

WELCOME
To a Regular Meeting of the
Coeur d'Alene City Council
Held in the Library Community Room

AGENDA

VISION STATEMENT

Our vision of Coeur d'Alene is of a beautiful, safe city that promotes a high quality of life and sound economy through excellence in government.

The purpose of the Agenda is to assist the Council and interested citizens in the conduct of the public meeting. Careful review of the Agenda is encouraged. Testimony from the public will be solicited for any item or issue listed under the category of Public Hearings. Any individual who wishes to address the Council on any other subject should plan to speak when **Item F - Public Comments** is identified by the Mayor. The Mayor and Council will not normally allow audience participation at any other time.

6:00 P.M.

April 4, 2017

A. CALL TO ORDER/ROLL CALL

B. INVOCATION: Pastor Will Hoffman, Hayden Community Church

C. PLEDGE OF ALLEGIANCE

D. AMENDMENTS TO THE AGENDA: Any items added less than forty eight (48) hours prior to the meeting are added by Council motion at this time.

E. PRESENTATIONS:

1. Proclamation of Crime Victims' Rights Week – April 2-8, 2017

Received by: Sara Westbrook

2. Proclamation of Fair Housing Month – April 2017

Received by: Ali Taylor, Executive Officer of the CdA Association of Realtors

F. 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 March 21, 2017 Council Meeting.
2. Approval of Bills as Submitted.

3. Approval of the General Service Meeting Minutes from the meeting held on March 27, 2017.
4. Setting of General Services and Public Works Committees meetings for April 10, 2017 at 12:00 noon and 4:00 p.m. respectively.
5. Setting of a Public Hearing on April 18, 2017 for V-17-4 - Vacation of alley right-of-way within a portion of Block 3, Kootenai Addition in the City of Coeur d'Alene and Vacation of right-of-way of a portion of Melrose Street
6. Approval of an Outdoor Eating Permit for Crafted and Victory located at 519 and 523 Sherman Avenue.
7. Approval of Final Plat for SS-8-16 – Zanetti First Addition
8. **Resolution No. 17-020**
 - a. Approval of amendments to Personnel Rule XXI, entitled “Drug/Alcohol Policy”
 - b. Approval of a Memorandum of Understanding with the State of Idaho Fire Service technology
 - c. Approval of a Memorandum of Understanding with Kootenai Fire and Rescue
As Recommended by the General Services Committee

G. PUBLIC COMMENTS: (Each speaker will be allowed a maximum of 3 minutes to address the City Council on matters that relate to City government business. Please be advised that the City Council can only take official action this evening for those items listed on the agenda.)

H. ANNOUNCEMENTS

1. **City Council**
2. **Mayor - Appointments**
 - a. Phil Ward to the Design Review Commission
 - b. Tom Messina and Lynn Fleming to the Planning Commission

I. GENERAL SERVICES:

1. City Park Workers Memorial

Staff Report by Bill Greenwood, Parks and Recreation Director

J. OTHER BUSINESS

1. Coeur d' Alene Lake Drive jurisdictional transfer

Presented by Phil Boyd, Welch Comer

2. Declaration of zero value and intent to convey property to Lakes Highway District, the City of Hayden and the City of Dalton Gardens property located along Government Way and setting of a public hearing for May 2, 2017.

Staff Report by Mike Gridley, City Attorney

3. A-5-16 - Kobold Annexation

Pursuant to Council Action on December 20, 2016

- a. **Resolution No. 17-021** - Approval of an annexation agreement with Michael H. Kobold, Trustee of the Michael H. Kobold Living Trust
- b. **Council Bill 17-1001**- Ordinance approving the Kobold Annexation

K. EXECUTIVE SESSION: Idaho Code 74-206 (c) to acquire an interest in real property which is not owned by a public agency and (d) to consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code.

L. RECESS: April 6, 2017 for a workshop with staff regarding the City Hall ADA remodel project, to be held in the Old Council Chambers, within City Hall, at noon, 710 E. Mullan Avenue.

