



Coeur d'Alene

CITY COUNCIL MEETING

January 18, 2011

MEMBERS OF THE CITY COUNCIL:

Sandi Bloem, Mayor

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

CONSENT CALENDAR

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

January 4, 2011

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 January 4, 2011 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

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

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

INVOCATION: The invocation was led by Pastor Paul VanNoy, Candlelight Christian Fellowship.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was led by Councilman Hassell.

COUNCIL BILL NO. 10-1027

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING TITLE 5 BY ADDING A NEW CHAPTER, TO BE DESIGNATED CHAPTER 5.07, ENTITLED ALCOHOLIC BEVERAGE SERVER TRAINING REQUIREMENTS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

Motion by Kennedy, seconded by Edinger to bring Council Bill No. 10-1027 forward. Motion carried.

Councilman Kennedy noted that this item has been discussed with the downtown bar owners and was brought forward through the General Services Committee. Since this ordinance affects more bars and restaurants outside the downtown area and who have not had an opportunity to review and discuss this issue he would give the other bars and restaurants an opportunity to review the proposed regulations before the City Council takes action on the Council Bill.

Motion by Kennedy, seconded by Edinger to table this item and refer it to the General Services Committee meeting on February 21st. Motion carried.

PRESENTATION – ANNUAL DISABILITY ADVOCATE AWARDS: Patrick Blum and Virgil Edwards Representing the Disability Action Center presented their annual awards to Pattie McGruder, Dusty Rhodes, Robert Baker, and Albertson's on Ironwood.

PUBLIC COMMENTS:

TAXI CALL STANDS: Scott Dimberg, 1008 Mullan Avenue, owner of Scott's Taxi Service, voiced his concern of the proposed call stands for taxis in one location. He believes that allowing taxis to park in the 15 minute parking zones along Sherman is a better plan than having the cabs all in one location. He also proposed that the call stands should be located on all four corners of 4th and Sherman.

TAXI CALL STANDS: Whitney Hall, 1040 E. Mountain, recently purchased Chillers Bar. She thanked the Council for tabling the bartender training issue. She is concerned about not allowing taxi cab drivers to pick up patrons inside the bar. She proposed the City providing a parking lot for taxis.

CHRISTMAS SALES OF LIQUOR: Brent Russell, 6751 W Ben Pointe, questioned why, when there is a law that does not allow the sale of liquor on Christmas, that there are bars in this town that do sell on Christmas. He mentioned that he had checked with Kathy Lewis and she informed him that it is illegal to sell liquor on Christmas Day.

FERNAN LAKE PROPERTY: Ron Ayers, 319 E. Coeur d'Alene Lake Drive spoke in support of purchasing the property on south side of Fernan Lake. Denise Wetzel, 3487 E. Manning Loop, spoke in support of the purchase of the parcel of property south of Fernan Lake.

OPEN SPACE ACCESSIBILITY: Patrick Blum, 8459 n. Sunny Lane, Hayden , spoke in favor of any open space being available to all people with disabilities. Virgil Edwards, 3451 Seltice Way, also spoke in support of providing access to every public venue available to the public. Terra Dunham, 1115 Ironwood Drive, spoke in support of providing access for people with disabilities to all public spaces.

CONSENT CALENDAR: Motion by Goodlander, seconded by Edinger to approve the Consent Calendar as presented.

1. Approval of minutes for December 21, 2010.
2. Setting the General Services Committee and the Public Works Committee meetings for Monday, January 10th at 12:00 noon and 4:00 p.m. respectively.
3. Declaring Building Department Richo Copier as surplus with zero value and authorizing staff to dispose of the copier.

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

ADMINISTRATOR'S REPORT: Deputy City Administrator Jon Ingalls announced that an Open House for the proposed McEuen Park project will be held this Thursday, January 6th, at 6:00 PM, at North Idaho College, Student Union Building, in the Lake Coeur d'Alene Room. For more information, access the city's web site at www.mceuenpark.com or contact Parks Director Doug Eastwood at 769-2252. Please recycle cereal & cracker boxes and junk mail. Partners Blue Bird Recycling and Kootenai County Solid Waste weren't seeing cereal boxes, cracker boxes, and junk mail – all items which ARE recyclable in the program. Please be sure to add these items to your blue cart. Glass and plastic bags are two of the only regular household items the program does not accept. For more information, please call Waste Management at 765-4968. Waste Management of Idaho suspended alley trash and recycling services in Coeur d'Alene. Until otherwise notified, please place your trash and recycling materials in front of your home on your service day. After pick-up, please remove your garbage container from the street so city plows can do their job. For additional information, please call 765-4968. The city is currently in the process of updating its housing needs assessment and seeking information regarding Fair Housing

choices within Coeur d'Alene. Residents can provide input by visiting the city web page at www.cdaid.org and completing the survey, or by printing a hard copy, filling it out, and then mailing it in or dropping it by City Hall, at 710 East Mullan, The deadline for submitting a survey is January 15, 2011. The City of Coeur d'Alene continuously accepts applications and holds them on file for one year for the following positions: Police Officer, Secretarial/Clerical, Janitorial, Library Clerk, and Attorney. For applications and job information, please visit our website at www.cdaid.org or call the Human Resources Department at 769-2205. The Ped/Bike Safety Tip is when riding bicycles in inclement weather, avoid surfaces like tire tracks in the snow, metal bridges, painted lines, or metal plates. They are often slippery. Try to cross at a 90-degree angle. Also, remember to use your brakes often and early. Kudos to the Street Maintenance Department for their efforts last week to clear nearly a foot of snow that fell from the year's 4th major storm – a storm dubbed “Debbie Sue.” Online practice testing, job search skills, and career resources are available through the Learning Express at the Coeur d'Alene Public Library. Also, a link labeled Test Prep – GED, etc. is available at www.cdalibrary.org. The site includes interactive skill-building courses in math, reading, and writing, as well as a broad range of practice tests based on official exams such as the ACT, SAT, GED, ASVAB Core, EMT Basic, firefighter, police officer, and paramedic exams. Basic computer literacy help sessions will resume at the Coeur d'Alene Public Library which are scheduled to begin January 11 as part of the joint Library Foundation-North Idaho College Re-Tool Box Program. For more information, please contact the library at 769-2426. There are two vacancies on the city's Noise Abatement Board. Please contact Susan Weathers at 769-2231 for an application.

RESOLUTION 11-001

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO CREATING A TAXI CAB PICK UP / DROP OFF “OPEN STAND.”

STAFF REPORT: Captain Steve Childers, presented a proposal of an evening taxi parking zone on the east side of 4th Street from Front Avenue to Sherman Avenue from 10 p.m. to 4:00 a.m., seven days a week. Capt. Childers noted that this request is being recommended by the Parking Commission in conjunction with input from the Downtown Association and the Police Department. The purpose of the designated evening taxi parking zone is to consistently provide a central location where patrons' downtown can access transportation that is convenient and reliable. In addition, the proposed taxi parking zone is designed to provide an option for transportation and increase public safety while working with the bar/restaurant owners. The taxi service must be licensed with the City. There would be less than \$100.00 spent on signage. Cars that are parked in the taxi zone would be cited; however, there could be the option of towing.

Motion by Kennedy, seconded by Bruning to adopt Resolution 11-001.

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

ORDINANCE NO. 3399 COUNCIL BILL NO. 10-1026

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 5.56.100 TO CREATE DESIGNATED TAXICAB “NO PICK-UP / DROP-OFF ZONES”; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING

A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

Motion by Kennedy, seconded by Bruning to pass the first reading of Council Bill No. 20-1026.

ROLL CALL: Edinger, Aye; Hassell, Aye; Goodlander, No; Kennedy, Aye; McEvers, Aye; Bruning, Aye. Motion carried.

Motion by Edinger, seconded by Kennedy to suspend the rules and to adopt Council Bill No. 10-1026 by its having had one reading by title only.

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

LAND PURCHASE – SOUTH SIDE OF FERNAN LAKE: Doug Eastwood is requesting approval to enter into a purchase agreement for 7 acres of land on the south side of Fernan Lake adjacent to the 47 city owned acres. Mr. Eastwood explained that this parcel of land was platted for residential housing and is in the city limits. The land owners approached the City about a year ago to see if they would be interested in acquiring the land as the economy and the housing market had taken a down-turn. This land is one of the flattest parcels on the hillside and it would create the ideal access, or trail head, for the adjacent city owned property. The property was originally listed at \$750,000 prior to the down economy. The City had it appraised at \$475,000 and the owners have agreed to a \$462,500 selling price. Staff would propose to put \$150,000 down and pay the remainder over five years at \$62,500 per year. The funds to pay for the property would come out of the Parks Capital Improvement Fund. Mr. Eastwood added that the number one request by CDA Citizens has been for more open space acquisition and access. Since 2006 this has been an adopted recommendation to acquire hillsides, waterfront and other properties for public use. The City surveyed the public in 2008 when they updated the Parks Master Plan and did a confirmation survey this past summer to see if the public priorities remained the same. The seven acres would provide a trail head with off street parking and allow the public to safely walk on a proposed trail system. The City also has an opportunity to provide ADA access on the upper part of these additional seven acres so anyone that desires to enjoy the spectacular views and vistas can do so.

Motion by Goodlander, seconded by Bruning to authorize staff to negotiate a purchase agreement for the 7-acre parcel adjacent to city owned property on the south side of Fernan Lake. Motion carried.

ADJOURNMENT: Motion by Hassell, seconded by Bruning to recess this meeting to January 13th at 12:00 noon at Fire Station No. 2 for an Off-Street Parking workshop. Motion carried.

The meeting recessed at 8:10 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan Weathers, CMC
City Clerk

RESOLUTION NO. 11-002

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE DESTRUCTION OF TEMPORARY RECORDS FROM THE OFFICE OF THE CITY ATTORNEY – CRIMINAL DIVISION

WHEREAS, the Office of the City Attorney – Criminal Division maintains duplicates of original documents and original documents in the criminal cases;

WHEREAS, the Criminal Division creates original documents that consist of attorney work product, victim impact statements, and letters to victims, witnesses, and defendants or defense counsel;

WHEREAS, all criminal files are retained as temporary records for at least 2 years after the case has been closed;

WHEREAS, the City Attorney seeks Council permission to destroy all such temporary records in the Criminal Division dated December 2008 and older.

NOW THEREFORE

BE IT RESOLVED by the Mayor and City Council of the City of Coeur d'Alene that the Office of the City Attorney is authorized to destroy all eligible temporary records within the Criminal Division that have been closed greater than 2 years, which includes attorney work product, victim impact statements, letters to victims, witnesses and defendants or defense counsel.

DATED this 18th day of January, 2011.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, City Clerk

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

ROLL CALL:

COUNCIL MEMBER GOODLANDER Voted _____

COUNCIL MEMBER MCEVERS Voted _____

COUNCIL MEMBER HASSEL Voted _____

COUNCIL MEMBER KENNEDY Voted _____

COUNCIL MEMBER BRUNING Voted _____

COUNCIL MEMBER EDINGER Voted _____

_____ was absent. Motion _____.

STAFF REPORT

DATE: January 13, 2011
TO: Mayor and City Council
FROM: Susan Weathers, City Clerk
RE: Setting of Public Hearing for Various Fee Adjustments

The City Council is being requested to set a public hearing for February 1, 2011 for reviewing various fee adjustments from several City Departments.

The Legal Notice will be published on January 21, and 28, 2011 which meets the publication requirements for this type of public hearing.

BEER, WINE, AND/OR LIQUOR APPLICATION Expires March 1 annually

**City of Coeur d' Alene
Municipal Services
710 Mullan Avenue
Coeur d' Alene, Idaho 83814
208.769.2229 Fax 769.2237**

[Office Use Only] Amt Pd 60.34 (Jan + Feb)
 Rec No 532675
 Date 01-11-11
 Date to City Council: 01-18-11
 Reg No. _____
 License No. _____
 Rv _____

Date that you would like to begin alcohol service _____

Check the ONE box that applies:

_____	Beer only (canned and bottled) not consumed on premise	\$ 50.00 per year
_____	Beer and Wine (canned and bottled) not consumed on premise	\$250.00 per year
_____	Beer only (canned and bottled only) consumed on premise	\$100.00 per year
_____	Beer and Wine (canned and bottled only) consumed on premise	\$300.00 per year
_____	Beer only (draft, canned, and bottled) consumed on premise	\$200.00 per year
_____	Beer and Wine (Draft, canned, and bottled) consumed on premise	\$400.00 per year
_____	Beer, Wine, and Liquor (number issued limited by State of Id)	<input checked="" type="checkbox"/> \$762.50 per year
_____	Transfer of ownership of a City license with current year paid Beer-to go only \$6.25 Beer- Can, Bottled only \$12.50 Beer- Draft, can, bottled \$25 Consumed on premise yes no Transfer from _____ to _____	\$

Partial to March 1

Move ~~Transfer~~ from Aubrey's Ales to the Moose Market

Business Name	<i>Moose Market, LLC dba Moose Lounge</i>
Business Mailing Address	<i>401 East Sherman, CDA, ID 83814</i>
City, State, Zip	<i>Coeur d'Alene, Id 83814</i>
Business Physical Address	<i>Same</i>
City, State, Zip	
Business Contact	<i>Dave Pulis Business Telephone: 664-7901 Fax: 664-7903</i>
License Applicant	<i>Moose Market, LLC</i>
If Corporation, partnership, LLC etc. List all members/officers	<i>David Pulis Mike Lyon</i>

BEER, WINE, AND/OR LIQUOR APPLICATION Expires March 1 annually

City of Coeur d' Alene
 Municipal Services
 710 Mullan Avenue
 Coeur d' Alene, Idaho 83814
 208.769.2229 Fax 769.2237

[Office Use Only] Amt Pd 25-
 Rec No _____
 Date 01-18-2011
 Date to City Council: 01-18-2011
 Reg No. _____
 License No. _____
 Rv _____

Date that you would like to begin alcohol service DOING BUSINESS AS: THE TORCH LOUNGE
 Check the **ONE** box that applies:

<input type="checkbox"/>	Beer only (canned and bottled) not consumed on premise	\$ 50.00 per year
<input type="checkbox"/>	Beer and Wine (canned and bottled) not consumed on premise	\$250.00 per year
<input type="checkbox"/>	Beer only (canned and bottled only) consumed on premise	\$100.00 per year
<input type="checkbox"/>	Beer and Wine (canned and bottled only) consumed on premise	\$300.00 per year
<input type="checkbox"/>	Beer only (draft, canned, and bottled) consumed on premise	\$200.00 per year
<input type="checkbox"/>	Beer and Wine (Draft, canned, and bottled) consumed on premise	\$400.00 per year
<input type="checkbox"/>	Beer, Wine, and Liquor (number issued limited by State of Id)	\$762.50 per year
<input type="checkbox"/>	Transfer of ownership of a City license with current year paid Beer-to go only \$6.25 Beer- Can, Bottled only \$12.50 Beer- Draft, can, bottled \$25 Consumed on premise yes no Transfer from _____ to _____	\$ <u>25.00</u>

Transfer from The Torch lounge to Rendezvous

Business Name	<u>RENDEZVOUS</u>
DBA THE TORCH LOUNGE	
Business Mailing Address	<u>216 E COEUR D'ALENE AVE</u>
City, State, Zip	<u>COEUR D'ALENE, ID 83814</u>
Business Physical Address	<u>216 E COEUR D'ALENE AVE</u>
City, State, Zip	<u>COEUR D'ALENE, ID 83814</u>
Business Contact	Business Telephone: <u>(208) 667 3132</u> Fax: <u>(208) 667-3132</u>
License Applicant	<u>TIM ANDRESEN</u>
If Corporation, partnership, LLC etc. List all members/officers	<u>RTA OPERATIONS, INC</u> <u>TIM ANDRESEN</u> <u>ALLEN STUTZMAN</u> <u>BOB FINDLEY</u>

**CITY COUNCIL
STAFF REPORT**

DATE: January 18, 2011
FROM: Christopher H. Bates, Engineering Project Manager
SUBJECT: Erika's Addition, Final Plat Approval



DECISION POINT

Staff is requesting the following:

1. City Council approval of the final plat document, a two (2) lot residential subdivision.

HISTORY

- a. Applicant: Todd Sankovich
4211 Shoreview Lane
Coeur d' Alene, ID 83814
- b. Location: North side of Lacrosse Avenue, between Government Way and Lincoln Way.
- c. Previous Action: Preliminary plat approval – July 2009.

FINANCIAL ANALYSIS

There are no financial issues with this subdivision.

PERFORMANCE ANALYSIS

This is a replat of an existing lot and there are no infrastructure developments that need to be addressed. All required improvements were previously installed and accepted with the underlying development, and, the site has an existing single family dwelling on Lot 2, while the newly created Lot 1 is vacant.

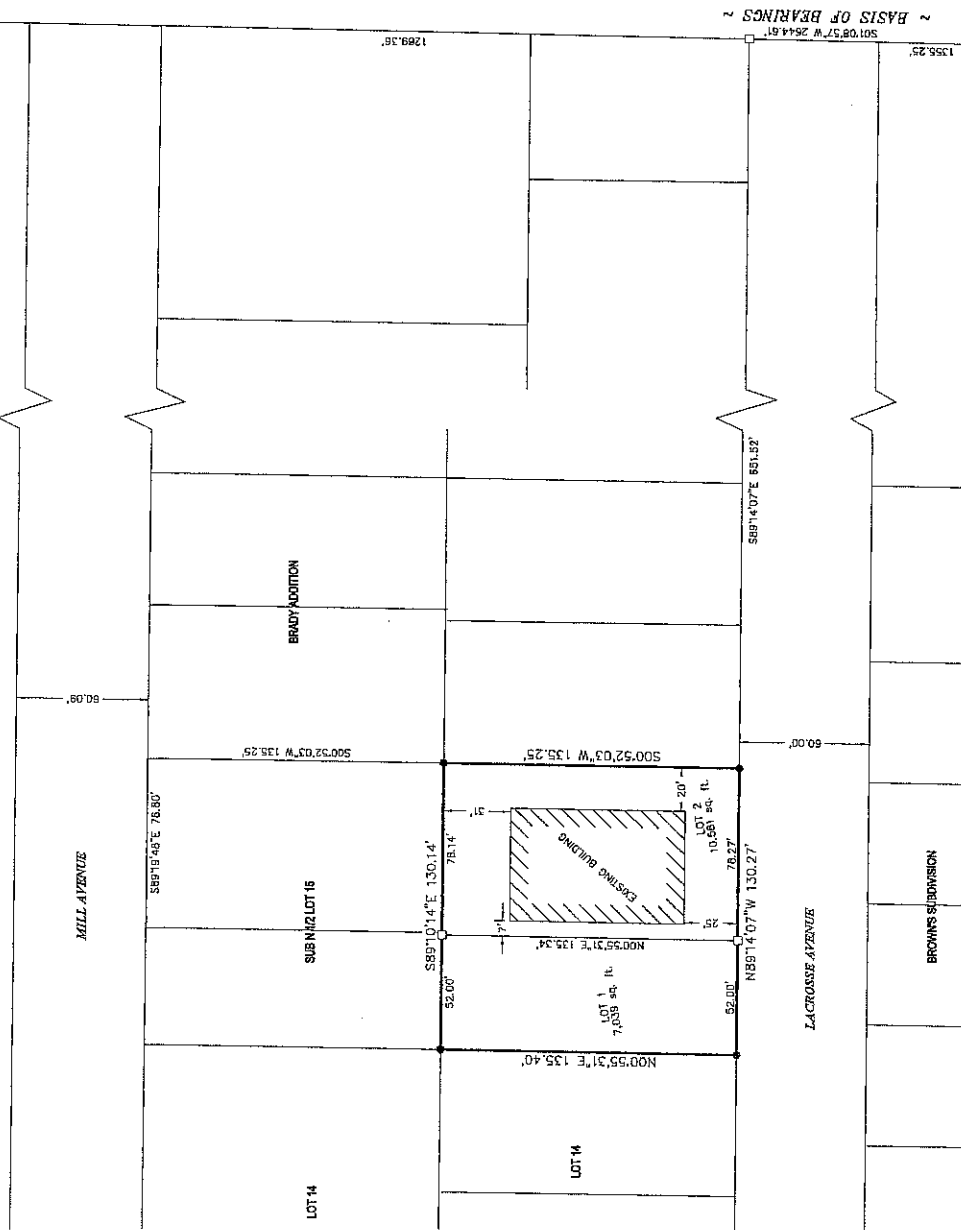
DECISION POINT RECOMMENDATION

Approve the final plat document.

ERIKA'S ADDITION

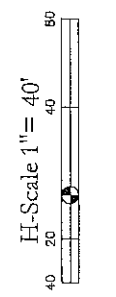
A PORTION OF THE SOUTH HALF OF LOT 15, FSAMR SUBDIVISION
 LOT 19, SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 50 NORTH,
 RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE,
 KOOTENAI COUNTY, IDAHO

E 1/4 COR. 1/2" CAP
 FND 1 1/4" 1657187 113



LEGEND

- CALCULATED POINT, NOTHING FOUND OR SET
- SET 5/8" X 3/8" REBAR WITH YELLOW PLASTIC CAP MARKED INC PLS 9387



BASIS OF BEARING

BASIS OF BEARING FOR THIS SURVEY IS S01°08'57"W ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 11.

NOTES

1. THERE WAS NO ATTEMPT MADE TO SHOW PHYSICAL FEATURES OF THE PROPERTY, OR TO SHOW ANY UNRECORDED EASEMENTS, EXCEPT FOR THOSE AS SHOWN HEREON.

REFERENCES

R-1 PLAT OF BRADY ADDITION BY CHAD J. JOHNSON, PLS 9397, FILED IN BOOK J OF PLATS AT PAGE 498, RECORDS OF KOOTENAI COUNTY.
 R-2 PLAT OF MALTZ ADDITION BY JON P. MONACO, PLS 4194, FILED IN BOOK G OF PLATS AT PAGE 126, RECORDS OF KOOTENAI COUNTY.
 R-3 PLAT OF SUBDIVISION OF THE N1/2 OF LOT 15 BY FRANK W. GENTRY, FILED IN BOOK F OF PLATS AT PAGE 127, RECORDS OF KOOTENAI COUNTY.
 R-4 PLAT OF SUBDIVISION OF LOT 19 BY J. W. EDWARDS, FILED IN BOOK B OF PLATS AT PAGE 104, RECORDS OF KOOTENAI COUNTY.

UTILITY PROVIDERS

WATER SERVICES TO BE PROVIDED BY CITY OF COEUR D'ALENE
 SEWER SERVICES TO BE PROVIDED BY CITY OF COEUR D'ALENE

OWNERSHIP INFORMATION

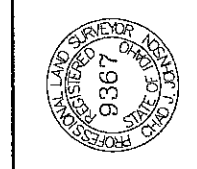
NORREN, JAMES
 P.O. BOX 878521
 PRASLER, ALABAMA 99687

SITE ADDRESS

409 W LACROSSE AVENUE
 COEUR D'ALENE, IDAHO 83814

SITE INFORMATION

GROSS ACREAGE: 0.403 ACRES
 MIN. LOT ACREAGE: 0.152 ACRES
 MAX. LOT ACREAGE: 0.222 ACRES
 AVERAGE LOT ACREAGE: 0.2225 ACRES
 DENSITY: 4.538



1296 Palsson Ave., Ste. B
 Post Falls, Idaho 83854
 PHONE (208) 773-8370
 FAX (208) 777-2128
 www.hcnorthwest.com

RECORD OF SURVEY
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

DRAWN BY: SIA DATE: 06/01/08 DWG NAME: /SRVY/-PLATDNG
 CHECKED BY: SCALE: 1" = 40' PROJ. #. 05-076 SHEET 1 of 2

ANNOUNCEMENTS

Memo to Council

DATE: January 11, 2011

RE: Appointments to Boards/Commissions/Committees

The following re-appointments are presented for your consideration for the January 18th Council Meeting:

LES GARRETSON
JOHN BORAAS

JEWETT HOUSE ADVISORY BOARD
JEWETT HOUSE ADVISORY BOARD

DAVID TESTER, DVM
KENDALL BODKIN, DVM
NOELLE GIDDINGS, DVM

ANIMAL CONTROL ADVISORY BRD
ANIMAL CONTROL ADVISORY BRD
ANIMAL CONTROL ADVISORY BRD

Sincerely,

Amy Ferguson
Executive Assistant

cc: Susan Weathers, Municipal Svcs Director/Animal Control Brd Liaison
Steve Anthony, Jewett House Advisory Board Liaison

PUBLIC HEARINGS

L.I.D. 150
Government Way Improvement Project

PUBLIC HEARING PROCESS

1. Introduction: Mayor Bloem will announce that this is now the time for the public hearing for the creation of and acceptance of the preliminary assessment of L.I.D. 150 for the 4th Street improvements
2. Staff Report: Gordon Dobler will give the staff report
3. Letters of Protest: Written letters of protest will be announced and distributed to the Council by the City Clerk.
4. Public Comments: Mayor Bloem will ask if anyone wishes to speak to the Council regarding the creation of L.I.D. 150
(Public Comments are generally kept to 5 minutes unless the Council elects to set a different time limit which they may do so at this time)
5. **DISPOSITION OF WRITTEN PROTESTS:** If the Council receives any **written protests** then disposition of **each** protest must be recorded (approved or denied) through a motion by the Council.
6. COUNCIL BILL NO. 11-1000 – If the council wishes to approve the preliminary Assessment of L.I.D. 150 – then Council Bill No. 11-1000 is available for adoption.

CITY COUNCIL STAFF REPORT

DATE: January 18, 2011
FROM: Gordon Dobler, Engineering Services Director
SUBJECT: Adoption of Ordinance 3401 creating LID 150 for Government Way water and sewer.

DECISION POINT

Staff is requesting approval of an ordinance establishing LID 150 for the installation of water and sewer facilities on Government Way, Park Ave, and Sunup Ave.

HISTORY

On December 21st the Council approved resolution 10-048 initiating the formation of LID 150 which will provide partial funding for the project. Staff has completed the preliminary cost estimates and the Engineers Report establishing the preliminary assessments. All of the adjacent property owners have been notified of the public hearing and of their respective preliminary assessments as required by Idaho Code.

FINANCIAL ANALYSIS

The total project cost is estimated to be \$450,000, including our share of the sewer facilities being constructed by the City of Dalton. The amount of the LID is about \$215,000. The City's Water and Wastewater utilities are funding the remaining amount. These funds are accounted for in the current budget.

Individual property assessments were calculated based on front foot and benefits derived. The base assessment was \$54/LF on Government Way, \$17/LF on Park Ave, and \$11/lf on Sunup Dr. In addition, the cost of individual services and capitalization fees are included in the individual assessments. Those assessments will be paid off over ten years, the term of the financing.

PERFORMANCE ANALYSIS

Currently there is no sewer service to this commercial area and water is from Dalton Water district. The existing water system is inadequate in several respects. It does not allow for significant expansion because of inadequate fire flow, existing water pressure is low, and Dalton Water does not allow extension of fire hydrants onto private property which is required by fire code for development on larger lots. Installation of City water would resolve all of those issues, accommodating future growth in this area. Installation of sewer is critical

for growth as well as eliminating existing septic facilities. Establishing an LID provides the funding necessary to install these facilities.

RECOMMENDATION

Staff recommends that Council take the following actions.

- Adopt ordinance 3401 establishing LID 150.
- Should any written protests be received, the council should make a motion to receive the written protests into the record.

ORDINANCE NO. 3401

An Ordinance creating Local Improvement District No. 150 of the City of Coeur d'Alene, Kootenai County, Idaho; describing and setting forth the boundaries of said local improvement district; providing for the improvements to be made therein; authorizing the advertising for bids for said work as provided by law; providing for the payment of costs and expenses of said improvements to be assessed against the property within the District benefited thereby and the method of assessment; providing for the issuance of local improvement district bonds and warrants; providing for the publication of a summary of this ordinance; and providing for other matters properly relating thereto

CITY OF COEUR D'ALENE
Kootenai County, Idaho

LOCAL IMPROVEMENT DISTRICT NO. 150

BE IT ORDAINED THE CITY COUNCIL OF THE CITY OF COEUR D'ALENE, of Kootenai County, Idaho, as follows:

WHEREAS, the City of Coeur d'Alene, of Kootenai County, Idaho, (the "City"), is a municipal corporation operating and existing under and pursuant to the provisions of the Constitution and laws of the State of Idaho, and as such is authorized and empowered to create local improvement districts and to construct improvements pursuant to Idaho Code, Title 50, Chapter 17; and

WHEREAS, the City is authorized by Idaho Code, Title 50, Chapter 17, to create local improvement districts within the City for the purpose of acquiring, constructing and installing water and sewer facilities, together with engineering, legal, accounting, costs of bond issuance, and other costs incidental thereto as authorized by law (the "Project"), and to finance said improvements by the issuance and sale of local improvement district bonds or warrants, which

bonds or warrants are payable solely from assessments upon the property benefited by said improvements; and

WHEREAS, the City Council, by Resolution No. 10-049, adopted on December 21st, 2010, declared its intention to form a local improvement district to be designated “City of Coeur d’Alene Local Improvement District No. 150” (“LID No. 150”); described the boundaries of proposed LID No. 150 and the improvements to be constructed therein; set forth the total estimated cost and the method of assessment; fixed the time and date for a public hearing to create proposed LID No. 150 and determined that it is in the best interests of the residents of the City to form proposed LID No. 150 and to acquire, construct and install such improvements; and

WHEREAS, the City Council, by Resolution No. 10-048, also adopted on December 21st, 2010, adopted the Resolution initiating the process of formation of LID No. 150; and

WHEREAS, after proper publication and mailing of notice to the property owners of the City Council’s intention to create proposed LID No. 150, a public hearing was held by the City Council on January 18th, 2011, at which hearing the residents and owners of property within the proposed LID No. 150 had the opportunity to appear and to protest, both in writing and verbally, or support the formation of the proposed LID No. 150;

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF COEUR D’ALENE, IDAHO, as follows:

Section 1: The City Council hereby finds and declares:

- A. That the formation of LID No. 150 will be in the best interests of the property affected and of the City;
- B. That there is a reasonable probability that the obligations of LID No. 150 will be paid;

C. That the value of the property subject to assessment within LID No. 150 (such value being determined by the current assessed valuation of such property for ad valorem tax purposes, as shown by the records of the Assessor of Kootenai County) exceeds the sum of the estimated costs to be assessed against the property included in LID No. 150; and

D. That the City Council has heard, considered, and passed upon all protests which were filed in writing in advance of the hearing, which protests are attached hereto and incorporated herein collectively as Exhibit "A". After consideration of all public testimony and comment, including written objections, if any, the City Council desires to move forward with the formation of the LID.

Section 2: There is hereby created and established a local improvement district within the City of Coeur d'Alene, Kootenai County, Idaho, to be designated "City of Coeur d'Alene Local Improvement District No. 150" ("LID No. 150"), the boundaries of which local improvement district are set forth in Exhibit "B", which is annexed hereto and by reference made a part of this Ordinance.

Section 3: Project. The improvements to be made within LID No. 150 are as follows:

A. The acquisition, construction and installation of water and sewer service lines to connect to the collection system of the City;

B. The relocation of utilities, as necessary; together with engineering, legal, accounting, costs of bond issuance, costs of interim financing, costs of financial advice, and other costs incidental thereto. All work will be performed and all materials supplied

after the advertisement for bids therefore by giving notice calling for sealed bids for the construction of work.

Section 4: The estimated total cost of the proposed Project is \$450,000, of which approximately \$215,000 shall be borne by and assessed against the properties specially benefited by such improvements. Assessments shall be made against the property within LID No. 150 in accordance with the special benefits accruing to such property. The remaining cost of the Project will be paid with funds from the City.

Section 5: Costs and expenses as herein provided shall include the contract price of the improvements, engineering and clerical services, advertising, costs of inspection, costs of collecting assessments, interest on any warrants issued to temporarily pay for the improvements, and for legal services for preparing the proceedings and in advising in regard thereto, and for the costs of acquiring land, if necessary.

Section 6: The City Council hereby finds that such apportionment is equitable and is based upon the special benefits each parcel will receive from the Project.

Section 7: To provide for the immediate payment of the improvements herein provided for, pending the payment of the installments on special assessments hereinabove provided for, the City shall issue bonds as provided in Idaho Code §§ 50-1715, 50-1722, and 50-1724. For the purpose of making payments for said improvements as the same are installed, prior to the issuance or sale of bonds, the City may issue warrants against LID No. 150 special assessments, payable to the contractor or other persons upon the estimate of the engineer for the City, bearing interest at not in excess of allowable limitations as determined by the City Council, which warrants, together with interest thereon to the date of the issuance of the bonds, if issued,

shall be redeemed and retired by the proceeds of special assessments paid in full and proceeds of the sale of said bonds.

Section 8: All matters and things done and performed in regard to the creation of said LID No. 150, and each and all of the provisions thereof in regard to all of said matters concerning the creation of LID No. 150 and the doing of the improvements and payment thereof, are hereby expressly incorporated as part of this Ordinance.

Section 9: This Ordinance shall take effect and be in full force from and after its passage, approval, and publication of a summary hereof one time in the official newspaper of the City. A summary hereof is attached hereto as Exhibit "C" and incorporated herein by this reference.

PASSED at a regular meeting of the City Council of the City of Coeur d'Alene, held on the 18th day of January, 2011.

CITY OF COEUR D'ALENE,
Kootenai County, Idaho

Sandi Bloem, Mayor

ATTEST:

Susan Weathers, City Clerk

* * * * *

I, the undersigned, City Clerk of the City Council of the City of Coeur d'Alene, of Kootenai County, Idaho hereby certify that the foregoing Ordinance is a full, true, and correct copy of an Ordinance duly adopted at a regular meeting of the City Council, duly and regularly held at the regular meeting place thereof on January 18th, 2011, of which meeting all members of said City Council had due notice and at which a majority thereof were present; and that at said meeting said Ordinance was adopted by the following vote:

AYES, and in favor thereof, Councilmembers:

NAYS, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

I further certify that I have carefully compared the same with the original Ordinance on file and of record in my office; that said Ordinance is a full, true, and correct copy of the original Ordinance adopted at said meeting; and that said Ordinance has not been amended, modified, or rescinded since the date of its adoption, and is now in full force and effect.

I have set my hand and affixed the official seal of the City on January 18th, 2011.

Susan Weathers, City Clerk

Exhibit "A"

Copies of Written Protests to Creation of LID No. 150

Exhibit "B" Boundaries of LID No. 150



Government Way Improvement Project LID 150 Boundary

- LID Parcels
- LID Boundary
- CDA City Limits

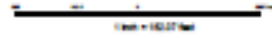


Exhibit "A"



Exhibit "C"

Summary of Ordinance No. 3401

An Ordinance creating Local Improvement District No. 150 of the City of Coeur d'Alene, Kootenai County, Idaho; describing and setting forth the boundaries of said local improvement district; providing for the improvements to be made therein; authorizing the advertising for bids for said work as provided by law; providing for the payment of costs and expenses of said improvements to be assessed against the property within the District benefited thereby and the method of assessment; providing for the issuance of local improvement district bonds and warrants; providing for the publication of a summary of this ordinance; and providing for other matters properly relating thereto

CITY OF COEUR D'ALENE Kootenai County, Idaho

LOCAL IMPROVEMENT DISTRICT NO. 150

A summary of the principal provisions of Ordinance No. 3401 of the City of Coeur d'Alene, of Kootenai County, Idaho, adopted on January 18th, 2011, is as follows:

Section 1: Finds and declares that the formation of Local Improvement District No. 150 ("LID No. 150") will be in the best interests of the property affected and the City; that there is reasonable probability that the obligations of LID No. 150 will be paid; that the value of property subject to assessment within LID No. 150 exceeds the sum of the estimated costs to be assessed against the property; and that the City Council has heard, considered, and passed upon all protests (attached as Exhibit "A" to the Bond Ordinance) which were filed in writing or heard during public testimony and has considered the same.

Section 2: Creates the City of Coeur d'Alene Local Improvement District No. 150, the boundaries of which are set forth in Exhibit "B", attached to the Bond Ordinance and this Summary.

Section 3: Describes the improvements to be made within LID No. 150 as being the acquisition, construction and installation of water and sewer service lines to connect to the collection system of the City, to serve the area identified as LID No. 150, together with necessary easements and rights-of-way.

Section 4: States that the total estimated cost of the project is approximately \$450,000, of which approximately \$215,000 shall be borne by and assessed against the properties specially

benefited by such improvements. Any remaining costs of these projects will be paid with funds from the City of Coeur d'Alene and other legally available funds.

Section 5: Defines the costs and expenses to be included in the price of the Project.

Section 6: Determines that the apportionment is equitable and is based upon the special benefits each parcel will receive from the Project.

Section 7: Provides for the issuance of warrants, if necessary, for the immediate payment of the Project and provides for the issuance of bonds.

Section 8: Incorporates all matters and things done in regard to the creation of LID No. 150 as part of Ordinance No. 3401.

Section 9: States that Ordinance No. 3401 shall take effect after its passage, approval, and publication of a summary thereof.

A full text of Ordinance No. 3401 is available at the office of the City Clerk and will be provided to any citizen upon personal request during normal business hours.

DATED this 18th day of January, 2011.

CITY OF COEUR D'ALENE,
Kootenai County, Idaho

Sandi Bloem, Mayor

ATTEST:

Susan Weathers, City Clerk

CERTIFICATION OF LEGAL ADVISOR

I, the undersigned Legal Advisor for the City of Coeur d'Alene, Kootenai County, Idaho, hereby certify that I have read the attached Summary of Ordinance No. 3401 of said City and that the same is true and complete and provides adequate notice to the public of the contents of said Ordinance.

Dated as of this 18th day of January, 2010

Warren J. Wilson, Chief Deputy City Attorney

INFORMATION SECTION

Including

Correspondence

Board, Commission, Committee Minutes

CITY OF COEUR D'ALENE
Treasurer's Report of Cash and Investment Transactions

FUND	BALANCE 11/30/2010	RECEIPTS	DISBURSE- MENTS	BALANCE 12/31/2010
<u>General-Designated</u>	\$491,172	\$13,339	\$3,005	\$501,506
<u>General-Undesignated</u>	2,704,174	4,974,907	6,979,613	699,468
<u>Special Revenue:</u>				
Library	(97,080)	8,860	99,195	(187,415)
CDBG	(1,367)	10,694		9,327
Cemetery	(4,178)	44,726	24,369	16,179
Parks Capital Improvements	249,232	31,450	4,257	276,425
Impact Fees	1,918,693	9,217		1,927,910
Annexation Fees	132,319	25		132,344
Insurance	1,838,405	20,206	71,162	1,787,449
Cemetery P/C	1,804,078	24,005	4,006	1,824,077
Jewett House	7,617	11,002	1,195	17,424
KCATT	3,415			3,415
Reforestation	8,629	1	4,370	4,260
Street Trees	189,500	936		190,436
Community Canopy	406		16	390
CdA Arts Commission	106	118	10	214
Public Art Fund	96,044	18		96,062
Public Art Fund - LCDC	387,087	73		387,160
Public Art Fund - Maintenance	140,790	26	174	140,642
KMPO - Kootenai Metro Planning Org	(14,436)	9,531	8,002	(12,907)
<u>Debt Service:</u>				
2000, 2002 & 2006 G.O. Bonds	637,389	2,974	500	639,863
LID Guarantee	13,820	75,002		88,822
LID 124 Northshire/Queen Anne/Indian Meadows	340			340
LID 127 Fairway / Howard Francis	5,510	1,683		7,193
LID 129 Septic Tank Abatement	-			-
LID 130 Lakeside / Ramsey / Industrial Park	3,121			3,121
LID 146 Northwest Boulevard	78,885			78,885
<u>Capital Projects:</u>				
Street Projects	214,372	17,003	347,072	(115,697)
2006 GO Bond Capital Projects	-			-
<u>Enterprise:</u>				
Street Lights	69,507	96,576	113,425	52,658
Water	1,510,286	236,780	470,976	1,276,090
Water Capitalization Fees	1,084,422	6,088		1,090,510
Wastewater	9,447,207	462,437	1,196,174	8,713,470
Wastewater-Reserved	1,066,296	27,500		1,093,796
WWTP Capitalization Fees	253,981	14,690		268,671
WW Property Mgmt	60,668			60,668
Sanitation	(129,446)	243,317	300,799	(186,928)
Public Parking	702,696	42,425	64,592	680,529
Stormwater Mgmt	391,201	110,435	147,661	353,975
Wastewater Debt Service	511			511
<u>Fiduciary Funds:</u>				
Kootenai County Solid Waste Billing	178,007	182,284	178,007	182,284
LID Advance Payments	339	40	2	377
Police Retirement	1,356,829	21,144	16,859	1,361,114
Sales Tax	1,238	1,217	1,238	1,217
BID	167,692	3,830	20,000	151,522
Homeless Trust Fund	481	556	481	556
GRAND TOTAL	\$26,969,958	\$6,705,115	\$10,057,160	\$23,617,913

CITY OF COEUR D'ALENE
 BUDGET STATUS REPORT
 THREE MONTHS ENDED
 31-Dec-2010

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 12/31/2010	PERCENT EXPENDED
Mayor/Council	Personnel Services	\$198,652	\$48,417	24%
	Services/Supplies	11,050	(1,210)	-11%
Administration	Personnel Services	501,014	125,025	25%
	Services/Supplies	5,400	1,327	25%
Finance	Personnel Services	589,909	148,458	25%
	Services/Supplies	95,640	11,467	12%
Municipal Services	Personnel Services	839,218	210,791	25%
	Services/Supplies	434,031	155,673	36%
	Capital Outlay	14,000	13,979	100%
Human Resources	Personnel Services	208,728	53,518	26%
	Services/Supplies	32,000	2,644	8%
Legal	Personnel Services	1,281,435	322,361	25%
	Services/Supplies	92,227	13,985	15%
	Capital Outlay			
Planning	Personnel Services	471,884	137,159	29%
	Services/Supplies	25,900	1,152	4%
Building Maintenance	Personnel Services	279,307	71,966	26%
	Services/Supplies	126,975	23,626	19%
Police	Personnel Services	8,439,040	2,224,568	26%
	Services/Supplies	729,980	118,382	16%
	Capital Outlay	227,577	124,680	55%
Fire	Personnel Services	6,733,244	1,927,782	29%
	Services/Supplies	368,777	53,137	14%
General Government	Services/Supplies	185,750	185,784	100%
Byrne Grant (Federal)	Personnel Services	143,677	35,673	25%
	Services/Supplies	261,369	76,535	29%
COPS Grant	Personnel Services	219,250	43,248	20%
CdA Drug Task Force	Services/Supplies	36,700	4,978	14%
	Capital Outlay			
Streets	Personnel Services	1,647,053	414,556	25%
	Services/Supplies	445,200	74,246	17%
ADA Sidewalk Abatement	Personnel Services	171,317	31,272	18%
	Services/Supplies	43,300	1,684	4%
Engineering Services	Personnel Services	433,372	108,678	25%
	Services/Supplies	728,050	68,723	9%
	Capital Outlay			

CITY OF COEUR D'ALENE
 BUDGET STATUS REPORT
 THREE MONTHS ENDED
 31-Dec-2010

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 12/31/2010	PERCENT EXPENDED
Parks	Personnel Services	1,218,463	254,652	21%
	Services/Supplies	419,804	49,765	12%
Recreation	Personnel Services	619,261	130,037	21%
	Services/Supplies	136,250	12,648	9%
Building Inspection	Personnel Services	740,176	229,288	31%
	Services/Supplies	24,350	4,643	19%
Total General Fund		<u>29,179,330</u>	<u>7,515,297</u>	<u>26%</u>
Library	Personnel Services	987,120	235,486	24%
	Services/Supplies	163,900	44,565	27%
	Capital Outlay	80,000	18,210	23%
CDBG	Services/Supplies	336,745	31,782	9%
Cemetery	Personnel Services	187,258	43,951	23%
	Services/Supplies	84,050	17,507	21%
	Capital Outlay			
Impact Fees	Services/Supplies	583,000		
Annexation Fees	Services/Supplies			
Parks Capital Improvements	Capital Outlay	205,000	12,098	6%
Insurance	Services/Supplies	206,925	84,280	41%
Cemetery Perpetual Care	Services/Supplies	98,500	16,205	16%
Jewett House	Services/Supplies	17,050	2,556	15%
Reforestation	Services/Supplies	2,500	39,089	1564%
Street Trees	Services/Supplies	57,000	9,080	16%
Community Canopy	Services/Supplies	1,200	522	44%
CdA Arts Commission	Services/Supplies	6,450	108	2%
Public Art Fund	Services/Supplies	80,300	1,408	2%
KMPO	Services/Supplies	650,000	22,162	3%
Total Special Revenue		<u>3,746,998</u>	<u>579,009</u>	<u>15%</u>
Debt Service Fund		<u>1,668,878</u>	<u>500</u>	<u>0%</u>

CITY OF COEUR D'ALENE
 BUDGET STATUS REPORT
 THREE MONTHS ENDED
 31-Dec-2010

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 12/31/2010	PERCENT EXPENDED
Kathleen & Howard signal	Capital Outlay		91	
Govt Way - Dalton to Hanley	Capital Outlay	4,100,000	535,128	13%
Govt Way - Hanley to Prairie	Capital Outlay	2,950,000		
Govt Way - sewer & water LID	Capital Outlay	275,000		
Howard Street - North	Capital Outlay		22,727	
15th Street - Lunceford to Dalton	Capital Outlay	528,000		
15th St & Harrison signal	Capital Outlay		15,768	
Intersection of Hanley & US95	Capital Outlay		2,687	
Total Capital Projects Funds		7,853,000	576,401	7%
Street Lights	Services/Supplies	591,321	119,780	20%
Water	Personnel Services	1,454,865	361,313	25%
	Services/Supplies	3,736,407	330,770	9%
	Capital Outlay	1,733,500	199,673	12%
Water Capitalization Fees	Services/Supplies	850,000		
Wastewater	Personnel Services	2,162,045	531,013	25%
	Services/Supplies	5,388,738	368,318	7%
	Capital Outlay	9,875,500	1,774,136	18%
	Debt Service	1,489,110	536,600	36%
WW Capitalization	Services/Supplies	752,580		
Sanitation	Services/Supplies	3,118,772	797,071	26%
Public Parking	Services/Supplies	176,957	58,151	33%
	Capital Outlay			
Stormwater Mgmt	Personnel Services	417,723	113,043	27%
	Services/Supplies	650,737	131,245	20%
	Capital Outlay	505,000	767	0%
Total Enterprise Funds		32,903,255	5,321,880	16%
Kootenai County Solid Waste		2,200,000	360,885	16%
Police Retirement		213,500	50,274	24%
Business Improvement District		142,000	40,200	28%
Homeless Trust Fund		6,500	972	15%
Total Fiduciary Funds		2,562,000	452,331	18%
TOTALS:		\$77,913,461	\$14,445,418	19%