# Coeur d'Alene CITY COUNCIL MEETING

March 7,2006

#### **MEMBERS OF THE CITY COUNCIL:**

Sandi Bloem, Mayor Councilmen Edinger, Goodlander, McEvers, Reid, Hassell, Kennedy



#### MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO, HELD AT COEUR D'ALENE CITY HALL, FEBRUARY 21, 2006

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 Hall, February 21, 2006 at 6:00 p.m., there being present upon roll call the following members:

Al Hassell	)	Members of Council Present
Woody McEvers	)	
Deanna Goodlander	)	
Mike Kennedy	)	
Loren Edinger	)	Members of Council Absent
Dixie Reid	)	

Sandi Bloem, Mayor

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

**INVOCATION:** The invocation was led by Pastor Ron Hunter, Church of the Nazarene.

PLEDGE OF ALLEGIANCE: Councilman Goodlander led the pledge of allegiance.

**PROCLAMATION – ART ON THE EDGE MARTI GRAS DAY:** Councilman Hassell read the proclamation whereby Mayor Bloem proclaimed February 25, 2006 as Art on the Edge mARTi gras Day in the City. Kathy Beechler and Ali Shute accepted the proclamation. Ali Shute noted that the children's artwork will be on display at the Resort Shops.

LCDC ANNUAL REPORT: Executive Director Tony Berns presented the Lake City Development Corporation's (LCDC) Annual Report to the City Council. He reviewed the formation of Lake City Development Corporation and described the boundaries of the two districts created by LCDC. He provided an overview of the activities over the past year which included the new members appointed, two workshops with the City Council, Infill Development initiatives, Chamber of Commerce Project to develop an acquisition of property for the new Chamber building, LCDC partnership with University of Idaho to host ULI programs, Riverstone West and Downtown Association's partnership by providing \$50,000 for their events program. Mr. Berns noted that various property acquisitions were completed as well as various other projects that they plan to complete during the coming year including strategic planning for Midtown, Education Corridor Master Planning Initiative, and Garden Avenue Place-Making Initiative. He reviewed the properties acquired during FY 2005 including property in the Education Corridor triangle, property north of the Federal Building and property to be used for the new Chamber of Commerce building. Councilman McEvers asked about the low to moderate

income housing projects. Mr. Berns responded that LCDC is looking to partner with the City to see exactly what area is best for the City and LCDC to work on.

#### **PUBLIC COMMENTS:**

THE LORD'S HOUSE: Jack Landrath, 724 E. Hastings, noted that he had brought several other people to address the issues relating to the activities at724 E. Hastings. He asked the Council to be helpful with keeping these types of houses. He noted that they are willing to work in any way they can in order to maintain these homes that are there to take people off the streets and help them get back on their feet. Stonecalf Warriorwoman, 1421 N. 9<sup>th</sup>, Apt. B-4, spoke in support of the Lord's House. Pat Wakefield, 5553 Stark Street, Rathdrum, spoke in support of these housing activities. Kevin Kram, PO Box 985, Rathdrum, ID, spoke in support of Jack Landrath's efforts. Neils Nelson, 1137 3<sup>rd</sup> Street, spoke in support of Jack's efforts and housing activities. Chuck Schow, 2501 E. Sherman, currently working at the Port of Hope, spoke in support of the Lord's House and Jack Landrath. Katie Mans, 5316 E. Pinegrove Drive, spoke in support of Jack Landrath. Jim Hoggatt, 2701 N. 7<sup>th</sup> Street, spoke in support of Jack Landrath. City Attorney, Mike Gridley reported that he has been working with Jack and they have reviewed the existing codes.

SRO FOR PROJECT CDA: Dennis Hinrichson, 946 Spruce, requested that the Council assign a permanent full time Student Resource Officer to the Project CDA School. He is requesting this due to the graffiti that has been occurring throughout his neighborhood and in particular his vehicle.

"DENSIFICIATION" PLAN: Dennis Hinrichson, 946 Spruce, would like to know what impact the City's plan is for the high-density housing projects and what the City will do for schools, roadways, sewer, water, etc. and the City's plan to address these issues. He requested that the Council do traffic studies on 4<sup>th</sup>, Locust and Ironwood Drive so they could choose how to build the City. He also requested among other things that the City build tunnels for traffic to flow on 3<sup>rd</sup> and 4<sup>th</sup> Streets. Councilman Hassell noted that the issues Mr. Hinrichson spoke of are addressed by the Planning Commission. Mr. Hinrichson noted that he would like to see a purely mathematical analysis of growth for the City.

**CONSENT CALENDAR**: Motion by Hassell, seconded by McEvers to approve the Consent Calendar as presented.

- 1. Approval of minutes for February 7, 2006.
- 2. Setting of the Public Works Committee and General Services Committee meetings for February 27<sup>th</sup> at 4:00 p.m.
- 3. RESOLUTION 06-012: A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE BELOW MENTIONED CONTRACTS AND OTHER ACTIONS OF THE CITY OF COEUR D'ALENE INCLUDING APPROVAL OF AMENDMENT NO. 3 TO THE PAC GRANT SERVICES AGREEMENT FOR SELTICE WAY / US BANK PROJECT; APPROVAL OF A SUB-GRANTEE AGREEMENT FOR LAKE CITY SENIOR

- CENTER; APPROVAL OF A DEFERRED REQUIREMENT AGREEMENT WITH HONUKAI INVESTMENTS AND APPROVAL OF S-06-05 FINAL PLANT APPROVAL AND SUBDIVISION IMPROVEMENTS AGREEMENT FOR COEUR D'ALENE PLACE 15<sup>TH</sup> ADDITION.
- 4. RESOLUTION 06-013: A RESOLUTION OF THE CITY OF COEUR D'ALENE, OF KOOTENAI COUNTY, IDAHO, ACCEPTING THE PROPOSED ASSESSMENT ROLL FOR LOCAL IMPROVEMENT DISTRICT NO. 145 OF THE CITY; SETTING THE TIME AND PLACE FOR HEARING ON SAID ASSESSMENT ROLL; PROVIDING FOR PUBLICATION AND MAILING NOTICE OF HEARING; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.
- 5. Approval of purchase of CMAQ grant funded street sweeper.
- 6. Approval of placement of flashing light indicator at Kathleen and Atlas Road.
- 7. Approval of bills as submitted and on file in the City Clerk's Office.
- 8. Approval of cemetery lot transfer from Thomas Ball to Raymond Lynch and Robert Lynch.
- 9. Approval of beer/wine license transfers from D'Mousetrap to Eileen Taylor and for Tee Time Café to Jean Stephens.
- 10. Approval of addition of liquor license to Tomato Street.

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

**HELLO COEUR D'ALENE**: Councilman McEvers thanked NIC for use of their television production studio to tape this city show. He noted that the next show will focus on property taxes. He also noted that we are also preparing department head interviews for broadcasting.

**LIBRARY UPDATE**: Councilman Goodlander announced that the Library received a Paul G. Allen Foundation grant to help with the Library building in the amount of \$100,000. She also announced that the Sister City Reading Challenge with our Sister City Cranbrook, B.C. is now under way.

#### ORDINANCE NO. 3245 COUNCIL BILL NO. 06-1004

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTIONS 5.52.060, 5.52.070 AND 5.52.120; PROVIDING FOR PAWN SHOP PURCHASE AND LOAN TRANSACTION ACTIVITY TO BE FILED WITH THE CITY WITHIN 7 DAYS OF SUCH ACTIVITY; PROVIDING THAT VIOLATIONS SHALL BE MISDEMEANORS; 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 Hassell, seconded by Goodlander to pass the first reading of Council Bill No.

06-1004.

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

Motion by Goodlander, seconded by Hassell to suspend the rules and to adopt Council Bill No. 06-1004 by its having had one reading by title only.

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

#### BID SPECIFICATIONS - CENTRAL IRRIGATION MANAGEMENT SYSTEM:

Motion by Hassell, seconded by McEvers to approve the bid specifications and to authorize staff to advertise for bids for the Parks Department Central Irrigation Management System. Motion carried.

#### RESOLUTION NO. 06-014

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN ANNEXATION AGREEMENT WITH MARK AND KORY DOERFLER, 7635 N. RAMSEY ROAD, COEUR D'ALENE, ID 83814 AND DAVID AND JENNY DONOHOE, 7623 N. RAMSEY ROAD, COEUR D'ALENE, ID 83814, HEREINAFTER REFERRED TO AS THE "OWNERS."

Motion by McEvers, seconded by Hassell to adopt Resolution 06-014.

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

#### ORDINANCE NO. 3246 COUNCIL BILL NO. 06-1006

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTION 27, TOWNSHIP 51, NORTH, RANGE 4W, BOISE MERIDIAN; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED; CHANGING THE ZONING MAPS OF THE CITY OF COEUR D'ALENE; AMENDING SECTION 1.16.050, COEUR D'ALENE MUNICIPAL CODE, BY DECLARING SUCH PROPERTY TO BE A PART OF PRECINCT #38; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

Motion by McEvers, seconded by Kennedy to pass the first reading of Council Bill No.

06-1006

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

Motion by Hassell, seconded by McEvers to suspend the rules and to adopt Council Bill No. 06-1006 by its having had one reading by title only.

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

**PRELIMINARY ENGINEERING REPORT – PRESSURE ENHANCEMENT IN THE NE QUADRANT:** Motion by McEvers, seconded by Hassell to approve and authorize staff to proceed with NE Quadrant Pressure Enhancement Option No. 2 as recommended by Welch-Comer Engineers, which will include re-zoning of the Critical Service Area and distribution improvements, and to authorize staff to negotiate a design contract with Welch-Comer. Motion carried.

#### ORDINANCE NO. 3247 COUNCIL BILL NO. 06-1002

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING CHAPTER 9.25 BY REPLACING REFERENCES TO METHAMPHETAMINE PRECURSOR DRUGS WITH LOCALLY REGULATED PSEUDOPHEDRINE PRODUCTS AND EXTENDING THE REGULATIONS CONTAINED IN THE CHAPTER TO LIQUID, LIQUID CAPSULES AND GEL CAPSULE FORMULATIONS; 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 Hassell, seconded by Goodlander to pass the first reading of Council Bill No. 06-1002.

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

Motion by Hassell, seconded by McEvers to suspend the rules and to adopt Council Bill No. 06-1002 by its having had one reading by title only.

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

SOLE-SOURCE AND PILOT TESTING OF EQUIPMENT FOR WASTEWATER TREATMENT PLANT: Motion by Goodlander, seconded by Kennedy to authorize sole-source procurement of pilot testing services and equipment for assessing future

wastewater treatment plant upgrade options. Motion carried.

#### PUBLIC HEARING - ICDB GRANT APPLICATION - SENIOR CENTER:

Mayor Bloem announced that the Board of the Lake City Senior Center has pulled their application for this grant. She asked if anyone in the audience wished to make a statement, with no response being received.

**EXECUTIVE SESSION**: Motion by Hassell, seconded by McEvers to enter into Executive Session as provided by Idaho Code 67-2345 SUBSECTION C: To conduct deliberations concerning labor negotiations or to acquire an interest in real property, which is not owned by a public agency

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

The session began at 7:40 p.m. Members present were the Mayor, City Council, City Administrator, Deputy City Administrator, Finance Director, Fire Chief and City Attorney.

Matters discussed were those of litigation. No action was taken and the Council returned to regular session at 8: 22 p.m.

**ADJOURNMENT:** Motion by McEvers, seconded by Goodlander that there being no further business this meeting is adjourned. Motion carried.

The meeting recessed at 8:23 p.m.

	Sandi Bloem, Mayor	
ATTEST:		
Susan K. Weathers, CMC		
City Clerk		

#### CITY COUNCIL STAFF REPORT

**DATE:** March 7, 2006

**FROM:** Christopher H. Bates, Project Manager

SUBJECT: Nelson Lots in Bratton Garden Tract Plat, Final Plat Approval

#### **DECISION POINT**

Staff is requesting the following:

1. City Council approval of the final plat of the Nelson Lots in Bratton Garden Tract Plat, a two lot residential subdivision.

#### **HISTORY**

Applicant: Thad Turner

PO Box 3625

Coeur d'Alene, ID 83816

Location: North side of Walnut Avenue, directly north of "B" Street.

Previous Action:

1. Preliminary plat approval by the CdA Planning Commission, January 2006.

#### **FINANCIAL ANALYSIS**

There are no agreements, bonds or financial items related to this plat approval.

#### PERFORMANCE ANALYSIS

There is an existing single family residence located on Lot 2 of the subject property, and Lot 1 is vacant. Any site development issues related to the subject property will be addressed at the time of building permit issuance for any development that may occur on Lot 1, and, insured by the Certificate of Occupancy which would not be issued until all items are addressed.

#### **QUALITYOF LIFE ANALYSIS**

Completion of this process will allow for the sale of the lot, and, for the buyer of the lot to submit for a building permit to construct a single family dwelling.

#### **DECISION POINT RECOMMENDATION**

1. Approve the final plat of Nelson Lots in Bratton Garden Tract plat.

#### CITY COUNCIL STAFF REPORT

**DATE:** March 7, 2006

**FROM:** Christopher H. Bates, Project Manager

**SUBJECT:** Ironwood Medical Condominium, Final Plat Approval

#### **DECISION POINT**

Staff is requesting the following:

1. City Council approval of the final plat of the Ironwood Medical Condominium, a fifteen unit commercial condominium structure.

#### **HISTORY**

Applicant: Chinook Properties, LLC

1677 East Miles Avenue Hayden Lake, ID 83835

Location: South side of Ironwood Drive, east of Lakewood Drive.

Previous Action:

1. Preliminary plat approval by the CdA Planning Commission, January 2006.

#### **FINANCIAL ANALYSIS**

There are no agreements, bonds or financial items related to this plat approval.

#### **PERFORMANCE ANALYSIS**

All site development issues related to the subject property were conditioned with, and subject to, the building permit for the site. Completion of all development related issues will be managed through the issuance of occupancy permits at the time of completion of construction and are not plat related.

#### **QUALITYOF LIFE ANALYSIS**

Completion of this process will allow the developer to initiate the selling of units in the condominium structure. No Certificates of Occupancy will be allowed until all construction related activities are completed.

#### **DECISION POINT RECOMMENDATION**

1. Approve the final plat of Ironwood Medical Condominium.

I.N. 15349 I.N. 13416

T.N. 18512

#### CITY OF COEUR D'ALENE

710 East Mullan Coeur d'Alene, ID 83814 208.769.2229 Fax 208.769-2237 Nuc # 171699
Amt Pd 400,00
Date Pd 2/23/06
Council 3/7/06
Issued\_Date\_

License No

### BEER, WINE, LIQUOR APPLICATION —Expires March 1 annually

Check the one box that applies:	
Beer only (canned and bottled) not consumed on premise	\$50.00 per year
Beer, wine (canned-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 (draft, canned, bottled) consumed on premise	\$200 00 per year
beer (draft, canned, bottled ) and wine consumed on premise	\$400 00 per year
beer, write and Liquor	\$762 EO par year
Transfer of City license with current year paid	····· \$25.00

·	
Business Name	THE PENDULUM
Business Address	401 N 2nd ST, COEUR D'ALENE, ID 83814
Bus Telephone No	(509)868-2192
E-Mail Address	judysver e yahoo.com
Manager Name	JUDY M. SVERCHEK
Manager Home Address	405 N 2nd. ST, COEUR D'ALENE, ID 83814
Manager Home Telephone No.	(208) 765-5033
Mgr Social Security No	199-56-6642
Mgr Date of Birth	11-0.2-1976
Mgr Place of Birth	COALDALE, PA
License Applicant	JUDY M. SVERCHEK
Filing Status- (circle one)	Sole Proprietor Corporation Partnership LLC Other
Address of Applicant	405 N 2nd. ST, COEUR D'ALENE, ID
Applicant's Prior Address past 5	2372 HANLEY AVE, DALTON GARDENS, 1083815
yrs	
Applicant's Prior Employment past 5 yrs	MONSTER MUSCLE MAGAZINE

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

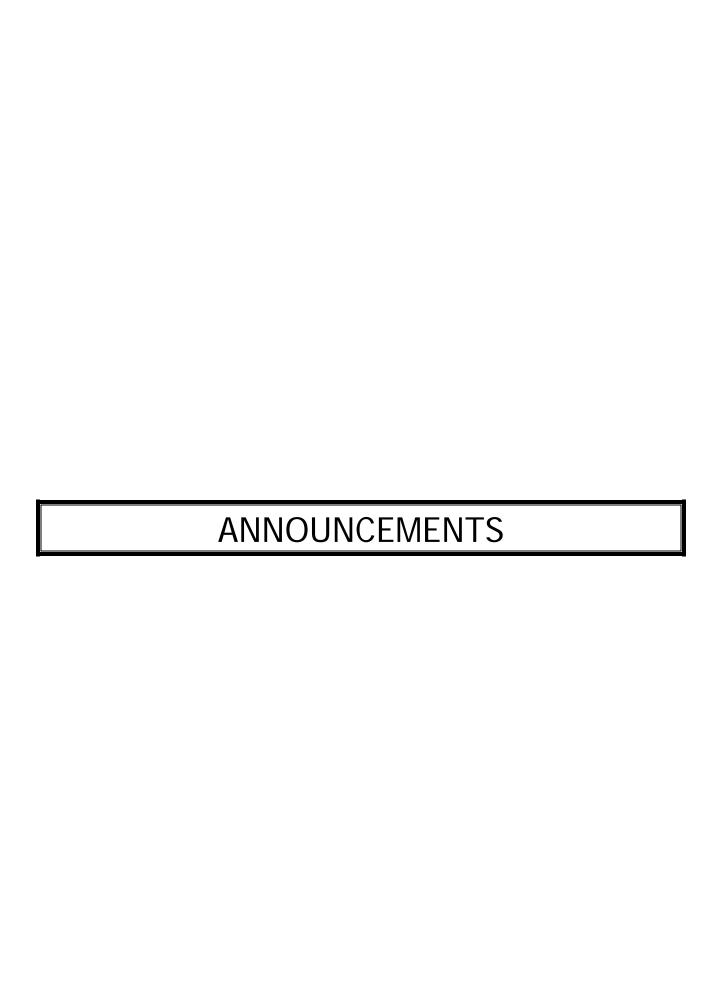
City of Coeur d' Alene Municipal Services 710 Mullan Avenue Coeur d' Alene, Idaho 83814 208.769.2229 Fax 769.2237

[Office Use Only]Amt Pd25000	<del>}</del>
Rec No	
Date <u>92-10-200</u>	6
Date to City Councul: 603-07-06	 *
Reg No.	
License No	
Rv	

Check the ONE box that applies:

	Beer only ( canned and bottled) not consumed on premise	\$ 50.00 per year
X	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)	\$762.50 per year
	Transfer of ownership of a City license with current year paid	\$ 25.00

Case Bales **Business Name Business Address** 1901 Sherman City State Zip Coar d' Mere, 83814 **Business Contact** Telephone Number: Fax: (JOB) 765-6094 Manager Name Burnett Manager Home Address 1863 S. Regalla wan, COA, ID 83814 Social Security No. 416-58-8931 Date of Birth 9/2-165 Manager Information Telephone: 765-6094 Cell: 755-0528-mail: Ashinette Adyline. WET Manager Contact Roblinsdel MN Manager Place of Birth License Applicant Filing Status (circle one) Sole Proprietor Corporation Partnership (LLC Other Address of Applicant 1901 Sherman DD 83814 Coen d'Alex. Applicants Prior Address for past five years See Albhil Shot Applicants Prior Employment for past 5 years



## Memo to Council

DATE: February 23, 2006

RE: Appointments to Boards/Commissions/Committees

The following appointment is presented for your consideration for the March 7th Council Meeting:

**BRUCE MARTINEK** 

**Urban Forestry Committee** 

A copy of the data sheet is in front of your mailboxes.

Sincerely,

Amy Ferguson Executive Assistant

cc:

Susan Weathers, Municipal Services Director Karen Haskew, Urban Forestry Committee Liaison Karen Haskew, Urban Forestry Committee Liaison

# Memo to Council

DATE:

March 1, 2006

RE:

Appointments to Boards/Commissions/Committees

At the March 7, 2006, City Council Meeting, the Mayor is asking that you approve the reappointment to the Design Review Committee for:

Scott Rasor George Ives

Sincerely,

Victoria C. Bruno

Project Coordinator/Assistant to Mayor and Council

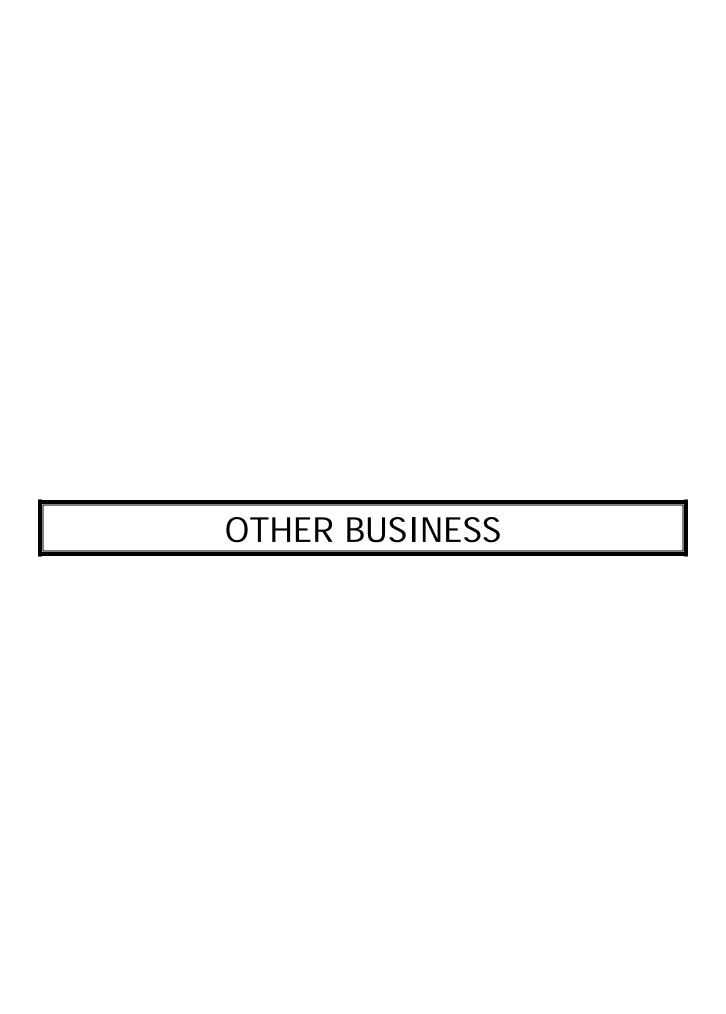
Cc:

Mayor Sandi Bloem

Dave Yadon, Staff Liaison

Municipal Services Director Susan Weathers

Amy Ferguson, Executive Assistant



#### MEMORANDUM

DATE: March 07, 2005

TO: MAYOR BLOEM AND THE CITY COUNCIL

FROM: PAM MACDONALD, HUMAN RESOURCE DIRECTOR

RE: FIRE DEPUTY CHIEF UNDERSTANDING

#### **DECISION POINT:**

The Council is requested to approve the proposed Understanding with the Fire Deputy Chiefs that establishes FLSA Exempt status, compensation and applicable Personnel Rules and benefits.

#### **HISTORY:**

This Understanding shall be applicable to Fire Deputy Chiefs for a term commencing October 1, 2005 and ending September 30, 2009. All prior agreements between the City and Fire Deputy Chiefs will no longer be applicable unless specifically provided herein.

#### FINANCIAL:

The Fire Deputy Chief incumbents will receive a one time 5% salary increase based solely on the FLSA Exempt status. In addition, the Deputy Chiefs will receive up to a, one time, 9% adjustment to address service time equity within the Classification and Fire Department wage structure. They are eligible for salary increases on their established anniversary until compensation exceeds the maximum salary of the pay/classification plan currently in effect plus 5%.

#### **PERFORMANCE ANALYSIS:**

The Understanding provides the necessary consistency between the Fire Union represented classifications and Deputy Chief's compensation and benefits.

#### **DECISION POINT/RECOMMENDATION:**

The Council is requested to approve the proposed Understanding with the Fire Deputy Chiefs that establishes FLSA Exempt status, compensation and applicable Personnel Rules and benefits.

#### RESOLUTION NO. 06-015

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF COEUR D'ALENE FIRE DEPARTMENT DEPUTY CHIEFS.

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof to execute a Memorandum of Understanding with the Fire Department Deputy Fire Chiefs, a copy of which is attached hereto as Exhibit "1" and by reference made a part hereof; and; NOW, THEREFORE,

BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene that the City execute a Memorandum of Understanding in substantially the form attached hereto as Exhibit "1" and incorporated herein by reference with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said Memorandum of Understanding to the extent the substantive provisions of the Memorandum of Understanding remain intact.

BE IT FURTHER RESOLVED, that the Mayor be and is hereby authorized to execute such Memorandum of Understanding on behalf of the City.

	Sandi Bloem, Mayor
ATTEST:	
Susan K. Weathers, City Clerk	

DATED this 7<sup>th</sup> day of March, 2006.

Motion byresolution.	, Seconded by		_, to adopt the foregoing
ROLL CALL:			
COUNCIL MEMBER GO	OODLANDER	Voted	
COUNCIL MEMBER M	CEVERS	Voted	
COUNCIL MEMBER HA	ASSELL	Voted	
COUNCIL MEMBER KI	ENNEDY	Voted	
COUNCIL MEMBER RE	EID	Voted	
COUNCIL MEMBER EI	DINGER	Voted	
W	vas absent. Motio	n	

#### **Memorandum of Understanding with Deputy Fire Chief**

This understanding is made and entered into this 7th day of March, 2006, by and between the City of Coeur d'Alene, hereinafter know as the City, and the Fire Department Deputy Chiefs, hereinafter known as Deputy Chiefs. The understanding shall be applicable to Deputy Chiefs for a term commencing October 1, 2005 and ending September 30, 2009, except as specifically provided herein. All prior agreements between the City and Deputy Chiefs are superseded by this understanding and are no longer applicable.

(a) <u>Purpose/Intent</u>: The purpose of this document is to create an understanding that specifically pertains to Fire Department Deputy Chiefs, who are FLSA "exempt employees." Deputy Chiefs perform work under the day-to-day guidance of the Fire Chief.

#### (b) Definition:

- (1) <u>Fire Department Deputy Chief</u> shall mean an employee responsible for the management of one or more major divisions within the Fire Department.
- (2) <u>Administrative exempt employee</u> shall be the Fair Labor Standards Act classification that Deputy Chiefs will be regulated under. As such, Deputy Chiefs shall be paid salary and shall not be eligible for compensatory or overtime pay.
- (c) <u>Residency</u>: Deputy Chiefs must disclose to the Fire Chief any intent to change residency because Deputy Chiefs, at the discretion of the Fire Chief, may be required to reside within twenty (20) minutes of City limits.
- (d) <u>Duties</u>: Deputy Chief's duties and responsibilities shall be in accordance with the adopted job description, as well as all duties assigned by the Fire Chief.

#### (e) Benefits/Compensation:

- (1) Deputy Chiefs shall be exempt from the personnel rules except the following and as may be adopted by City Council thereafter.
  - i. Rule I, Section 11, entitled "Employee Standards of Conduct"
  - ii. Rule XI, Section 3, entitled "Sick Leave"
  - iii. Rule XI, Section 4, entitled "Bereavement Leave," allowing for up to 40 hours of leave without pay
  - iii. Rule XI, Section 5, entitled "Military Leave"
  - iv. Rule XI, Section 7, entitled "Witness and Jury Leave"
  - v. Rule XI, Section 9, entitled "Holidays"
  - vi. Rule XI, Section 11, entitled "Family and Medical Leave"
  - vii. Rule XI, Section 12, entitled "Retirement Medical Benefit" Rule
  - viii. Rule XV, entitled "Grievance Procedures"
  - ix. Rule XVI, entitled "Personnel Appeals Procedures

- x. Rule XVIII, Section 5, entitled "Use of City Property"
- xi. Rule XIX, entitled "Authorization and Procedures for Expense Reimbursement"
- xii. Rule XXI, entitled "Drug Policy"
- xiii. Rule XXIII, entitled "Discriminatory Harassment Including Sexual Harassment Policy"
- xiv. Any rule specifically applicable to Fire Department Deputy Chiefs
- (2) Deputy Chiefs shall abide by City policies and procedures approved by the City Council as listed above and any additional policies and procedures adopted by resolution not incorporated in the personnel rules.
- (3) Vacation Accruals: Vacation accruals shall be as follows:
  - i. <u>First through third year of service:</u> 8 hours of leave accrued for each complete month of service
  - ii. <u>Fourth through tenth year of service:</u> 12 hours of leave accrued for each complete month of service
  - iii. <u>Eleventh through fifteenth year of service:</u> 16 hours of leave accrued for each complete month of service
  - iv. <u>Sixteen or more years of service:</u> 20 hours of leave accrued for each complete month of service

<u>Grandfather Clause:</u> Accruals for current Deputy Chief incumbents remain in effect and further accrual increases will be according to the schedule above.

Maximum accumulation will not exceed three-hundred-twenty (320) hours. Vacation leave in excess of this amount will be forfeited on October 1 of each year. However, excess leave shall be allowed until January 15<sup>th</sup>, unless otherwise specifically approved by the personnel officer.

- (4) Sick Leave: As FLSA exempt employees, Deputy Chiefs shall continue to accrue sick leave according to Rule XI, Section 3 (ten hours per month). However, due to the exempt employee status, leave will only be required to be noted on time records when it is eight consecutive hours or more. Deputy Chiefs shall be eligible to participate in the sick leave bank. Deputy Chiefs shall not receive compensation for accumulated sick leave unless the employee retires from the City of Coeur d'Alene pursuant to the provisions of Idaho Code. Sick leave options 1 and 2, found in Rule XI, Section 3, are applicable.
- (5) <u>Compensatory Time (comp time)</u>: As FLSA exempt employees, Deputy Chiefs are not eligible for comp time. Any existing comp time that the employee has accrued prior to the adoption of this agreement shall be used at a rate of at least 40 hours per year beginning the date of the adoption of this agreement.

(6) <u>Compensation/salary increases</u>: Deputy Chiefs shall be paid a salary within the range identified in the City of Coeur d'Alene adopted pay/classification plan and as may be amended thereafter.

In recognizing their FLSA Exempt status, on October 1, 2005, the Deputy Chief incumbents will be eligible for a one time 14% salary increase, calculated on their total wage that includes the Paramedic Differential and eligible educational incentive in effect on October 1, 2005, not to exceed the monthly maximum salary designated for the position. The additional pay above base wages for Education Incentive and EMT-Paramedic Certification Differential is no longer applicable to the Deputy Chief classification. Deputy Chiefs shall receive annual salary increases based on a performance evaluation and recommendation from the Fire Chief. Deputy Chiefs will receive a salary increase ranging from 5% to 8% if the performance is rated standard or above. If performance is below standard, the Deputy Chief is not eligible for any increase until performance is up to standard. A salary increase will only be granted following a minimum of twelve consecutive months of service from the previous performance salary increase and salary increases will continue, not to exceed the maximum salary of the pay/classification plan as follows:

Exempt Fire Deputy Chief Monthly Minimum Monthly Maximum \$4599 \$6587

Except for cost of living increases under section 7 below, all changes to the pay/classification plan must be approved by the Deputy Chiefs and the personnel officer.

- (7) Cost of living increases: Cost of living increases shall be based upon the July "Consumer Price Index (CPI) for All Urban Consumers" based upon the U.S. City average for the preceding 12-month period with a three percent (3%) maximum increase, effective October 1 of each fiscal year. An annual review will be done following CPI adjustments to assure at least a ten percent (10%) minimum and maximum wage difference is maintain between the Fire Division Chief and Deputy Chief classification leveling/wage.
- (8) <u>Fringe Benefits</u>: Deputy Chiefs shall receive fringe benefits as per Resolution No. 04-023 adopted the 6<sup>th</sup> day of January 2004 establishing wages and benefits for employees who are not represented by an employee organization, limited to the following benefits only: Social Security (F.I.C.A.), Idaho Public Employees Retirement System (I.P.E.R.S.), medical, dental, and vision insurance and long term disability insurance.
- (9) Medical Saving Account (MSA): The City will contribute seventy-three dollars (\$73.00) per month to each Deputy Chief's MSA Plan and increase the monthly MSA Plan contribution by five dollars (\$5.00) effective October 1, 2006.

- (10) <u>Life Insurance</u>: The City will provide life insurance for Deputy Chiefs and dependants as follows: 1) Deputy Chief life insurance shall be \$50,000; 2) Dependant life insurance, \$1,000; 3) Accidental death and dismemberment insurance, Deputy Chief only, shall be \$50,000.
- (11) Tuition Reimbursement: The City agrees to reimburse Deputy Chiefs one hundred percent (100%) with an "A" or "B" grade and eighty (80%) with a "C" grade for the cost of approved job-related educational courses at accredited colleges and universities which are directly related to the Deputy Chief's present position or expected promotional position, but which courses are not required by the City and are attended upon the Deputy Chief's personal volition. All books, supplies and travel expenses shall be paid by the Deputy Chief. The courses shall be approved for reimbursement by the Chief of Fire and Human Resources Director (30) days prior to the start of the course.
- (12) <u>Miscellaneous</u>: The Fire Chief shall authorize car assignments. Any personal use of a City assigned vehicle may be taxable to the Deputy Chief per IRS Publication 15-B.
- (f) <u>Policies and Procedures</u>: All Deputy Chiefs shall follow all established City and Department policies and procedures, unless specifically exempt.
- (g) <u>Supervisor</u>: Deputy Chiefs shall be supervised by the Fire Chief and subject to disciplinary action as deemed appropriate by the Fire Chief.

IN WITNESS WHEREOF, the Mayor and City Clerk of the City of Coeur d'Alene have executed this Memorandum of Understanding on behalf of said City, and the Deputy Chief has caused the same to be signed, the day and year first above written.

CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO	DEPUTY CHIEF	
By: Sandi Bloem, Mayor	Ву:	
ATTEST:		
Susan K. Weathers, City Clerk		



#### CITY COUNCIL STAFF REPORT

DATE: MARCH 7, 2006

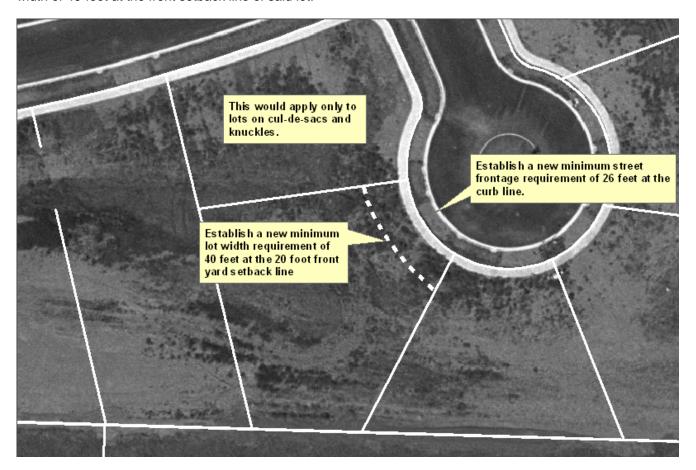
FROM: JOHN J STAMSOS, ASSOCIATE PLANNER

SUBJECT: O-1-06 - ESTABLISH MININMUM STREET FRONTAGE REQUIREMENTS FOR LOTS ON

**CUL-DE-SACS AND KNUCKLES** 

#### **DECISION POINT:**

Determine whether the City Council should amend Municipal Code Section 17.06.120 establishing a minimum street frontage requirement for lots on cul-de-sacs and knuckles of 26-feet at the curb line and a minimum lot width of 40-feet at the front setback line of said lot.



#### **HISTORY:**

The City's subdivision ordinance currently requires that all lots approved in a preliminary plat must meet the minimum street frontage requirements of the zoning district in which they are located, unless approved by the Planning Commission through normal subdivision procedures with deviations from standards.

#### **FINANCIAL ANALYSIS:**

The financial impact to the City will largely be limited to staff time spent implementing the ordinance changes and ensuring that the requirements of the ordinance are met.

#### PERFORMANCE AND QUALITY OF LIFE ANALYSIS:

In many cases, where a subdivision is designed with cul-de-sacs or knuckles, in order to layout the lots in an orderly and efficient manner some lots have to be laid out with less than the minimum street frontage in order to work. The Planning Commission for many tears has used the practice of approving these less than standard street frontages with deviation from standards.

Rather than continuing this practice, staff is proposing that Section 17.06.120 of the Municipal Code be amended to approve these lots if they meet a minimum street frontage of 26-feet at the curb line and a minimum width of 40-feet at the setback line. This would provide adequate access to these lots and allow for better layout of lots on cul-de-sacs and knuckles,

#### **DECISION POINT/RECOMMENDATION:**

Amend Municipal Code Section 17.06.120 to set a minimum street frontage requirement for lots on cul-de-sacs and knuckles of 26-feet at the curb line and a minimum lot width of 40-feet at the front setback line.

O-1-06 MARCH 7, 2006 PAGE 2

## COUNCIL BILL NO. 06-1007 ORDINANCE NO. \_\_\_\_

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 17.06.120 TO ESTABLISH MINIMUM STREET FRONTAGE REQUIREMENTS FOR CUL-DE-SAC AND KNUCKLE LOTS; 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.

WHEREAS, after public hearing on the hereinafter provided amendments, and after recommendation by the Planning and Zoning Commission, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said amendments be adopted; NOW, THEREFORE,

BE IT ORDAINED, by the Mayor and City Council of the City of Coeur d'Alene:

**SECTION 1.** That Coeur d'Alene Municipal Code Section 17.06.120 is amended to read as follows:

#### 17.06.120: MINIMUM STREET FRONTAGE AND EXCEPTIONS:

Every lot shall have a minimum street frontage as prescribed in the applicable zoning district, except:

- A. Existing Legal Lots: Lots smaller than minimum size with less than the required minimum street frontage dimension, which are existing legal lots at the time of the effective date of this section, are automatically authorized as legal lots.
- B. <u>Cul-de-sac and Knuckle Lots: The minimum street frontage requirement for cul-de-sac and knuckle lots shall be 26 feet measured at the curb line. Provided however, that in no event will the lot be narrower than 40 feet at the front set back line for the lot.</u>
- <u>C.</u> Approved Pursuant To The Normal Subdivision Procedure: Lots approved pursuant to the normal subdivision procedure (i.e., cul-de-sac, flag, etc.) with less than the required street frontage dimension are authorized as legal lots.
- **SECTION 2.** All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.
- **SECTION 3.** Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to the effective date of this ordinance or be construed as a waiver of any license or penalty due under any such ordinance

Page 1 O-1-06

or in any manner affect the validity of any action heretofore taken by the City of Coeur d'Alene City Council or the validity of any such action to be taken upon matters pending before the City Council on the effective date of this ordinance.

**SECTION 4.** The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

**SECTION 5.** After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

APPROVED, ADOPTED and S	SIGNED this 7 <sup>th</sup> day of March, 2006.
ATTEST:	Sandi Bloem, Mayor
Susan K. Weathers, City Clerk	

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#### SUMMARY OF COEUR D'ALENE ORDINANCE NO. \_\_\_\_\_ AMENDING MUNICIPAL CODE SECTION 17.06.120 [O-1-06]

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR
D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 17.06.120 TO ESTABLISH
MINIMUM STREET FRONTAGE REQUIREMENTS FOR CUL-DE-SAC AND KNUCKLE
LOTS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT
HEREWITH AND PROVIDING A SEVERABILITY CLAUSE. THE ORDINANCE SHALL BE
EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. THE FULL TEXT OF THE
SUMMARIZED ORDINANCE NO IS AVAILABLE AT COEUR D'ALENE CITY
HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE
CITY CLERK.
<u></u>
Susan K. Weathers, City Clerk

#### STATEMENT OF LEGAL ADVISOR

I, Warren J. Wilson, am a Deputy City Attorney have examined the attached summary of Coeur d'Alene MUNICIPAL CODE SECTION 17.06.120 [O-1-06] , a summary of said ordinance which provides adequate no	Ordinance No, AMENDING nd find it to be a true and complete
DATED this 7 <sup>th</sup> day of March, 2006.	
$\overline{\mathrm{Wa}}$	rren J. Wilson, Deputy City Attorney

# INFORMATION SECTION Including Correspondence Board, Commission, Committee Minutes

#### Coeur d'Alene Parks Foundation, Inc.

"Acquiring, Preserving & Developing Parks"



#### COEUR D'ALENE PARKS FOUNDATION MEETING

February 22, 2006 - 5:30 PM Panhandle State Bank – Conference Room (Nieder Ave.)

Directors PresentGuests PresentAbsentRon OurenDoug EastwoodDick BarclaySteve WetzelLee ShellmanJon MuellerSherry LenarzMary SouzaSteve Flerchinger

Melissa Bloom

Brad Marshall (Eagle View Estates)

Ted Mueller (Eagle View Estates)

- 1) <u>Meeting Called to Order</u>: President Steve Wetzel called the meeting to order at 5:35 p.m.
- 2) <u>Approval of Minutes</u>: Motion was made by Melissa Bloom to approve the January 25, 2006 meeting minutes. Ron Ouren seconded the motion. Motion passed.
- 3) <u>Treasurer's Report</u>: Ron Ouren reported that the Parks Foundation currently have a balance of \$4,170.78. The most recent donation came from Landmark Landscape Architects and Architects West, Inc., for the amount of \$750.00, a benefit for the Community Canopy organization. This organization's mission is to promote the proper selection, planting, and care of the community's trees.

#### Action:

- Sherry Lenarz to send a thank you letter to the donor on behalf of the Parks Foundation.
- 4) Council Workshop: Doug Eastwood to set-up meeting for late March or later April.
- 5) Public Relations for Parks Foundation: Mary Souza was introduced to the board members by Doug Eastwood. Mary was asked, by the board, to help set-up a committee to oversee the PR responsibilities for the Parks Foundation. Mary comes highly recommended as she was the chairperson for the Open Space Committee and seems to have a great pulse on the community. The foundation is looking for support from Mary to assist on getting the word out about the Foundation as well as helping us reach out the community for involvement.

Steve Wetzel went through and explained several projects that the board is currently involved with to Mary. (See attached 2006 Project sheet)

<u>Veteran's Centennial Park (Water pump station)</u>: Discussions were made in reference to letters and phone calls made by the opposition for the installment of the water booster pump on Veteran's Centennial Park. The board members are very sensitive to the resident's concerns and do not desire to be viewed as a deciding factor in the subdivision decision. The board feels strongly that any disagreements between the neighbors and having a booster pump station located on Fernan Hill should be voiced to the Planning Commissioners and the City Council as part of the planning process. It was also brought to the board's attention that until we gave final approval to the site location for the booster pump, the developer could not move forward on a public hearing w/the Planning Commissions. The board agreed that a letter should be sent to the Mayor asking if the City of Coeur d'Alene is in need of a water booster pump station in the Fernan Hill area to support existing homes and well as for fire protection.

Sherry Lenarz made motion to reconsider the motion presented at last month's meeting in regard to the water booster pump and to wait for a definitive response from the Mayor. Melissa Bloom second the motion.

#### Action:

- Steve Wetzel to send a letter to the Mayor.
- Doug Eastwood to talk with the Planning Commissions if they would move forward
  on the approval/disapproval of the new development of Eagle View Estate without
  the decision of the water booster pump.
- Sherry Lenarz to draft a letter to the opposition for the water booster pump explaining the position that the Foundation has currently taken.

It was decided that the board would hold a special meeting on this topic if needed.

7) <u>Motion to Adjourn</u>: Motion to adjourn at 7:30 was made by Melissa Bloom and seconded by Ron Ouren. Motion passed.

PARKS FOUNDATION BOARD MEETING IS SCHEDULED FOR WEDNESDAY, MARCH 29<sup>TH</sup>, 5:30 – 6:30 PM (HATCH/MUELLER – Sherman Ave.)



CITY HALL, 710 E. MULLAN AVENUE COEUR D'ALENE, IDAHO 83816-3964 208-769-2252 – FAX 208-769-2383

#### PARKS & RECREATION COMMISSION WORKSHOP FEBRUARY 27, 2006 - 7:30 A.M. IRON HORSE RESTAURANT

#### **MEMBERS PRESENT**:

Scott Cranston, Vice Chairman Al Hassell, Council Liaison Bridget Hill Mike McDowell Jim Lien

#### **MEMBERS ABSENT**:

Lee Shellman, Chairman
Dave Patzer
Joe Woolley, Student Rep
Alysa McDonald, Alt. Student Rep.

#### **STAFF PRESENT**:

Doug Eastwood, Parks Director Jackie Carbone, Parks Secretary

#### **GUESTS PRESENT:**

Jim Rivard, Riverstone Brian Stone, Riverstone Mike Tilford, Riverstone Tony Berns, LCDC

#### 1. Riverstone Pond and Park

Mike Tilford gave a brief overview of the scope of the project and the various amenities included.

Mike reported that the pond liner has been delivered and is waiting to be installed. A special cleaner/sweeper piece of equipment has been purchased at the request of the Parks Department. The pond, which will be completely maintained by the Homeowner's Association into perpetuity, will have various granite spires and water features such as a waterfall. A large amphitheatre overlooking the pond has already caught the attention of several large groups in planning future events.

Riverstone would like to begin construction as soon as the weather allows but there is one last hurdle to overcome. The original projected cost of the project has almost doubled over the last two years. Construction costs such as fuel, steel, concrete and asphalt have more than doubled since the original estimate and the original designer underestimated the cost of this very extensive brownfield reclamation.

Tony Berns expressed a need to have concensus and awareness of this request from the Parks & Recreation Commission and from the City Council. Commissioner Patzer and Doug Eastwood will be attending the LCDC meeting on March 8.

Mike stated that the city's legal department is currently working on the various agreements required for this project to proceed.

Concensus of the Commissioners was to endorse the project along with the request for additional funding from LCDC.

Mike Tilford will make this presentation again at the March 7, 2006, City Council meeting to bring the Council up to date.

#### 2. HREI BUILDING

Commissioner Cranston will present this project at the March 13 Parks and Recreation Commission meeting and ask the Commission to approve and forward the concept to the City Council.

After the concept is reviewed by the Parks and Recreation Commissioners a recommendation will be forwarded to the City Council. The concept will then be presented at the next Parks and Recreation Commission meeting in order to allow for public input.

#### 3. THIRD STREET MARINA

Doug reported that the city would be meeting with the county very soon to hopefully bring closure to this issue of placing boat houses at the 3<sup>rd</sup> Street Marina.

#### 4. FERNAN BOOSTER PUMP

The Parks Foundation, which currently owns the 16-acre open space property known as Veterans Centennial Park, would like to reassess the developer's request to place the booster pump on this property. They would like to gather additional input from the residents in the area and also allow the developer more time to possibly find another location for the pump.

NEXT MEETING: Monday, March 13, 2006 - 5:30 pm in Council Chambers.

NEXT WORKSHOP: Monday, March 27, 2006 (Time and location to be determined)