This meeting is aired live on CDA TV Cable Channel 19



Coeur d'Alene

CITY COUNCIL MEETING

April 4, 2017

MEMBERS OF THE CITY COUNCIL:

Steve Widmyer, Mayor

Council Members Edinger, English, Evans, Gookin, McEvers, Miller

PRESENTATIONS

PROCLAMATION

WHEREAS, Idahoans are the victims of nearly 3,500 crimes each year, affecting individuals, and communities; and

WHEREAS, providing victims with knowledge of their rights and available services further strengthens their ability to recover by restoring a sense of self-empowerment; and

WHEREAS, victims who feel heard, understood and supported are more likely to disclose their victimization, seek services, and participate in the justice process; and

WHEREAS, a multidisciplinary response, involving collaboration among victim service professionals, criminal justice officials, legal professionals, medical and mental health providers, and community leaders is essential to reach and serve all victims—especially those who are marginalized, have disabilities, or live in remote locations; and

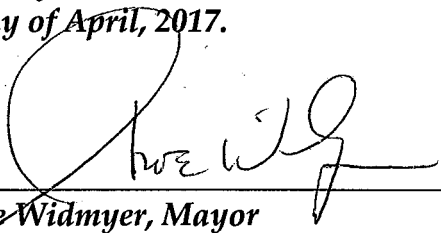
WHEREAS, the city of Coeur d'Alene is dedicated to strengthening victims and survivors in the aftermath of crime, building resilience in our communities and our victim responders, and working for justice for all victims and survivors; and

NOW, THEREFORE, I STEVE WIDMYER, Mayor of the City of Coeur d'Alene, Idaho, do hereby proclaim April 2nd to April 8th, 2017, as

"CRIME VICTIM'S RIGHTS WEEK"

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of Coeur d'Alene to be affixed this 4th day of April, 2017.





Steve Widmyer, Mayor

ATTEST:


Renata McLeod, City Clerk

PROCLAMATION

WHEREAS, on April 11, 1968, President Lyndon Johnson signed the Civil Rights Act of 1968. The 1968 Act clarified the prohibition of discrimination regarding the sale, rental, and financing of housing based on race, religion, national origin, sex (and as later amended) disability, and family status; and

WHEREAS, it has been 49 years since the enactment of the 1968 Act and the community of Coeur d'Alene continues to work together to uphold the Fair Housing law and the principal of equal opportunity on which it is based; and

WHEREAS, this month is deemed Fair Housing month, and should be a celebration of laws and efforts of citizens to remove impediments to equal housing opportunities, and to emphasize and ensure the rights of all citizens in an effort to provide housing choice; and

WHEREAS, Equal opportunity housing can best be accomplished through leadership, example, education, and the mutual cooperation of all those affiliated with real estate industry and the public; and

WHEREAS, the City of Coeur d'Alene supports the on-going efforts of the many organizations, housing and service providers through continued education, and outreach to affirmatively further fair housing;

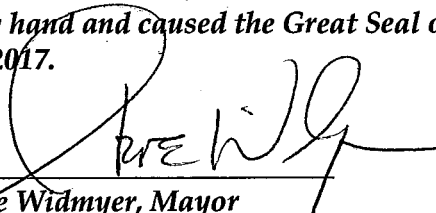
NOW, THEREFORE, I STEVE WIDMYER, Mayor of the City of Coeur d'Alene, Idaho, do hereby proclaim April, 2017 as

"FAIR HOUSING MONTH"

In Coeur d'Alene, Idaho and ask the people to join in reaffirming their commitment to fair housing opportunities for all and to wholeheartedly recognize these rights throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of Coeur d'Alene to be affixed this 4th day of April, 2017.




Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

CONSENT CALENDAR

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

March 21, 2017

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 March 21, 2017 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

Dan Gookin) Members of Council Present
Kiki Miller)
Dan English)
Woody McEvers)
Loren Ron Edinger)
Amy Evans)

CALL TO ORDER: Mayor Widmyer called the meeting to order.

PLEDGE OF ALLEGIANCE: Councilmember McEvers led the pledge of allegiance.

VISION 2030 UPDATE: Ryan Nipp, Vision 2030 Board Chairman, presented an update on the progress of the CDA 2030 initiatives. He noted that in 2013 an effort began to create a community vision and goals. Information was gathered through public forums workshops, surveys, opinion polls, and interviews. As a result of the effort involving thousands of citizens, a long range vision and implementation plan for Coeur d'Alene was created. On June 17, 2014, the Coeur d'Alene city council passed a resolution approving the vision statement and implementation plan. Mr. Nipp commented that the vision is robust and the goals are far reaching. There are 38 lead partners selected to execute the action items. CDA 2030 is a non-profit entity consisting of one full-time staff member and one part-time staff member, 20 board directors, and committee members to carry out mission of the CDA 2030 vision and implementation plan. Over the past year, five new board members have been added: John Young, Nick Swope, Mike Kennedy, Erin McClatchy, and Michael Nail. Mr. Nipp said that CDA 2030 represents a broad spectrum of organizations within the community including very well connected leaders who are passionate about the community. In addition to funding support from the City of Coeur d'Alene and ignite cda, CDA 2030 received over \$17,000 from individuals and organizations. They are continually engaged and educating citizens with CDA 2030 updates on social media, a quarterly report, and on their website. CDA 2030 was awarded three grants this past year: \$2,000 from the Coeur d'Alene Rotary Club for a bike repair station at McEuen Park, \$5,000 from Blue Cross of Idaho for community health services, and \$8,000 from United Way to purchase a workplace excellence series, which provides needed training and soft skills for the unemployed and underemployed. In addition, CDA 2030 hosts an annual celebration promoting Vision 2030 and its progress, which attracted hundreds of attendees. Staff

monitored and tracked the lead partners on all action items within the plan. To date, 55 action items have been implemented and 77 are underway. Mr. Nipp said that he is excited about the goals for 2017, including an update of the implementation plan by this summer. The implementation plan is a living and breathing document which requires attention and change over time. They will continue to track and monitor the plan, increase outreach and awareness, and they have a goal to increase donations from \$17,000 to \$30,000 this year. They have also completed a new marketing package and revised donor levels. Another goal is to provide resources from CDA 2030 committees to support action items, which will have significant impact on the community. Mr. Nipp commented that the City of Coeur d'Alene has made important investments with organizations and they believe this decision was the right one. In regard to return on investment, Mr. Nipp said that they are currently leveraging an annual \$45,000 investment into something far greater and more impactful than can be imagined, if it was managed internally by the City. The board of directors consists of the best individuals our community can offer. The group is growing and evolving into new roles that no one would imagine at their creation. Mr. Nipp said that now is the time to maintain, if not increase support, in order to protect important investments already made.

Mark Hurtubise, President and CEO of Inland Northwest Communities Foundation (INCF) provided a testimonial. He congratulated the council on being elected to oversee one of the gems of regional areas in the United States. He commented that the INCF began looking at how they could collaborate with community leaders to proactively determine how they can effectively measure investments in a sustainable manner. When they started to look at North Idaho and looked at Vision 2030, they saw what a phenomenal collaborative model was already in place, and looked at vision 2030, they saw what a phenomenal collaborative model was already in place, and discussed replicating what they have done with Rogers High School in this community. Mr. Hurtubise noted that 3,000 K-3 age children are below reading comprehensive levels. If they can create a model in this community that shows measurable improvement in the children, it could be replicated throughout the entire state. They tried to design a collaborative co-funding model of a \$600,000 grant over a 3 year period of time working with about 10 non-profits, the University of Idaho, the school district, and other players. He noted that other foundations and organizations are watching carefully and are interested in coming in as players. The City's involvement and participation is important because through this process it is indirectly cultivating other funders who will want to participate once they see measured success.

Mr. Nipp thanked the City Council for their support of CDA 2030 and thanked Councilmember Miller for her service on the board. He asked for continued support so they can complete their mission in realizing the community's vision for a bright future.

Councilmember Gookin thanked Mr. Nipp, Nicole Kahler, Dr. Buck, etc. for their work on CDA 2030. He noted that one of his concerns when it was first adopted was that it was going to be put on a shelf, but it hasn't, and awesome community members are contributing to keep it going. Councilmember Miller thanked Mr. Nipp and the Vision 2030 board members.

CITY FINANCE REPORT: Troy Tymesen, City Treasurer, presented a review of the City's finances. He reviewed the cash and investment report, showing investments for the City at the

end of February. He noted that the money is insured with the safest of investments on all of their deposits. Mr. Tymesen also reviewed the budget status report for the five months ended February 21, 2017, including personnel services and services/supplies. He noted that Parks & Recreation has not started hiring yet, and Streets will be a little ahead of what they had anticipated due to the winter. They planned for seven full city-wide plows this year, and the number of plows was eight. There was also a large amount of deicer used, along with other expenses. Mr. Tymesen said that they will do their best to watch expenses in the spring and summer and that the Streets Department does a good job of working with other departments in providing overlay services, which are charged back to that department. The PD capital outlay high due to six cars that were acquired which were not anticipated, but which were approved the second meeting in October. The General Fund numbers are pretty solid and Mr. Tymesen doesn't see any major anomalies at this point in the fiscal year. He commented that there are a large number of capital projects coming forward. Mr. Tymesen reviewed the cash balances on hand and noted that they don't have to do tax anticipation notes. The City has about \$14 million in cash at the end of February, a big chunk of which is property taxes which they received in January. Mr. Tymesen also reviewed the Special Revenue funds and noted that the City continues to be very good stewards of the citizens' dollars. LIDs are well under 100 properties and they are handled internally. The City does not always take the 3% property tax increase that is allowed. Last year the City took 2 ½% and the three previous years it didn't take anything. Mr. Tymesen also reviewed General Fund anticipated revenues, property taxes, intergovernmental receipts and licenses and permits, which make up 91% of revenue to the General Fund. He commented that it appears that the building season will be robust and noted that department heads do a very good job of watching personnel costs, which account for 84% of the budget. The Fund Balance is 20.82% of the Fiscal Year 2016 amended plan. The Government Finance Officers Association (GFOA) suggests that the City is in a good zone with its cash on hand based on the size of the City and its budget. Mr. Tymesen reviewed the city valuation and levy rate.

Councilmember Gookin asked where the extra sales tax money came from. Mr. Tymesen responded it was from intergovernmental and noted that they work with the Association of Idaho Cities as well as the State Tax Commission to forecast that number. Mr. Tymesen also commented that the new Amazon sales tax will also be positive. Councilmember Gookin asked what is the minimum fund balance that is recommended by the GFOA. Mr. Tymesen said that a single digit percentage is running very thin operationally.

Councilmember Edinger asked how the Street Department is doing with the potholes and winter. Mr. Tymesen said that the overtime costs are greater than they had anticipated and there are additional deicer expenses. He commended Tim Martin and his team for the cost savings on deicer and noted that they blend their own deicer which saves the City hundreds of thousands of dollars for a very good product. Mr. Tymesen said that he is confident that the Streets budget overage can be made right with the summer overlay.

Mayor Widmyer asked emergency road funding at the state level. Mr. Taylor said that the legislature has been working on a bill for \$52 million in emergency funds that would be distributed to local communities who apply for the money.

Councilmember McEvers asked Mr. Tymesen to talk about what citizens get for their property taxes. Mr. Tymesen said that citizens receive the best public safety in the state of Idaho, a very solid Kootenai County emergency medical services system, parks that are extraordinary, a waterfront that is amazing, good streets, recreational programs that are well priced, a clean, safe community, good streets, recreational programs that are well priced, and a clean safe community that is good to do business in.

CONSENT CALENDAR: Motion by McEvers, second by Evans to approve the consent calendar.

1. Approval of Council Minutes for the March 7, 2017 Council Meeting.
2. Approval of Bills as Submitted
3. Approval of the Financial Report
4. Approval of the Public Works and General Services Committee Meeting Minutes from the meetings held on March 13, 2017
5. Setting of General Services and Public Works Committees meetings for March 27, 2017 at 12:00 noon and 4:00 p.m. respectively
6. Setting of a Public Hearing on April 18, 2017 for V-17-2: Vacation of Portion of W. Garden Avenue Right-of-Way
7. Approval of a Beer and Wine License to Coeur d'Alene Fresh, 317 E. Coeur d'Alene Avenue (New); Marla J. McWilliams
8. Approval of a final plat for SS-2-17, Wilky Tracts Subdivision
9. **RESOLUTION NO. 17-015-** 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: SS-3-17, SUBDIVISION IMPROVEMENT AGREEMENT & SECURITY AND FINAL PLAT FOR KAT TRACTS SUBDIVISION; SS-5-16, SUBDIVISION IMPROVEMENT AGREEMENT & SECURITY AND FINAL PLAT FOR HAAGENSON ADDITION SUBDIVISION; DECLARATION OF SURPLUS PROPERTY FOR THE LEGAL DEPARTMENT; A LEASE AGREEMENT WITH THE COEUR D'ALENE ARTS & CULTURE ALLIANCE FOR THE RIVERSTONE CONCERT SERIES; AN AGREEMENT WITH HANDSHAKE PRODUCTIONS, INC., FOR THE 2018, 2019, AND 2020 ROTARY LAKESIDE BANDSHELL CONCERT SERIES; REQUEST FOR DESTRUCTION OF PUBLIC RECORDS; AMENDMENT NO. 4 TO THE CITY-CONSULTANT AGREEMENT WITH WELCH COMER & ASSOCIATES, INC., FOR THE SELTICE WAY IMPROVEMENTS - CONSTRUCTION PHASE SERVICES; A PURCHASE AND SALE AGREEMENT WITH K-MED, LLC, AND TEMPORARY CONSTRUCTION EASEMENT FOR THE IRONWOOD DRIVE PROJECT, WITH WARRANTY DEED; ACCEPTANCE OF A GRANT DEED FROM SAM INVESTMENTS, LLC, AND TEMPORARY CONSTRUCTION EASEMENT, FOR THE EMMA AVENUE SIGNALIZATION PROJECT; ACCEPTANCE OF A GRANT OF EASEMENT FROM KOOTENAI COUNTY AND THE COEUR D'ALENE TRIBE FOR A SHARED-USE PATH ALONG SELTICE WAY; AND A COOPERATIVE FUNDING AGREEMENT WITH THE CITY OF DALTON GARDENS AND THE CITY OF HAYDEN FOR THE 2017 CHIP SEAL PROJECT.

DISCUSSION: Councilmember Gookin explained that the Seltice Way agreement with Welch Comer is an ongoing agreement which council has already discussed, so it seemed pretty routine. The construction easement around the hospital and the Seltice Way easement are for ongoing projects council had discussed before. He noted that he hopes that the public is aware of the big construction season coming up.

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

PUBLIC COMMENTS:

Rita Sims Snyder, Coeur d'Alene, added her comments in regard to a letter that was sent to the council from Roger Smith. She noted that she is a member of the East Mullan historical neighborhood and a resident who has lived on Front Avenue. The East Mullan neighborhood worked diligently to make changes to the infill overlay. This was necessary because at the time there were some incompatible projects being planned. Most recently they have been interested in the Shady Pines project on Mullan Avenue and felt that it was not compatible with the intent of the infill overlay. They were left with very little options to be heard and were not allowed to give input on the mass, the high density, removal of all but one tree, and the alley being used as the only ingress and egress for over 60 apartments. They were told that these concerns were not in the oversight of the Design Review Commission. Ms. Sims Snyder said that no one considered the overall impact on the historic neighborhood and that density seems to be the priority. She commented that the project is proposed in an already heavy traffic and parking-saturated area. The required parking is provided but Ms. Sims Snyder said that we all know there will not be sufficient parking for tenants and visitors. She commented that their small street size is squeezed to the limit and we need to step back and take a look at the direction infill and other historic areas are headed. As encroachment creeps along one project at a time, it is encouraging the destruction of the historical neighborhood. There is very little left that would be considered in transition or in need of urban renewal. Ms. Sims Snyder requested more guidance, oversight and protection.

Councilmember Gookin asked for an update from staff. Mr. Taylor said that they are working with the Planning Department to put together an annual work plan to help guide the hundreds of different projects the department has been tasked with over the last few years and are trying to provide a better and more robust outline for priorities. Mr. Taylor said they are hoping within the next month to bring the plan forward to the Planning Commission and city council.

Councilmember Gooking asked Ms. Sims Snyder to comment on the progress of the carousel since Ms. Sims Snyder is one of the board members of the Carousel Foundation. Ms. Sims Snyder said that the building now has a roof and doors, with windows coming soon. She commented that they are still fundraising and asked that anyone interested in donating visit their website at cdacarousel.com for fundraising opportunities. The grand opening of the carousel is scheduled for June 9th at the First Annual Family Day in the Park and Fancy Flea Market, from Noon until 9:00 p.m.

Patsy Fiaco, Coeur d'Alene, said that she resides on Front Street and has lived here for 44 years. She commented that she wakes up excited that she lives in this neighborhood. She asked if people that come to Coeur d'Alene want to see condos and a city like every other city, or a charming, unique, beautiful town. She asked council to take it into consideration that we have something so special that everybody wants and encouraged council to not give it away.

ANNOUNCEMENTS: There were none.

COUNCIL BILL NO. 17-1007

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF SECTIONS 12.24.020 AND 12.24.025 OF THE CITY CODE RELATING TO SNOW AND ICE REMOVAL; PROVIDING FOR THE REPEAL OF OTHER CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

STAFF REPORT: (Note: the following staff report and discussion applied to both the snow removal ordinance amendment and the weed control ordinance amendment set forth below.) Police Chief Lee White requested that Council authorize amendments to the snow removal ordinance and weed control ordinance for the City of Coeur d'Alene. He noted that current code provides that a violation of snow removal ordinances are a misdemeanor and require involvement of the City Attorney's office for remedy. This process is often time consuming and may not provide a timely solution to the problem. Additionally, it does not allow Code Enforcement Officers the ability to take immediate enforcement action, if required. The language of the current codes further leads to potential violations which seem not to have been intended by Council. Although there is no immediate financial impact, staff time will be used to enforce the ordinances and fines may be collected; however, the amount of each is difficult to determine. The amendment provides for amendment and repeal of the current ordinance, allows infraction tickets to be issued if the responsible parties are not compliant with warnings, provides for incremental penalty increases and waiving of fees under limited circumstances, and includes an appeal process. The fine penalty will be reviewed annually during the established process for fee and fine review by the Office of City Clerk. The language is clarified to avoid unintended violations of the codes.

DISCUSSION: Chief White said that it has always been the position of the Police Department to gain compliance through communication and working with homeowners, and noted that Code Enforcement Officer Shawn Youngman can't remember the last time they took someone all the way through the legal process for snow removal and they hope to be able to continue to do that. The amendments will streamline the process. Chief White explained that currently all snow removal violations are a misdemeanor, and the current ordinance requires that snow be removed by 9:00 a.m. after a snowfall and only deals with sidewalks in front of property, not all abutting sidewalks.

Chief White said that the weed control ordinance enforcement is problematic and violations are also a misdemeanor and the intent may not be captured in the code language. The proposed

amendment allows for an infraction citation to be issued. He noted that the intent of the amendments is to gain compliance through reasonable ordinances, but to also provide an appropriate enforcement option, if necessary. He further commented that in everything they do, they try to make sure they are balancing public safety interests with the interests of the homeowner.

Councilmember English said that he is concerned about common property areas, such as Coeur d'Alene Place. Chief White said that by the language of the code, any sidewalk would have to be cleared, but as long as there is a method to get from one place to the other without having to walk in the middle of the road, that is the way they would evaluate whether or not to enforce that section of the code.

Councilmember Miller thanked the PD for their proactive and non-heavy-handed approach. She also noted that they have an opportunity to reach out to service organizations and let them know that there is a need. She appreciates staff working through issues to make sure that folks are informed and commented that there is more work we can do. Chief White said they have started the conversation of how they can get information out to citizens in a more usable fashion since some people don't use the internet. They are also looking at possibly doing something with the website that would allow people to find information more easily.

Councilmember McEvers asked about weeds. Chief White said that from the PD perspective, they look at weeds differently from snow as they don't have the same public safety aspect. Code Enforcement officers will give warnings but the intent of the ordinance is relatively similar. Councilmember McEvers asked how the appeals process would work. Chief White said that the Deputy City Administrator will review appeals for snow and weed violations.

Councilmember Gookin said that he received an email from a business owner on Government Way who was concerned about the snow plows pushing snow back on to the sidewalks after it was removed, and wondering if he would receive a ticket if it was something that the City did. Chief White said that he doubts that the individual would be issued a ticket if it is something that the City did. Councilmember Gookin said that he thinks that is an issue that needs to be addressed next year with the Snow Plan.

Councilman Gookin asked about cars that are parked all winter long and buried under snow. Chief White said that volunteers have been dealing with them as they come in and they do present a problem, especially after they are snowed and iced in. He noted that it is not addressed in the ordinance and the biggest thing they do is try to communicate with the owner of the vehicle. He noted that Shawn Youngman has had 12 vehicles towed in the last three months. They do make contact with the vehicle owners, and place a 48 hour sticker on the vehicle, and tow after that period of time. Chief White said that they should probably have a discussion with the council and the Street Department to find out what the intent of the council is in regard to plowing and cars in the street.

Mayor Widmyer acknowledged a letter that he received from a gentleman who was critical of elements of City snow removal. He noted that the City isn't perfect, but it does make a great effort. He wanted to let the gentleman know that they are going to take the letter to heart and

make required adjustments to their program. The mayor commented that he thinks the proposed amendments are something where we can get better, and that the City isn't out to issue citations, but to have people be able to walk on clear sidewalks.

Motion by Miller, seconded by Gookin, to dispense with the rule and read **Council Bill No. 17-1007** once by title only.

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

Motion by Miller, seconded by Gookin, to adopt **Council Bill 17-1007**.

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

COUNCIL BILL NO. 17-1008

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF CHAPTER 8.08 OF THE CITY CODE RELATING TO WEED ABATEMENT; PROVIDING FOR THE REPEAL OF OTHER CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

STAFF REPORT: (See **Staff Report and Discussion under Council Bill 17-1007**)

Motion by English, seconded by Miller, to dispense with the rule and read **Council Bill No. 17-1008** once by title only.

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

Motion by McEvers, seconded by Evans, to adopt **Council Bill 17-1008**.

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

APPROVAL OF THE USE OF \$90,000 IN IMPACT FEES FOR NEW POLICE BUILDING

STAFF REPORT: Police Chief Lee White requested authorization to spend \$90,000 from

the Police Department impact fee account for completion of the new police building. He noted that the building project approved through the General Obligation Bond is nearly complete. However, bond funds were not planned to be used for built-in cabinets or IT equipment. Impact fees are requested to furnish the building with built-in desks and cabinets, work tables, IT cabling and conduit, snow stops and gutters, a 50 amp breaker for the command vehicle, electronic building access control (to be consistent with design of the headquarters building and new City Hall access control), and pavement/ parking lot work. Previously collected impact fees are available and were part of the plan to fully outfit the building for use. There will be no impact to the general fund for these purchases. At the conclusion of the purchase and installation of the above-mentioned equipment, the building will be complete.

Chief White noted that the last part of the floor was completed earlier this week. The current balance in the PD impact fee account is over \$363,000.

DISCUSSION:

Mayor Widmyer asked Mr. Tymesen to explain impact fees and how they are collected and used. Mr. Tymesen said that impact fees are collected on new residential and commercial building. Impact fees must be used for long term assets that will last at least 10 years. He noted that the requested use is a perfect use for the impact fees because they are putting people in the building who would otherwise be put into the main police building. They City is getting good value by building on land that they currently own and partnering with the G.O. bond to build a space.

Councilmember Gookin asked if there were any plans for the rest of the money in the impact fee fund. Chief White said that at some point they will have to grow their department as they are just about full now at their current location. He noted that they have run into a couple of problems with the current facility and the biggest one is parking in that even if they get the additional square footage into the current building, they don't have sufficient space to put the vehicles. