSSION:** Councilmember McEvers asked how often Impact Fees should be updated, with Mr. Adam's responding the recommendation was every five (5) years. Councilmember Wood asked why existing needs couldn't be included, such as the 15<sup>th</sup> Street example, and the substation had never been brought forward, with Ms. Cleveland responding it was growth's share and new growth could not be used to pay for existing deficiencies. Councilmember Miller asked when the Police Substation had become an existing need? Councilmember Gookin asked if the impact fee percentage amount was all that could be used on a project, with Ms. Cleveland responding that was the limit of Impact Fees which could be spent, and remaining project costs would come from another source. Mr. Adams said the CIPs established what the fees could be spent on. Councilmember Wood asked for the difference between funding a new fire station versus a new police substation, as the fire station was funded at 100% and the substation at 16%. Ms. Cleveland said the fire station was determined to be 100% needed due to new growth. Councilmember Gookin asked if the substation had to be built in a particular area of the City, with Ms. Cleveland responding it could be built in another area and all the projects were based on the City's need to handle growth in the community. Mayor Hammond said the CIPs were the basis for what the City needed. Councilmember English asked if fees could be used to lease land, or did it have to be a purchase, with Mr. Adams responding impact fees could only be used toward the purchase, not lease of land. Councilmember Wood asked how the location was selected for the Police Substation? Councilmember Evans asked if it were determined that the Police Substation was needed near the Fire Department, would the fee percentage change, with Ms. Cleveland responding staff had determined the substation was needed downtown, and the percentages were based on the projected new growth needs which wouldn't change by location. Councilmember Miller asked if part of the plan could be to remodel or add an addition to an existing building? Ms. Cleveland clarified the non-residential 50 plus rooms study had determined the impact was to parks, and for the majority of non-residential, the park fee was the non-resident employee. Mayor Hammond said many local residents had visitors who frequented the existing parks and wondered how the level of impact could be assessed to hotels? He said the challenge was not the acquisition of land, it was maintaining the facilities and was in support of a hotel per bed fee. Councilmember English noted the discussion had been how to pay for the impact on area parks by visitors and wondered what the logical way to capture the fee might be and what the nexus was on how the parks fee was determined. He mentioned there wasn't an emergency timeline and Council should take the time to get the fees right. He said assisted living facilities should not be over-penalized and asked if they had been looked at on a non-profit versus for-profit facility basis? Ms. Cleveland said the fees were blended into the other commercial uses. Councilmember Wood said the Parks Master

Plan had been previously adopted and she was not sure if the proposed fees were appropriate. She said the new Impact Fees should go into effect in July, and she wasn't sure of the CIPs and would like to hear from the economic council, other hotels, and developers in the community. Councilmember Gookin said he was not prepared to make a decision at this time and felt the parks fees should be removed from commercial. He said he had asked for the 2016 Plans and historical projections, would like to see them before deciding, and wanted to know how the proposed fees were calculated. He said he had previously stated the Julia Street Overpass project should not be included in the CIP. He said they should be cautious in regard to residential. Councilmember McEvers asked for a comparison on the past 20 years and where impact fees should be. He asked about the economic development side and what were the low-income impacts and a way to make it fair yet equitable. Councilmember Miller said the North Idaho Building Contractors Association was aware of the fee increases. She said the parks fee was new and more information was needed, and that there would be an opportunity to review all the Impact Fees every five (5) years. She noted it wouldn't be such a dramatic increase if fees had been increased regularly. Councilmember Evans thanked Ms. Cleveland and staff for their work on the plans and would like to seek information from community partners. Mayor Hammond said much work had been done and felt much of the work could be approved. He said the exception was the new parks fee, and how to assess parks fees fairly and appropriately. He would like the Parks CIP to be looked at regarding the 5-acres needed per thousand residents and suggested the number of residents per 5-acres could be increased. He noted there were also concerns with the City's water usage for parks. Councilmember English said the office space fee was high and may need to be looked at. Parks Director Bill Greenwood said the parks fee could be reduced or removed and they could look at something more in line with Mayor and Council's suggestions. Councilmember Wood said she had concerns with the proposed language regarding the Police Substation.

**MOTION:** Motion by Miller, seconded by Gookin, to table the adoption of the Capital Improvement Plans until the December 5 meeting in order to provide additional feedback, if needed, to the project manager.

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

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

The meeting adjourned at 8:31 p.m.

ATTEST:

  
Sherrie L. Badertscher  
Executive Assistant

  
James Hammond, Mayor