

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

April 16, 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 April 16, 2024, at 6:00 p.m., there being present the following members:

James Hammond, Mayor

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

Kiki Miller                        ) Member of Council Absent

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

**INVOCATION:** David Bruyette of Mountain Lakes Bible Church led the Invocation.

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

**AMENDMENTS TO THE AGENDA:**

Mayor Hammond provided an update regarding the Roosevelt Inn, noting that he had a meeting this week with someone who is very interested in purchasing the Roosevelt Inn. He added that Councilmember Gookin is also working on a secondary strategy.

Councilmember Gookin noted that he wanted to amend the agenda and make a parliamentary move to allow the public to speak on the Marriott Hotel appeal and that Municipal Code (MC) 17.09.340(C) should be suspended. He pointed out that the public will be allowed to speak but it will not be used by the Council as a basis in their decision.

**MOTION:** Motion by Gookin, seconded by Wood to amend the agenda to suspend MC17.09.340(C) and allow public comment on the agenda item regarding the Marriott Hotel appeal.

**DISCUSSION:** Councilmember Evans sought the advice of the City Attorney, Randy Adams, to which Mr. Adams replied that the Municipal Code is very clear that no testimony and no new evidence may be presented to the Council for the Marriott appeal. He added that it would be a violation to the code to allow for public comment on it because that is presenting new evidence as well as a potential violation of the applicant's right to due process. Councilmember Wood shared

that in her experience as NIC Board Member, not allowing the public to comment has caused a lot of grief, and she would like to err on the side of caution and allow public comment. Councilmember English stated that he is not going against the advice of the legal counsel but asked the Council to look at the code that needs to be amended. Councilmember McEvers asked if amending the code would be amending the rule, and Mr. Adams explained that it is not on the agenda for this meeting, but the Council can amend the code at a future meeting. He said that the City can set the process by which the DRC runs its meetings and by which the appeal is conducted. He pointed out that as of now, the code states that there will be no new testimony and no new evidence is allowed. He added that the code does not specify when the Council must hear the appeal, so they could postpone the appeal hearing to a later date.

**ROLL CALL:** McEvers No; Gookin Aye; English No; Wood Aye; Evans No. **Motion failed.**

**ARBOR DAY PROCLAMATION:** Nick Goodwin, Urban Forester, accepted the Proclamation declaring April 26, 2024 as Arbor Day. He shared that Re-Leaf CDA 2024, which is a free planting program for the public, will accept applications until the end of March. He said that on April 29, they will start planting 65 trees such as black tupelo, english oak, greenspire linden, emerald sunshine elm, and kousa dogwood for power line areas. He added that a local resident, Bonnie Warwick, donated a 10-year-old bristle cone pine from her yard and this will be relocated and planted during the Arbor Day celebration at Atlas Park on April 26. Mr. Goodwin noted that it's the City's 40<sup>th</sup> year of receiving the Tree City USA award and 18<sup>th</sup> consecutive year of receiving the Growth Award. He stated that there will be local students who will volunteer to plant trees during the Arbor Day celebration. He added that there will be free donuts and coffee from Sun Valley Tree Service, tree raffle, and seedling give aways in partnership with Arbor Day Organization of North Idaho. Councilmember McEvers inquired if the City is adding new trees or just keeping specific trees in certain areas, to which Mr. Goodwin replied that the Urban Forestry office in partnership with the Urban Forestry Committee maintain an approved tree list and they try to keep every genus in our forest at below 20% of our urban canopy. He added that they keep the list updated to keep the genus from getting too heavy and to ensure maintaining a diverse forest, hence, they also experiment with different species to find suitable replacements.

**WORLD WISH DAY PROCLAMATION:** Michelle John, Make-A-Wish North Idaho Manager, accepted the Proclamation declaring April 29, 2024 as World Wish Day. She thanked the Council for helping them raise awareness and grant wishes of local kids. She shared that they have a new office located in Post Falls but they are serving all the North Idaho Wish kids. She said that they will be holding the Walk for Wishes event on June 1<sup>st</sup> at Riverstone Park.

**IDAHO GIVES WEEK PROCLAMATION:** Mark Tucker, Executive Director of United Way of North Idaho and Board Member of Idaho Gives, accepted the Proclamation declaring April 29 to May 2, 2024 as Idaho Gives Week. He stated that it's a week-long celebration that will start on April 29 at the Human Rights Education Institute (HREI). He encouraged everyone to go to their website, [idahogives.org](http://idahogives.org), to donate.

## **PUBLIC COMMENTS:**

Jeffrey Ward, Coeur d'Alene, noted that he created the Facebook page "Save the Roosevelt" and the online petition at "change.org" aimed to halt the demolition of the Roosevelt building. He stated that the online petition has gathered 4200 signatures and hundreds of messages from people residing in 83814 and 83815 zip codes. He shared that he had a meeting yesterday with the CEO of Blue Fern LLC, Ben Paulus, and was told that if a solution can be found, Roosevelt and its underlying parcel would be removed from the development plan. He added that as an act of goodwill, Blue Fern will be submitting a new site plan this week showing the preservation of Roosevelt. Mr. Ward urged the City Council to act and follow the outpouring of support from the public to save Roosevelt as represented in the petition. Mayor Hammond stated that, along with saving Roosevelt, what is important for him and to the Council is to make sure that the sale goes through because the Houghs have also put their lives and savings into it, and they also need to be able to retire.

Rod Schobert, Hayden, said that people come to Coeur d'Alene because of its rich history but it is limited when it comes to historically designated structures. He said that Roosevelt was quoted to have the elements of Queen Anne and Romanesque, the only similar building likely to be preserved in the area, and one of the few opportunities to retain its specimen for the future. He thanked the Houghs for maintaining the Roosevelt and appreciated the outpouring of support from the community to save it.

Russ McLain, Hayden, appreciated the display of courage and integrity of Councilmember Wood when Tony Stewart was speaking and was rudely interrupted during the press conference on the incident at Sherman Avenue.

Jim Stiekney, Coeur d'Alene, stated that he has been in Coeur d'Alene for most of his life, attended school in Roosevelt building and appealed for its preservation.

Cecil Kelly III, Coeur d'Alene, said that he lives near the Roosevelt and has fond memories. He asked the Council to keep the Roosevelt School.

Dorothy Dahlgren, Coeur d'Alene, presented a letter from the Idaho Historic Preservation Council offering their assistance to the City and developer of the Roosevelt. She said that as a National Register listed property, the building is uniquely eligible to take advantage of federal historic preservation tax incentive, which could offset development costs. She added that they are willing to offer advice, expertise, and contacts in the architectural, engineering, and historic preservation communities to facilitate its retention as City landmark. Mayor Hammond shared that part of his meeting next weekend is the protection of the Roosevelt for the long term, where part of the clause is that the building cannot be taken down in the future.

Duncan Koler, Coeur d'Alene, thanked the Council for the change in the noise ordinance and shared that he and his neighbors felt a little bit of improvement. He said that he noticed the big sign on Northwest Boulevard with the \$300 fine for loud engines and suggested that a similar sign be placed on the east side of Sherman to cover both entrances to the downtown. Mr. Koler explained that another issue that is important to the residents is the circulation of traffic through

downtown and that the Council should consider this with respect to the new developments coming in.

Deborah Mitchell, Coeur d'Alene, asked the City Council to adopt ordinances and an interim moratorium on permits for demolition, alteration or moving of any structures for a period of 182 days as done by the City of Boise. She also mentioned that the City pursues the creation of local historic districts which would offer opportunities for public input. She explained that historic buildings provide a sense of continuity, and removal of such affects people's mental health or what is called "solastalgia."

Zoe Ann Thruman, Coeur d'Alene, stated that the City needs a comprehensive visionary plan and ordinances in place to protect historic buildings. She asked the Council to take advantage of the current momentum brought by advocacy groups in the call to preserve the Roosevelt School and the resources available to make the plan a top priority.

Dave Walker, Coeur d'Alene, reminded the Council on the importance of setting the Historic Preservation Committee into motion to preserve the character and history of the City of Coeur d'Alene.

Walter Burns, Coeur d'Alene, said that as Chair of the Historic Preservation Commission, they work closely with the State Historic Preservation Commission who is also in complete support not just of the preservation of Roosevelt but also the updating of the building to keep it going into perpetuity. He thanked the Council for all its efforts in finding a solution that will work for everyone.

Jeanette Laster, Coeur d'Alene, read the statement of Tess Reaser from 208 Recovery, founder, and president of a local collaborating nonprofit. In her letter, Ms. Reaser said that the demolition of historic buildings, specifically the Roosevelt, while an inevitable part of progress, has a profound impact on the community's collective well-being and mental health. She stated that Roosevelt and other historic buildings are not just structures of brick and mortar but also act as repositories of memories and are tangible links to the past. She pointed out the need to engage in meaningful dialogues and to advocate for preservation efforts.

Jon Wemple, Coeur d'Alene, commented on amending the statute regarding public comment at a Design Review Commission appeal, saying that there seems to be an error in public notifications and the abilities of citizens to be able to speak and organize on certain issues like the proposed hotel in Sherman Avenue. While he said that he is not opposed to progress, he expressed concern that similar projects in the future could possibly be fast tracked without regard to proper comment from the public. He urged the Council to exhaust all efforts to listen and to amend the statute as a top priority on the Council's next agenda.

Nate Dyk, Coeur d'Alene, shared several issues regarding the proposed Mt. Hink and Atlas excavation project: the length of time that the Atlas trail will be closed or if it to remain open, he asked for the plan to protect the families going down the trail to avoid accidents; the noise and dust generated from the heavy equipment; restoration plan is not adequate since the grading will eliminate all the pine trees on the site; and the excavations will be going up to 5 feet from the trail,

which is outside the property boundary. Mr. Dyk believes that the project does not really meet the goals of the Comprehensive Plan.

Kyle Holmes, Coeur d'Alene, stated that he has seen the development that has occurred in the city but while he enjoys how the downtown has become, he said that the character of the community is slowly eroding away as buildings are allowed to be constantly built and developers try to squeeze in massive, tiny or duplex housing. He asked the Council what the developers are doing to also invest in the community considering the increasing demand for our police officers to maintain peace and order or contributing to resources such as responding to high-rise fires. He appealed to the Council to look into ensuring that city resources can support the growing needs of the community and not be taxed even further.

Anne Walker, Coeur d'Alene, said that it is imperative that the Design Review Committee follow their adoptive design standards and guidelines and that the City's Comprehensive Plan also needs to be followed on all building projects.

Mike Patano, Coeur d'Alene, cited several issues that the Council should pay attention to such as: traffic studies required at the beginning of any project; access on Sherman Avenue; parking requirements; sidewalks that should meet city requirements especially when there are big buildings next to it; location of loading zones; and the impact of construction such as road closures. He added that the proposed Marriott project needs to go back to the Design Review or to the Planning and Zoning for fine tuning because its current state should not be acceptable to the City of Coeur d'Alene.

#### **ANNOUNCEMENTS:**

Councilmember Gookin asked Mayor Hammond to direct staff to report to have an item on the agenda in the future Council Meeting wherein they can discuss the public comment of Deb Mitchell about doing a moratorium on permits for demolition of historic buildings based on health and safety. He stated that he is in support of what Mike Patano said about preserving the historic character and charm of Coeur d'Alene. He asked Mayor Hammond to remind staff on the requests made by the Council in previous meetings and direct staff to submit a report by Friday when the following items will be placed on the agenda: revisiting of the sign code to allow companies to relocate billboards within the city; review of the budget to look for cuts and improvements; rezoning of the North Idaho College property; meeting to discuss downtown parking and height restrictions; and updating of the Design Review Commission material.

Mayor Hammond thanked the public for their comments about historic preservation. He stressed on the importance of the historical character of the community as it relates to the people's emotions and mental health. He added that to have a strong community makes for a stronger city.

**CONSENT CALENDAR:** Being considered routine by the City Council, these items will be enacted by one motion unless requested by a Councilmember that one or more items be removed for later discussion.

1. Approval of Council Minutes for the April 2, 2024 Council Meeting.



2. Setting of General Services/Public Works Committee Meeting for Monday, April 22, 2024, at 12:00 noon.
3. Approval of Bills as Submitted
4. Approval of Financial Report
5. Setting of a public hearing for May 21, 2024 - ZC-1-24; GS4 Property, LLC, is requesting a zone change from a NC (Neighborhood Commercial) to C-17; for property located at: SE corner of the intersection of 15th Street and Best Avenue

**MOTION:** Motion by McEvers, seconded by Evans to approve the Consent Calendar as presented.

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

### **RESOLUTION NO. 24-025**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A COMPENSATION PROJECT PROPOSAL WITH AMERIBEN, HUMAN RESOURCE CONSULTING, TO REVIEW ALL FLSA EXEMPT CLASSIFICATIONS.

**STAFF REPORT:** Human Resource Director Melissa Tosi noted that the last classification and compensation study for the City was completed in 2017 and since then the Human Resources has done many analyses of hourly classifications to ensure market and internal equity. She said that the FLSA exempt salaried positions would benefit from an outside review due to the higher wages, the larger percentage difference between pay grades, an updated review on paygrade leveling, and incorporating the Police Captains into the pay structure. She added that this compensation project will look at FLSA exempt positions which range from pay grade 14 to pay grade 21 which is approximately 35 classifications. She explained that the Police Captain classification is the only exempt classification that is leveled outside the City's structure. Ms. Tosi said that Ameriben Human Resource Consulting will provide the following: job valuation for internal equity; pay structure chart refinement; and executive summary final report of all completed tasks, methodology, findings, and recommendation. She shared that the completion timeline is 60 days and the proposed cost for the project is \$9,875 to be paid from the city's fund balance. The project cost not currently in the budget, and will use the City's fund balance.

**DISCUSSION:** Councilmember Wood stated that she agrees with the concept in ensuring that the exempt employees are paid appropriately, however she disagrees with the method and suggests that this be done by HR staff or through a committee process. She pointed out several issues such as the pay philosophy, which is not yet determined, external comparison to other agencies, and the actual job description are not included in the project. She said that the Fire Chief and Police Chief in other cities are the highest paid employees, hence it is important to look at the job description, liability, and the skills set. She believes that the City can have a pay structure just for the fire department, as such with the police, and another pay structure for exempt employees. She added that she is hesitant to provide \$10,000 funding and not getting sufficient information. She recommended to the Council not to approve the proposal. Councilmember Gookin stated that he concurs with Councilmember Wood and asked for clarification of the City's pay philosophy, to which Ms. Tosi explained that the equal pay act is incorporated in the job descriptions in

consideration of the effort, supervisory responsibilities, liability with the city, and liability with the position. Councilmember Gookin said that the system seems to be broken having to fit the pay structure into one system when there should be three: police, fire, and regular city employees. He stressed that the police and fire have a special skill set that should not be compared to other employees. Ms. Tosi explained that Ameriben will look at the whole picture. She said that the police department used to be leveled in the current pay grade system, but now they are separated, and the lieutenants are now paid the same as all the department heads. She mentioned that the collective bargaining agreement drives up the wages because it is approved outside the internal equity structure and will keep on increasing, and then there's another structure that only moves based on cost-of-living adjustments, and as such creates an issue. She added that aside from the police, there are other positions that needs to be evaluated such as the attorneys which in their recent recruitment process, it was a challenge to find a qualified attorney that would want to work for the City because of the wage offer. Councilmember Evans stated that this is a routine practice in her experience outside the city and it is critical to ensure the retention of staff. She inquired on how often this study is done, to which Ms. Tosi replied that it is generally conducted within 5-7 years. She added that last year, the Wastewater Department was evaluated; however, for this proposed study, only the exempt positions will be included for analysis. She mentioned that the City is currently a member of the Northwest Data Exchange that has comparable wage data, and she can also make use of the consultant hours. Councilmember English said that it is better to have a broader study to get more valuable input. Councilmember Wood reiterated that she is not opposed to the proposal, and she also wants to make sure that the 35 exempt employees are paid appropriately, and the Council can do a merit increase this year, but she would like to have a more comprehensive study.

**MOTION:** Motion by Wood, seconded by English, to deny Resolution No. 24-025 – Approval of compensation project proposal with Ameriben, Human Resource Consulting to review all FLSA exempt classifications, and that the Council will address the matter through the budget process and to examine a possible merit increase this year for the 35 exempt positions.

**DISCUSSION:** Councilmember McEvers mentioned that there is competition, and some employees chase the money like one would work in Spokane but lives in Coeur d'Alene because the pay is higher there. Ms. Tosi replied that the goal is to pay the positions within the market range, and it is important to provide equitable wage. Councilmember Evans stated that it is critical to look into this because of the struggle with retention and hiring of employees. Regardless of what approach to use, she suggested to amend the motion and asked Ms. Tosi to submit to the Council a more comprehensive evaluation. Councilmember English added that the cost of the comprehensive study should be included. Ms. Tosi stated that the full classification compensation plan that was started in 2016 for all the positions was about \$36,000. She added that Ameriben is a company that holds the compensation data for almost all the Idaho cities.

**SUBSTITUTE MOTION:** Motion by Evans, seconded by Gookin, to table the approval of compensation project proposal with Ameriben, Human Resource Consulting to review all FLSA exempt classifications, and to have the Human Resource Director Melissa Tosi submit a comprehensive plan within the next six months.

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

**RECESS:** The Mayor called for a 5-minute recess at 7:54p.m. The meeting resumed at 8:01p.m.

**APPEAL OF JOAN WOODARD ON DESIGN REVIEW COMMISSION'S APPROVAL OF THE OF DR-1-24AA; CDA HOTEL, LLC (MARIOTT HOTEL) LOCATED AT 602 & 612 E. SHERMAN AVENUE.**

**STAFF REPORT:** City Attorney Randy Adams outlined the appeal process as mandated by the City Code.

**MOTION:** Motion by English, seconded by Gookin, to table the Design Review Commission's approval of DR-1-24AA; CDA Hotel, LLC (Mariott Hotel) located at 602 & 612 E. Sherman Avenue for 60 to 90 days, and to direct staff to set an agenda item to discuss the amendments to the Municipal Code 17.09.340(C) on the appeal process.

**DISCUSSION:** Councilmember Gookin agreed to not let Mr. Adams proceed with his presentation to save him and the public their time. Councilmember McEvers requested clarification on the motion, to which Councilmember English clarified that the motion is to table the hearing that is on the agenda for 60 or 90 days and to direct the staff to set an agenda for the discussion on amending the ordinance whether to allow public comment. Councilmember Evans asked for legal opinion on the possible consequences of this motion, to which Mr. Adams replied that there is nothing in the ordinance that requires the Council to hear an appeal within any specific time; however, significant delay could harm the applicant who obviously wants to move forward with the project. He added that the Code only requires the Council to decide within a certain amount of time after submission. Mayor Hammond asked how it will affect the appellant if it will be tabled, to which Mr. Adams replied that it will depend on what the Council will decide to change but a procedural matter such as public comment is not a substantive change. He clarified that the motion is to bring the matter to a future Council meeting because a change in the ordinance is not included in tonight's agenda, but the Mayor as Chief Administrative Officer can direct staff to table it for a future meeting. Councilmember Gookin stressed that it should be the entire code discussed and not just about public comment. Councilmember Evans stated that, having spent six years on the Planning Commission prior to serving in the Council, she stressed that the intent of quasi-judicial hearing is to ensure due diligence and a fair hearing, hence she asked the City Attorney to clarify if the Council can amend the code to allow new evidence to be presented. Mr. Adams answered that the current code as it is written does not allow for more testimony or more evidence at the hearing. Mayor Hammond stated that the motion is to table the appeal hearing and to direct staff to set an agenda item to discuss the amendments to the code. Councilmember Gookin requested a refund to Ms. Woodard because the appeal hearing was cancelled but Councilmember English clarified that there will still be a final hearing. Mr. Adams stated that it is not on the agenda and could be addressed at a future meeting.

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



## RESOLUTION NO. 24-029

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A PARKING AGREEMENT BETWEEN TOLL SOUTHWEST, LLC, AND TOLL BROTHERS AT ATLAS WATERFRONT HOMEOWNERS ASSOCIATION, INC., FOR ACCESS AND PARKING FOR THE BENEFIT OF 2919 N. HEARTWOOD ROAD TO PROVIDE COMMERCIAL PARKING LOCATED ON ADJACENT PROPERTIES.

**STAFF REPORT:** Community Planning Director Hilary Patterson noted that the Atlas Waterfront Planned Unit Development (PUD) Areas 3 and 4 were purchased by Toll Brothers for the development of townhouses and a 1,128 square foot commercial building in Area 4 for a restaurant/retail use. She said that the Atlas Waterfront PUD and Request for Proposals process required that the project include a mixed use or commercial use on the southeast corner of Area 4 with 500 square feet minimum of retail/restaurant on the ground floor and that the site was designed to have all parking for the townhouses be in garages off the alley. Ms. Patterson explained that the commercial parcel is not large enough to accommodate onsite parking for the use; however, the four adjacent townhouse parcels to the north of the commercial parcel have been designed with adequate space behind the structures to provide for exclusive parking for the commercial use and a two-way drive aisle to accommodate parking and access for both the residential and commercial uses. She added that a building permit for the commercial building has been submitted and reviewed but cannot be signed off on until the parking requirement has been satisfied. She explained that the City's Municipal Code, 17.44.190, allows for off street parking or loading spaces to be located to another lot, provided that the owner or owners of both lots prepare and execute to the satisfaction of the City Attorney, an agreement, to be approved by the City Council and recorded with the County, guaranteeing that such parking and/or loading spaces will be maintained and reserved for the use served for the duration of said use. She mentioned that offsite parking for a commercial use shall be within four hundred feet (400') of the lot containing the activity being served and within a zoning district that permits public parking lots (MC 17.44.250). Ms. Patterson noted the following: the code requirements have been met for the location of the commercial parking, including an accessible route; PUD standards have been exceeded for required commercial parking spaces; commercial parking would not impair the residential parking; the City Attorney has reviewed the Parking Agreement and associated Easement; and termination of the Parking Agreement and/or Access and Parking Easement shall only be terminated with written consent of the City.

**DISCUSSION:** Councilmember McEvers asked if it will make a difference if the use is changed, to which Ms. Patterson clarified that the PUD required that there will be a commercial use in that corner and based on the size of the footprint of the building, the coffee shop does not have adequate room for any parking on site. She added that the code allows for off-site parking so it will provide four parking spaces which exceeds what is required by the PUD. Councilmember Wood stated that from the very beginning in the PUD, that area was identified as preferred commercial area and she is glad that they were able to find some parking which is amenable to everyone and fits the original vision of the Atlas site. Councilmember Gookin inquired how many parking spaces is required given the building size of the food and beverage building, to which Ms. Patterson answered that it is quite small and based on the use would be just one additional space. She added

that there is parking on both Heartwood and Atlas as well as across the street on Atlas. She further agreed that the developer believes that he can lease this out.

**MOTION:** Motion by Evans, seconded by Wood, to approve **Resolution No. 24-029** – Approval of an Off-site parking agreement with Toll Brothers for 2919 N. Heartwood Road.

**DISCUSSION:** Councilmember Gookin stated that he will oppose the motion because the onsite parking is inadequate to support the business. He said that aside from the customers, parking for the employees should also be considered. He cited an existing coffee shop at Northwest Boulevard which is a high traffic and high visibility area; however due to inadequate parking, the coffee shop was losing customers. He said a business should have adequate onsite parking to be successful.

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

### **RESOLUTION NO. 24-030**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING THE LOWEST RESPONSIVE QUOTES OF, AND AUTHORIZING AGREEMENTS WITH, BADGER METER, INC., FOR THE PURCHASE OF NEW WATER METER BODIES AND ORION LTE ENDPOINTS.

**STAFF REPORT:** Assistant Water Director Glen Poelstra noted that the Water Department began the Meter Change Out Program (MCOP) in 2005 due to significant undocumented water loss, and since then has an annual MCOP plan that will eventually replace all 20,000 meters in the City over a 10-year cycle because this is the typical lifespan of an average water meter radio read battery. He explained that once a meter reaches 10 years, it may lose its accuracy along with imminent battery failure and the Orion radio read ceases to work. He said that the City changes an average of 1500-2000 meters a year, depending on the location, and that the water meters be replaced or rebuilt once they reach above a 3% loss of water recording accuracy which is on the average of 10 years. Mr. Poelstra said that they solicited three separate quotes for each component of the water meter, and Badger Meter was the lowest responsive quote for both the water Meter Bodies and the Orion LTE Endpoints. He explained that the lowest responsive quotes were from Badger Meter in the amount of \$83,376.96 for 652- ¾", 97-1", 17-1 ½", and 15-2" meter bodies with General Pacific at \$124,836 and then H.D Fowler at \$150,020.13 while the lowest quote for 781 Orion LTE Endpoints was from Badger Meter in the amount of \$85,925.62 with General Pacific at \$147,609, and H.D. Fowler at \$176,818.40. It was recommended that the City Council award the lowest responsive quotes and approve the purchase agreements with Badger Meter for acquisition of new Badger Meter Bodies and Orion LTE Cellular Endpoints for the subsequent amounts of \$83,376.96 (meter bodies) and \$85,925.62 (Orion Endpoints).

**DISCUSSION:** Councilmember Gookin asked why they are replacing the meters and not just the radio, to which Mr. Poelstra explained that they can do that and they can replace the registers too because they become out dated with the radio as well. He added that the USB is a unique port that if it gets broken, then they lose communication with the radio and register, and sometimes those have to be replaced individually. Councilmember McEvers inquired on the radio's security where

someone can drive down the street and read other people's meter. Mr. Poelstra replied that it will be difficult to hack because it has an 8-digit number that is associated with that unit alone.

**MOTION:** Motion by Evans, seconded by McEvers, to approve **Resolution No. 24-030** - Approval of a contract to Badger Meter for purchase of new water meter components for acquisition of new Badger Meter Bodies and Orion LTE Cellular Endpoints for the subsequent amounts of \$83,376.96 (meter bodies) and \$85,925.62 (Orion Endpoints).

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

### **RESOLUTION NO. 24-031**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING THE TRANSFER OF STRUCTURAL FILL MATERIAL FROM CITY PROPERTY ON ATLAS ROAD NORTH OF AND ADJACENT TO INTERSTATE 90 TO IGNITE CDA IN EXCHANGE FOR UNSUITABLE SOILS FROM THE ATLAS MILL SITE ("MT. HINK") FOR THE PURPOSE OF FACILITATING CONSTRUCTION ACTIVITIES AT THE ATLAS MILL SITE AND THE CONSTRUCTION OF A STORMWATER INFILTRATION POND AS PART OF THE IDAHO TRANSPORTATION DEPARTMENT'S I-90 EXPANSION PROJECT.

**STAFF REPORT:** City Administrator Troy Tymesen noted that the Idaho Transportation Department (ITD) previously transferred a parcel of property on Atlas Road north of and adjacent to Interstate 90 to the City for a possible well site for the City's Water Department. He said that after a test well was drilled, the Water Department determined that the Property was not viable for a groundwater well, and the ITD approached the City and requested that the City transfer the property back to the State for use as a stormwater infiltration pond as part of its I-90 expansion project. He explained that discussions were held between ignite cda, ITD, and the City, after which ignite cda requested to use approximately 75,000 cubic yards of structural fill from the property for filling the Atlas Phase 3 excavation which resulted from the hauling of unsuitable "Mt. Hink" material to the Ramsey Road pit. He added that in exchange for the structural fill, ignite cda will back haul approximately 60,000 cubic yards of structurally unsuitable "Mt. Hink" soils to the property. Mr. Tymesen stated that the soil from Mt. Hink is suitable for a stormwater infiltration pond and ignite will finish grade the swale site to ITD's desired configuration and the City will then transfer the property back to ITD prior to October 4, 2024. Further, he noted that the City Streets and Engineering Department has determined that the construction of the stormwater infiltration pond and transfer of the Property to ITD will not impact the future Atlas Road expansion. He stated that ignite will pay for the transport of soils and there will be no financial costs to the City. Mr. Tymesen said that the goal is to get the project done in two months.

**DISCUSSION:** Councilmember Wood said that a lot of people rely on the trail every day and given the timeframe, she is not convinced that it could be rebuilt quickly. She asked for an assurance that the public will not be shortchanged in this project, to which Mr. Tymesen noted that it can be incorporated in the agreement with ignite. Councilmember McEvers inquired on who will shoulder the costs, to which Mr. Tymesen replied that ignite will pay for the costs and the reason why the City is part of it is due to the way ITD can do the transaction and that there is an

engineering firm in the middle that will be paid by ignite. Councilmember English shared that the ignite board is aware of the timing and rebuilding it. Councilmember Gookin said that he cannot support this project because it seems that ignite is literally digging a hole and throwing money into it. Mr. Tymesen stated that this project has made a huge return to the residents for being able to access over 4000 lineal feet of frontage on the Spokane River. He added that ignite has not determined yet what to do with the Mt. Hink property, but it has development potential. Councilmember Evans said that she agrees with Councilmembers Wood and Gookin in minimizing the impact of the project on the trail, hence she suggested to include in the motion a plan to address any trail damage be fixed in the quickest possible time. Councilmember Gookin requested to put an exact date on the timeline such as by July 1<sup>st</sup>.

**MOTION:** Motion by Evans, seconded by McEvers, to approve **Resolution No. 24-031** – Approval of the exchange of soils from City-owned properties to facilitate the construction of a swale and the development of property at the Atlas Mill site and to include a plan to address damage to the trail by July 1, 2024.

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

**LEGISLATIVE PUBLIC HEARING) V-24-01 - A PORTION OF HATTIE AVENUE RIGHT-OF-WAY ADJOINING THE NORTH SIDE OF LOT 2, BLOCK 1 OF THE SHAE ESTATES PLAT, CONTAINING 988 SQUARE FEET, MORE OR LESS.**

#### **COUNCIL BILL NO. 24-1003**

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, VACATING A PORTION OF HATTIE AVENUE RIGHT-OF-WAY AS SHOWN IN THE PLAT OF SHAE ESTATES, RECORDED IN BOOK L OF PLATS ON PAGE 837, RECORDS OF KOOTENAI COUNTY, COEUR D'ALENE, IDAHO, GENERALLY DESCRIBED AS A PARCEL OF LAND ADJOINING THE NORTHERLY BOUNDARY OF LOT 2, BLOCK 1 OF SAID PLAT; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

**STAFF REPORT:** City Engineer Chris Bosley noted that the applicant, Cassandra Lindquist, CL Properties, requested the vacation of a portion of Hattie Avenue right-of-way that adjoins the northerly boundary of the property on the south side of Hattie Avenue (114 E. Hattie Avenue). He said that the requested right-of-way was originally dedicated to the City of Coeur d'Alene in the Novaks Addition plat in 1964 and then replated to the Shae Estates plat in 2023. He added that the vacation of the requested right-of-way would not have any financial impact on the City and would add approximately 988 square feet to the County tax roll. Mr. Bosley stated that the purpose of the request was to vacate a portion of public right-of-way on Hattie that was used for a turnaround that no longer exists, and all utilities are existing and in place, and there is no foreseeable use for the additional right-of-way. The Development Review Team was informed about this vacation. Mr. Bosley noted that he sent out 24 certified mailings with 2 favorable responses.



**DISCUSSION:** Councilmember McEvers noticed that it is wider at the intersection that it is further in, to which Mr. Bosley replied that it may have been widened out at the time to include a left turn lane.

**MOTION:** Motion by McEvers, seconded by Evans, to dispense with the rule and read **Council Bill No. 24-1003** once by title only.

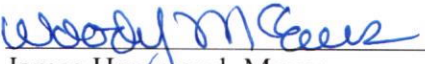
**ROLL CALL:** Evans Aye; McEvers Aye; Gookin Aye; English Aye; Wood Aye. **Motion carried.**

**MOTION:** Motion by McEvers, seconded by Evans, to adopt **Council Bill No. 24-1003.**

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

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

The meeting adjourned at 8:55p.m.

  
James Hammond, Mayor  
MAYOR PRO TEM

ATTEST:

  
Jo Anne Mateski  
Executive Assistant