

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

May 7, 2024

The Mayor and Council of the City of Coeur d' Alene met in a regular session of said Council at the Coeur d' Alene City Library Community Room on May 7, 2024, at 6:00pm., there being present the following members:

James Hammond, Mayor     ) Absent  
  
Woody McEvers             ) Mayor Pro Tem  
Christie Wood             ) Members of Council Present  
Dan English                )  
Kiki Miller                 )  
Amy Evans                 )  
  
Dan Gookin                 ) Member of Council Absent

**CALL TO ORDER:** Mayor Pro Tem McEvers called the meeting to order.

**INVOCATION:** Major Don Gilger of the Salvation Army Kroc Center led the invocation.

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

**AMENDMENTS TO THE AGENDA:** Mayor Pro Tem McEvers noted that due to the absence of Councilmember Gookin, the agenda item regarding the discussion on demolition moratoria will be moved to the next Council meeting. Councilmember Miller stated that she spoke with those who wanted to make a public comment on the topic and invited them to either make the public comment at this meeting or come back to the next meeting when the actual discussion is on the agenda.

**PRESENTATIONS:**

**BIKE MONTH:** Councilmember Wood read the Proclamation declaring May 2024 as Bike Month and it was accepted by Mike Fuller, Vice-Chair of the Ped/Bike Committee. Mr. Fuller said that Mayor Hammond will join the bike to work event from Starbucks Government Way and Neider to City Hall on Friday, May 17. He also invited the Councilmembers and the public to join. He added that they appreciate the support rendered to the biking community.

**KROC CENTER DAY:** Councilmember Evans read the Proclamation declaring May 9, 2024 as Kroc Center Day and it was accepted by Major Don Gilger, Salvation Army Kroc Center Corps Officer and CEO. Mr. Gilger thanked the Council for recognizing Kroc Center's contribution to the community in the past 15 years. He said that they are looking forward to continuing the great

partnership between the Kroc Center, Salvation Army, the City of Coeur d'Alene, and the residents of Kootenai County who come to the Center every day.

**PRESERVATION MONTH:** Councilmember Miller read the Proclamation declaring the month of May 2024 as Preservation Month and it was accepted by Anneliese Miller, Historic Preservation Commission Vice Chair. Ms. Miller thanked the Council, especially Councilmember Miller for the support for the Commission. She added that she hopes that the Proclamation will bring more awareness and insight on the importance of historic preservation.

**PUBLIC COMMENTS:**

Anneliese Miller, Coeur d'Alene, appealed to the Council to consider and ultimately enact a six-month moratorium on the demolition of properties in the downtown infill boundaries as well as buildings listed on the National Register of Historic Places. She stated that the Historic Preservation Commission (HPC) is currently reviewing the downtown overlays to make recommendations regarding height, parking, and floor area ratio bonuses. She added that they are also working on recommendations to revise existing demolition codes as they apply to older buildings. Ms. Miller explained that the moratorium will allow the HPC to complete these projects without the threat of demolition in the interim. Further, she said that the HPC does not intend to invade on property rights, but they simply seek the opportunity to provide property owners with options before a historic building is torn down. She also mentioned that several studies have concluded that the loss of historic buildings is detrimental to the mental health of community members.

Kevin Jester, Coeur d'Alene, thanked the Council for the support that the City provides to the Kroc Center which enables them to sustain their efforts as a viable entity in the community for the past 15 years. Mr. Jester, representing the Advisory Board of the Kroc Center, mentioned that at the beginning of their meetings, they would ask themselves three questions to remind themselves of what they are about – what do we do? how do we do it? and why do we do it? He explained that the Kroc Center is more than just a building but a volunteer army behind the Salvation Army interpreting the community needs and advocating for different programs. He mentioned that they are going through a program called 3<sup>rd</sup> Grade Swim where they run 1,800 3<sup>rd</sup> graders through swimming lessons at the aquatic center at the Kroc.

Dave Slover, Coeur d'Alene, shared about his experience as a rideshare app driver where he was given a citation with a fine of \$46.50 for parking, stopping, or standing a vehicle on the roadway outside of a business downtown. He explained that in his 5 years of working as a driver in the area, it was an accepted practice to just have his four-way flashers on and get out of the flow of traffic; however, he was told by the officer that it is wrong practice and gave him a citation. Hence, Mr. Slover requested the Council to establish a loading/unloading zone at downtown Coeur d'Alene for Uber/ Lyft/ Rideshare/ Taxi at a minimum from Friday to Sunday between 5:00 p.m. and 3:00 a.m. between 4<sup>th</sup> and 5<sup>th</sup> Streets on the north side of Sherman. He asked for at least 3 parking spaces in front of Moose Market Lounge and Iron Horse, and one parking space in front of Crickets on the south side of Sherman Avenue, and one space in front of Crafted north side of on Sherman Avenue or on 6<sup>th</sup> Street. Mayor Pro Tem McEvers asked Mr. Tymesen to work with Mr. Slover on his request.

Deb Mitchell, Coeur d'Alene, stated that she represents the Kootenai County Advocates for Historic Preservation. She pointed out that the City has issued 115 building permits in the last four months and in the same period last year issued 128 building permits. She said that this is an indication of how development is happening so fast and there is a need to do something before the city loses the character of its communities. She shared information on the demolition moratorium that Boise had placed, and pointed out that the demolition permit process is tied into all the historic codes and overlays. She added that to get a demolition permit, one could be required to get a certificate of appropriateness. She stated that if the construction is on a historic zone, it could go to a public hearing or an administrative hearing.

John Deus, Coeur d'Alene, thanked the Council for the modifications to the Municipal Code to reduce vehicle noise. He said that the residents of Coeur d'Alene North Condominiums have observed a significant reduction in engine noise along Northwest Boulevard. He thanked Mr. Tymesen for taking the lead to address the noise issues downtown and for meeting with him to discuss the noise and speed issues. Mr. Deus also commended the Police Department for the outstanding job of enforcing the new noise criteria. He stated that, in the future, he would like to work with Mr. Tymesen to put up a speed sign that posts the speed limit, records the actual speed of the vehicle, and gives a slowdown warning if the vehicle is over the speed limit. He showed a photo of a speed sign located at inbound 3<sup>rd</sup> Street just past the Fire Department on the left side.

Jack Riggs, Coeur d'Alene, thanked the Council for recognizing the Kroc Center's 15 years through a Proclamation. He recalled that he was involved in many projects in the community but the best that ever happened is his involvement in bringing up the Kroc Center in Coeur d'Alene.

Emily Boyd, Coeur d'Alene, stated her support and requested the Council to approve the Memorandum of Understanding (MOU) with Downtown Association for 2024 and 2025 Parades. She recalled that last year, the Council requested staff to work on different agreements and consolidate into one bulk agreement. She added that the events in the MOU are a large source of funding for the Downtown Association to help them take care of the downtown corridor. She said that they worked closely with the staff on the MOU and appreciated the work that's gone into it.

## **ANNOUNCEMENTS:**

Councilmember Wood thanked the Police Department for the thorough investigation pertaining to the racial incident that occurred towards the Utah women's basketball team. She also thanked the City Attorney's Office for the diligent review of the facts of the case and how it pertains to criminal law. She said that she respects the final charging decision but stressed that it is important to continue the support to the victims. Councilmember Wood stated that she appreciates the leadership in the community, from past and current Mayors and who have been consistent in the support for human rights, civil rights, dignity, and respect for all. She added that the best thing in the community is that the majority of its residents are kind and inclusive people.

Councilmember English responded to the public comment made about establishing a loading/unloading zone at downtown for Uber/ Lyft/ Rideshare/ Taxi. He said that he would

support this endeavor to dedicate some parking spots and that he is certain that there will be a cooperative way to make this happen. On the issue of moratorium on demolition, Councilmember English requested staff to provide the statistics not just on building permits but specifically on permits relating to demolition of historic buildings.

Mayor Pro Tem McEvers announced that Mayor Hammond requested the appointment of Katharine Ebner to the position of Finance Director/City Treasurer.

**MOTION:** Motion by Wood, seconded by Miller to appoint Katharine Ebner to the position of Finance Director/City Treasurer. All in favor. **Motion carried.**

**CONSENT CALENDAR:**

1. Approval of Council Minutes for the April 16, 2024 Council Meeting.
2. Approval of Minutes from the April 22, 2024 General Services/Public Works Committee Meeting.
3. Setting of General Services/Public Works Committee Meeting for Monday, May 13, 2024, at 12:00 noon.
4. Approval of Outdoor Eating Facility Encroachment Permit; Golf Island; 2480 N. Old Mill Loop; Owner: Taylor Vold
5. **Resolution No. 24-032**
  - a. Approval of S-3-22; Birkdale Commons, Final Plat, Subdivision Improvement Agreement and Security  
**As recommended by the City Engineer**
  - b. Approval of the surplus of one Police Department 1995 Ford F350, one 2007 Chevrolet Trailblazer and sell at auction.  
**As recommended by the Police Chief**
  - c. Approval of an agreement between the City of Coeur d'Alene (City) and North Kootenai Water District (NKWD) to provide the City with meter readings of domestic water usage for parcels connected to the City wastewater infrastructure.  
**As recommended by the Wastewater Director**
  - d. Approval of a Lease Agreement with Majestic Eagle LLC to provide food concessions for the 2024, 2025 and 2026 seasons at Independence Point.  
**As recommended by the General Services/Public Works Committee**

**MOTION:** Motion by Evans, seconded by Miller to approve the Consent Calendar as presented, including **Resolution No. 24-032.**

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

RESOLUTION NO. 24-033

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING THE REALLOCATION OF THE REMAINDER OF PREVIOUSLY APPROPRIATED FUNDS FROM THE FISCAL YEAR 2023/2024 BUDGET DESIGNATED FOR CDA 2030, INC., IN THE AMOUNT OF \$18,750.00, TO PANHANDLE AREA COUNCIL, WHICH FUNDS ARE RESTRICTED TO THE HOUSING SOLUTIONS PARTNERSHIP FOR WORK WITH A PRIMARILY PUBLIC PURPOSE, IN THE NATURE OF THAT PREVIOUSLY PERFORMED BY CDA 2030, INC.

**STAFF REPORT:** City Administrator Troy Tymesen noted that the City has long supported CDA 2030 or Connect Kootenai for visioning and community outreach assistance. He said that during the last budget cycle, the Regional Housing and Growth Issues Partnership (RHGIP) merged with CDA2030, and Councilmember Miller encouraged the continuation of the previously approved CDA2030 support due to the successful work in the housing area done by the RHGIP and the desire by the CDA2030 board to have that work continue. However, he added that Connect Kootenai has ceased operations recently and has a remaining budget of \$18,750.00. He explained that the RHGIP, which is now shortened to Housing Solutions Partnership (HSP), have several projects that are currently underway such as Development Agreements workshop, regionwide free ADU plans project, shuttered projects/citizen review panel, Communal Living subcommittee, prequalified buyer and promotion connection team, and game-changing fundraiser with CDA Regional Realtors. Mr. Tymesen stated that Councilmember Miller is requesting the Council to consider reallocating the remaining budget funds of Connect Kootenai to Panhandle Area Council, a 501(c)4 organization equipped to manage finances and contracts, with the goal of seeking local workforce housing solutions by providing financial oversight for HSP. He pointed out that the City Attorney has stated that any taxpayer funds would need to be used primarily for public purpose, hence, direct benefit to any property owner is prohibited. Mr. Tymesen said that the toolkit resources for the use of the said funds include community resource, community data collection/distribution, community education, and meeting coordination/communication.

**MOTION:** Motion by Wood, seconded by Evans, to approve Resolution No. 24-033- authorizing the reallocation of funds previously appropriated for CDA 2030, Inc., in the amount of \$18,750, to Panhandle Area Council.

**DISCUSSION:** Councilmember Wood said that she is in complete support and appreciated the efforts of Councilmember Miller as well as the people that she has brought together to form a strong coalition in finding solutions to address the issue of local workers' housing. Councilmember English said that he is also in support and pointed out that the said funds are already in the financial plan, and it is just a matter of moving it to another category. Councilmember Miller shared that the PowerPoint related to this item is posted to the city website. She also mentioned that there are letters in support of the work of HSP where the Idaho Housing and Finance Association has referred the work that the team has put together as the gold standard for the state of Idaho. Councilmember Miller stated that they have committed to another year to volunteer in coordinating this group and she is excited that the Panhandle Area Council has stepped up. She added that aside from the City of Coeur d'Alene, there are other organizations and businesses that will also provide funds. Lastly, she said that she is writing an article on the work that they do.

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

RESOLUTION NO. 24-034

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING A LOCAL PROFESSIONAL SERVICES AGREEMENT WITH HMH, LLC, FOR CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR THE RECTANGULAR RAPID FLASHING BEACONS PROJECT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THOUSAND SEVEN HUNDRED EIGHTY-FIVE AND NO/100 DOLLARS (\$100,785.00).

**STAFF REPORT:** City Engineer Chris Bosley noted that on January 2020, the City Council approved an application for a federal grant, administered by the Local Highway Technical Assistance Council (LHTAC) to provide pedestrian safety improvements. He said that the City was awarded the grant in April 2020 which will fund pedestrian safety improvements and ADA compliance at several needed locations throughout the City. He added that the design was completed in 2022 and plans were advertised for bidding by LHTAC, and Selland Construction was awarded the contract while HMH Engineering was selected through the Request for Qualifications process to provide Construction Engineering and Inspection Services for the Project. Mr. Bosley mentioned that the proposed locations of the rectangular rapid flashing beacons include Hanley Avenue at Lake City High School; Hanley Avenue and Madellaine Drive; Bosanko & Howard Street; Riverstone Drive & Beebe Boulevard; and then completion of the sidewalk at Best Avenue near 6<sup>th</sup> Street. He recommended that Council approve the Professional Services Agreement with HMH, LLC, for Construction Engineering and Inspection Services for the Rectangular Rapid Flashing Beacons Project.

**DISCUSSION:** Mayor Pro Tem McEvers stated that while the said device prioritizes pedestrians, he asked if the vehicles could go through if there are no people, to which Mr. Bosley clarified that it is a warning device to let motorists know that a pedestrian is about to cross the street, however if the flashing light is on but no pedestrians are crossing the street, then the vehicles can continue on. Councilmember Evans thanked Mr. Bosley for the time and effort in identifying appropriate locations to ensure the safety of pedestrians, bikers, and runners. Councilmember Miller asked if the device could be readjusted or reinstalled given the changes on roads and configurations, to which Mr. Bosley explained that the device have concrete foundations on the ground, and they are bolted on to them, so it is possible to readjust or reinstall them in a new location if needed.

**MOTION:** Motion by Evans, seconded by Miller, to approve **Resolution No. 24-034** – Approval of a professional services agreement with HMH LLC for construction engineering and inspection services for the Rectangular Rapid Flashing Beacon Project.

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

## RESOLUTION NO 24-035

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AMENDMENT NO. 5 TO THE SOLID WASTE SERVICES CONTRACT WITH NORTHERN STATE PAK, LLC, D/B/A COEUR D'ALENE GARBAGE.

**STAFF REPORT:** City Administrator Troy Tymesen noted that the Solid Waste Services Contract with Northern State PAK, LLC, d/b/a Coeur d'Alene Garbage Services was effective on July 1, 2016. He continued that the contract has been amended four times, and Amendment No. 4 was effective for 36 months and will expire on June 30, 2024. He stated that CDA Garbage has fully performed in accordance with the terms and conditions of the Contract and its amendments since then. He added that in May 2018, CDA Garbage requested an increase in the fees for single stream recycling and a modification in the type of recycling which must be accepted under the contract. Mr. Tymesen explained that the extension is for three years, and it will help protect the CDA Garbage and the City so they can continue to work together if recycling costs will continue to go up. He mentioned that CDA Garbage has been, and is, willing to continue to operate under the terms of the Contract and Amendment No. 1, as extended by Amendment 2, 3, and 4. He recommended that Council approve Amendment No. 5 to the contract with Northern State PAK, LLC, d/b/a Coeur d'Alene Garbage Services for solid waste collection.

**DISCUSSION:** Councilmember Wood asked Philip Damiano, the CEO and owner of CDA Garbage, about his experience with the residents of Coeur d'Alene and their diligence with their recycling. Mr. Damiano explained that the residents are very good with the caveat that a few people dispose of their trash incorrectly thereby contaminating the recyclables. Councilmember Wood stated that there should be public awareness of the right way of disposal. Mr. Damiano said that there is a lot of education in the school system, they also provided brochures and tags the garbage bins to let the residents know that they did not follow the correct way of disposal and that it will not be picked up. Councilmember English asked if there will be a change in the garbage bill in the next 3 years, to which Mr. Tymesen replied that there is a proposal to increase the rate fees with the intention to level out that would help the fund. Councilmember English mentioned that residents are willing to pay extra so they can dispose of glass items and Mr. Damiano said that the glass are being repurposed and taken out of state, hence it is not going into the Kootenai County landfill. He added that glass is tricky to recycle so it is a benefit that it does not go into the city's landfill. Councilmember Miller asked for clarification if the proposed amendment will extend the actual expiration dates of the overall contract, and Mr. Tymesen replied that it just extends the last agreement on the recycling, but it is still within the overall contract. Mayor Pro Tem McEvers asked about the impact of lawn disposal, with Mr. Damiano stating that they see an increase in volume right now. He appealed to the residents to put their lawn clippings in trash bags before putting them in their garbage bins. He added that they don't run a separate composting program because the growing season in Idaho is short.

**MOTION:** Motion by Wood, seconded by English, to approve **Resolution No. 24-035** – Approval of Amendment No. 5 to the Solid Waste Services Contract with Northern State PAK, LLC, d/b/a Coeur d'Alene Garbage Services.

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

RESOLUTION NO. 24-036

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ACCEPTING THE BID OF AND AWARDING THE CONTRACT FOR THE 2024 MILL AND INLAY PROJECT TO INTERSTATE CONCRETE & ASPHALT, IN AN AMOUNT NOT TO EXCEED ONE MILLION FOUR HUNDRED SEVENTY- ONE THOUSAND EIGHT HUNDRED EIGHTY-EIGHT AND NO/100 DOLLARS (\$1,471,888.00).

**STAFF REPORT:** Streets and Engineering Director Todd Feusier noted that the asphalt surfaces on Atlas Road, Appleway Avenue, Ramsey Road and Sherman Avenue have deteriorated over the years and in need of maintenance. He said that the Streets and Engineering Department created a project to mill the existing surface and replace it with a new asphalt surface which will result to a longer life of the said streets. He added that the project included a base bid for the area of Atlas Road and three additional alternates for Appleway Avenue, Ramsey Road, and Sherman Avenue. He mentioned that it will be brand new road surface and they will be using thermal plastic which will last and stay reflective up to three years that they don't need to paint up every year. Mr. Feusier stated that the project was advertised for three weeks, and three bids were received and opened on April 16. He explained that among the three, the lowest bidder is Interstate Concrete & Asphalt for \$1,471,888.00 contract for the 2024 Mill and Inlay Project. He added that the project will be a multi-stage process and it will all be night work.

**DISCUSSION:** Councilmember Wood thanked Mr. Feusier for the tour of the Street Department Building remodel and said that she was impressed with what they were able to do with the funding that was allocated. She inquired about the timeline of the project, particularly on Sherman Avenue which is a busy area with a lot of events. Mr. Feusier said that the project work will be around events, and it will all be night work. He added that the contractor was told that they can't be anywhere near 5<sup>th</sup> and Sherman on Wednesday night. He said that the only daytime shift will be when the crew will paint or put the thermoplastic down, but they will start early and try to be back open at 10:00 a.m. when businesses open. Mr. Feusier explained that they had a lot of conversations with Interstate Concrete about the events and businesses in the area, and they will have a pre-construction meeting with the Police Department, Fire Department, CDA Downtown Association, and the CDA Resort so they will have inputs on the project schedule. He added that he was pushing for an earlier start, but the project needs warmer temperatures especially at night, so they are looking at the week of July 11<sup>th</sup> to start and finish before August. Councilmember English mentioned that the intersection at 4<sup>th</sup> Street and Sherman is a safety hazard because people are parking on the side which totally blocks the view of pedestrians. He added that it should be painted to take care of the safety hazard. He also mentioned the post office parking lot having a lot of holes. Mr. Feusier explained that on the 4<sup>th</sup> Street, technically there is a parking lane there and there is only one lane of traffic that one can turn left, right, or go straight, and then as one goes through, the intersection turns back into two lanes. He said that the thermoplastic that they will apply will make the markings clearer.



**MOTION:** Motion by Evans, seconded by Miller, to approve **Resolution No. 24-036** – Approval of an agreement with Interstate Concrete & Asphalt for the 2024 Mill and Inlay Project in an amount not to exceed \$1,471,888.00.

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

#### RESOLUTION NO. 24-037

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ACCEPTING THE BID OF AND AWARDING THE CONTRACT FOR THE 2024 CHIPSEAL PROJECT TO ROAD PRODUCTS, LLC, IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED SEVENTEEN THOUSAND SEVEN HUNDRED AND EIGHT AND 20/100 DOLLARS (\$717,708.20).

**STAFF REPORT:** Streets and Engineering Director Todd Feusier noted that the asphalt surfaces on Atlas Road, Riverstone Drive, Johns Loop, Beebe Drive, Lacrosse Avenue, and Northwest Boulevard have deteriorated over the years and need maintenance. He said that the application of a chip seal will significantly prolong the life of the streets. Mr. Feusier recalled that since 2016, they have applied chip seal to approximately 80.1 lane miles of roadway. Last year's project was at the north side of Lakewood to Garden Avenue, and now they are going to start at Lakewood and Northwest Boulevard all the way down to the four corners. He added that they will chip seal it back up to gain 5-10 years out of it. He stated that two bids were received and opened on April 16. He mentioned that the lowest bidder is Road Products LLC for \$717,708.20 which will be funded with the current overlay/chip seal budget.

**DISCUSSION:** Councilmember Miller inquired on the details of the bid on the chip seal project, and Mr. Feusier replied that there were only two bidders for the project: Road Products LLC for \$717,708.20 and Poe Asphalt Paving Inc. for \$907,672.00. He said that they extended the bidding for another week, so it was out for three weeks.

**MOTION:** Motion by Miller, seconded by English, to approve **Resolution No. 24-037** – Approval of an Agreement with Road Products, LLC for the 2024 Chip Seal Project in an amount not to exceed \$717,708.20.

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

#### RESOLUTION NO. 24-038

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ACCEPTING THE BID OF AND AWARDING THE CONTRACT FOR THE OPEN TRENCH PIPE CONSTRUCTION TO DW EXCAVATING, INC., FOR THE 2023/2024 WASTEWATER COLLECTION SYSTEM CAPITAL IMPROVEMENT PROJECT, IN AN AMOUNT NOT TO EXCEED \$774,512.00.

**STAFF REPORT:** Wastewater Director Mike Anderson noted that each year, the Wastewater Utility prioritizes and budgets for the replacement and rehabilitation of the City’s aging sewage collection infrastructure. He explained that for this year, they put a budget of \$850,000.00 and it is broken down into three schedules: Schedule A (19<sup>th</sup> and 20<sup>th</sup> Streets) for the replacement of old 6-inch concrete pipes with larger 8-inch PVC pipes to increase flow capacity; Schedule B (Cherrywood Dr. Sewer) for the repair and replacement of 100 feet of broken 6-inch concrete pipe with new 8-inch PVC pipe, along with the installation of two new manholes; and Schedule C (Homestead Ave. Sewer) for the repair and replacement of old and broken sewer lines. Mr. Anderson mentioned that four prequalified bidders submitted proposals for the Open Trench Pipe Construction project, and DW Excavating Inc. has the lowest total bid price of \$774,512.00.

**MOTION:** Motion by Wood, seconded by Evans, to approve **Resolution No. 24-038** – Approval of an Agreement with DW Excavating Inc, for the 2023/2024 Wastewater Collection System Capital Improvement Project in an amount not to exceed \$774,512.00.

**DISCUSSION:** Mayor Pro Tem McEvers inquired about how many more six-inch lines that they need to do in the future and if these are mostly located in historical places where the pipes were smaller and the older section in town. Mr. Anderson explained that they have done some work in the previous years where they put a liner inside the old pipes to get more linear feet but unfortunately, they cannot do that in the six-inch pipelines. He said that he doesn’t have the figures of how many six-inch lines are left. He said that it was the previous standard and mostly are in the older section of town. He added that the current standard is 8 inches at the minimum.

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

RESOLUTION NO. 24-039

A RESOLUTION OF THE CITY OF COEUR D’ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE DOWNTOWN ASSOCIATION, FOR PARADES AND EVENTS IN 2024 AND 2025.

**STAFF REPORT:** Municipal Services Director Renata McLeod recalled that during the July 19, 2022 Council meeting, staff were requested to study the option of entering into agreements for some of the large special events being held in the City. She explained that Agreements allow the City to negotiate with the event sponsor to take on additional responsibilities such as providing volunteers to man non-emergency intersections, placement of no-parking signs, use of certified flaggers, and payment in addition to the general fees. She said that after the completion of the 2023 year of Parades, the City has prepared traffic control plans for each event and believes that an agreement referencing the pre-approved plans should be in place in the next two years. She added that the proposed Memorandum of Understanding (MOU) with the Downtown Association (DTA) for parades and events in 2024 and 2025 clarifies the roles and responsibilities to avoid questions and conflicts on the day of the events. She shared that the St. Patrick’s Day event has already taken place under a separate agreement for this year, but it is included in the agreement for 2025. Ms. McLeod noted that the fees included in the MOU is based on current special event fees for 2024 with a 5% increase for 2025. She explained that the total for all parades equals \$3,750.00

(however, \$150.00 for the 2024 St. Patrick's Day Parade has already been paid) for the 2024 event year and increase by 5% for the 2025 event year, for a total of \$3,937.50. She said that the 2024 cost is based on the following event costs for 2024: St. Patrick's Day \$150.00; Car d'Lane \$1,050.00; Street Fair \$1,800.00; and the Christmas Parade, Lighting Ceremony and Fireworks Display \$750.00. She added that a security deposit of \$1,000.00 shall be retained for the year to cover all events, and payment of fees and security shall be made on or before March 1 of each year. Ms. McLeod stated that the MOU outlines the responsibilities of the City and DTA, to clarify each entities roles and responsibilities and to level out the expenses for these types of community events. Further, she said that staff from the affected departments have been included in the discussion regarding a combined agreement, which reflects all of their inputs.

**DISCUSSION:** Councilmember Wood stated that the City has a great partnership with the Downtown Association and these are the events that really bring the community together. She added that she appreciates the work that was put into coming up with the MOU and she fully supports it. Councilmember Evans thanked Emily Boyd and the DTA Association, and agreed with what Councilmember Wood said that these events add life and spark to the community. Councilmember Miller requested clarification if the 4<sup>th</sup> of July event is separate, to which Ms. McLeod explained that it is separate agreement because it will be with the Chamber of Commerce not the DTA, noting that she will present that agreement at the next Council meeting.

**MOTION:** Motion by Evans, seconded by Miller, to approve **Resolution No. 24-039** – Approval of a Memorandum of Understanding with the Downtown Association for 2024 and 2025 Parades.

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

## **PUBLIC HEARING:**

### RESOLUTION NO. 24-040

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

**STAFF REPORT:** Municipal Services Director Renata McLeod noted that the City is required to hold a public hearing for any proposed fee increase in excess of five percent (5%) pursuant to Idaho Code § 63-1311A. She explained that while some of the fees that are listed are increasing less than 5%, and therefore are not required to be included in the public hearing, it was important to keep them in a consolidated package for ease of tracking. Additionally, she mentioned that civil penalties are not “fees” subject to the 5% rule but are required to be adopted by resolution of Council by various sections of the Municipal Code, hence, they are included in the proposed Resolution. She added that at the April 22, 2024 General Services/Public Works Committee meeting it was suggested to show the special event fees at a 10% increase for Council discussion purposes. She further discussed the proposed fees amendments of each department with the following highlights:

For the Administration Department, Ms. McLeod noted that the fees being proposed relate to parking which was reviewed by Parking Commission although unable to make a recommendation due to lack of quorum at its last meeting; however, those in attendance expressed no concerns to the increases. She said that a review of area cities parking penalties ranges from \$20.00 to \$150.00. She explained that civil penalties are recommended to be \$40.00 (with a first offense in paid parking lots as a courtesy) and a \$50.00 per day mooring violation which is equal to the proposed moorage daily fee. She added that staff also reviewed current parking fees and recommended increase to parking fees based on the location or demand, which resulted in some fees being increased more than others, and then some lots do not specifically state that a monthly parking pass is available, so the option was added to those lots for clarity.

For the Finance Department, Ms. McLeod noted that garbage rates have increased only twice in the last 20 years, and the last being June 2014. She explained that the City contracted with Coeur d'Alene Garbage in July 2016 and as such provided substantial savings which has allowed the City to keep garbage rates at the 2014 level for the last 10 years, however, the contract with Coeur d'Alene Garbage allows for an increase to the cost to the City at a maximum of 2.75% each year depending on the producer price index. She added that because of these yearly increases to the City over the last 8 years, the City now needs to raise rates to their customers. Ms. McLeod pointed out that residential rates are proposed to increase 5.2%, while commercial rate may increase 25%; however, a majority of these rates are not standard every month and only involve a very few customers. Additionally, she noted that staff is also requesting an annual 5% increase in street lighting through 2026.

For the Municipal Services Department, Ms. McLeod explained that their staffing cost have gone up a minimum of 5% so they are looking at increasing their fees by about 5%. She pointed out that the City does not have a fee for an amplified sound permit (referred to in the Code as "Sound Trucks/Loudspeakers"), so a new fee is being proposed at the same rate as a street encroachment permit fee. She said that after the annual review of fees, it was noted that many of the City's expenses, such as staffing and printing, have increased between 5% and 10%. Hence, in an effort to keep fees reasonable, while assisting with City expenses, she said that it is recommended that certain fees related to licenses be increased by 5%. She mentioned that several clarifications are included in the proposal such as Beer/Wine/ Liquor Licenses (maximum fees set by the state) and working change to Security Agent Licenses. Ms. McLeod further noted the recommendation for the creation of a City-wide Emergency Locate for Non-emergencies Fee of \$100.00 for each City Department involved in responding to such requests. She stated that some contractors will call in an "emergency" locate, to which many City Departments must respond immediately, only to find it is a non-emergency. She added that emergencies should be reserved for situations where there is an imminent risk to life, health, or property, hence this proposal would be a fair solution to discourage non-emergency calls for emergency locates. She enumerated the Departments involved in utility locates to include Streets and Engineering, Water, Wastewater, and Municipal Services (IT division). Alo under the Municipal Services, Ms. McLeod raised the proposal to increase the parade and special event permit fees to 5%; however, she mentioned that in the last General Services and Public Works meeting, Councilmember Gookin asked to present what a 10% increase would be for Council consideration.

For the Parks and Recreation Department, she stated that the tennis court rental fees should be based on the recreation staff rate of \$40.00/hour, hence league fees are being raised to cover the cost of umpires. She pointed out that they have another proposed fee increases but those are less than 5%.

For the Planning Department, Ms. McLeod explained that the fee increases were based on rising operational and labor costs, the growing demands and complexities of the planning processes, and to account for time spent by multiple staff members reviewing the applications, meeting with applicants, preparing notices, staff reports, presentations, attending meetings, and preparing findings and agreements. She said that four new fees that are being proposed include: Design Review approval extension, preparation of parking agreements, a fee for a Limited Design Planned Unit Development (\$1,800 as compared to the Planned Unit Development fee of \$2,400) and conducting a pre-annexation meeting. She added that the staff is proposing an increased civil penalty of \$1,000.00 for operating a short-term rental (STR) without a permit.

For the Streets and Engineering Department, Ms. McLeod relayed that the proposal is for a fee structure for excavation/encroachment permits that will consider the time needed for an obstruction, the area's congestion, violation fees, and the existence of historic landmarks, with the fee waived for the moving of a building which is a historic landmark, or a contributing building located within a historic district. She added that with high rises becoming more prevalent with zero setbacks and very little nearby vacant land available, construction staging in the City right-of-way is becoming more common, hence charging encroachment fees based on square footage of right-of-way obstructed for the duration of obstruction incentivizes developers and contractors to minimize the amount of right-of-way obstructed and the time it is obstructed.

For the Water Department, Ms. McLeod noted that the fees have been adjusted to reflect actual costs. She said that some increases are less than 5% but are included as a method of tracking the fees while other increases are based on staffing costs. She mentioned that a new fee for a fill station delinquent usages charge is recommended as the Department is experiencing many more hours to cancel this service. She said that the employee time will be billed a rate of \$47/hr. and the access code reactivation fee total amount for a delinquent account would be \$188.00. Lastly, the rate increases are 2.5% or rounded up to the nearest dollar: Water Meter Rates, Water Volume Rates, Cap Fees, Fire Line Rates, and Fire Line Cap Fees. She stated that the increases are based on the increase in pumping, maintenance, labor, transportation, and fuel costs across the board.

**DISCUSSION:** Councilmember Miller inquired if there was a review on the commercial launch fees or penalties at the 3<sup>rd</sup> Street ramp, and Parks Director Bill Greenwood explained that there is a fee to do commercial launching and Diamond is managing it; however, people will start earlier in the morning with no one there. He said that it was better before when there was a booth managed by Diamond, and they have discussed the idea of a harbor master being present. He added that they caught some people doing commercial launching and they were required to pay the launch fee. Councilmember Miller said that she would like it to be reviewed as soon as possible and that she heard conversations that there is no need of a permit because there is no enforcement down there. She also asked if the permit for the street pods would have a time frame, and Mr. Bosley replied that the permit fee is broken down by time frame but no maximum time period. He mentioned that the reason why they increased these fees is to motivate people to get their job done and get off the street quickly so that they are not encumbering parking spaces, road rights-of-way,

and sidewalks. He added that it will be Code Enforcement who would follow-up on these permits, but City Inspectors are also out there day-to-day to report. Councilmember Miller also asked whether there are parameters on how much the City can charge for short term rentals that are operating illegally, and Mr. Adams clarified that it is not a fee but a violation which does not fall under Idaho Code 63-1211A provision. He further explained that it is being brought forward this time with the intention of tracking it, but there is no limitation on the increase in the violation. He added that there is no penalty in the code for violation, then it defaults to a misdemeanor. Councilmember Wood asked how the parks are funded from the parking revenue, with Mr. Greenwood explaining that a percentage from the revenue of the parking lots goes to the park's capital improvement fund. He said that last year, they were able to replace the restroom at Person Field with that fund. Mr. Tymesen noted that the Public Parking Fund and Enterprise Fund, which is a fee for service, puts \$210,000 on an annual basis to the parks for maintenance and equipment. Councilmember Wood requested clarification from Planning about the new fees and if they did research in comparison with other cities. Community Planning Director Hilary. Patterson said that they looked at other communities for consistency with the city's fee structure. She pointed out that most of the fees are not new, but they just reordered, and it looks like a new fee. She stated that the new fees include parking agreements which requires a lot of staff time and the pre-annexation meeting which is consistent with other communities and requires a lot of staff time. Councilmember English stated that overall, the amendment on certain fees is reasonable. He said that he is glad to see the fees on street pods and the need to pay for that temporary privilege. Mayor Pro Tem McEvers asked if the pop-up food trucks are considered a mobile vendor, to which Ms. McLeod explained that there is a mobile vendor license and it depends on the amount of time and location, and if they actually come to get a permit. Mayor Pro Tem McEvers also asked if there are any rate increases at the Jewett House, and Mr. Greenwood stated that they are not proposing any increases because the revenues are good. He added that for last year, they had \$50,000 in revenue for weddings. Mayor Pro Tem McEvers pointed out that the city cannot do a resort tax because it is too big yet the City is impacted by tourists who pays the same amount as a local resident in the parking lot. He suggested for an increase on what the tourists pays for parking in order to cover that the local residents could park for free. He added that the City should take advantage of the many tourists that comes to visit. Ms. McLeod said that Mr. Tymesen can take this matter to the Parking Commission for discussion.

**PUBLIC TESTIMONY:** Mayor Pro Tem McEvers opened the public testimony portion of the meeting. With no other comments received, the Mayor Pro Tem closed public comments.

**MOTION:** Motion by Miller, seconded by Wood, to approve **Resolution No. 24-040** - Approving City Fee increases for the following Departments: Administration – Parking penalties and parking/moorage fees; Finance – Garbage rates and street lighting fees; Municipal Services – license/permit fee and creation of new fee for Loudspeaker permits and Emergency Locate Fee for Non-emergencies; Parks and Recreation Department - updated Tennis Court rentals and league fees; Planning Department – development related fees and Short-term rental civil penalty; Streets and Engineering – Encroachment Permits with the establishment of civil penalties for violations; and Water Department – water rates and fees, adding a \$1,000.00 penalty for commercial launching in the Lake Coeur d'Alene without a permit and accepting the 10% increase in parade/special event fees.

**DISCUSSION:** Councilmember English said that he supports the \$1,000.00 penalty but he would like the parade fee to increase to 5% as proposed and see how it goes before increasing it to 10%. Councilmember Wood stated that the parades are expensive for the City and expensive to host. She asked for the actual figures if the 10% increase will be imposed. Ms. McLeod provided that the current fee for high events is \$750, noting that a 10% increase would be \$825; medium event fee would raise to \$330; and low events fee would raise to \$165. Councilmember Wood said that it seems doable, and she is supportive of the 10% increase.

**ROLL CALL:** Wood Aye; Evans Aye; Miller Aye; McEvers Aye; English No. **Motion carried.**

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

The meeting adjourned at 8:10 p.m.

  
Woody McEvers, Mayor Pro Tem

ATTEST:

  
Jo Anne Mateski  
Executive Assistant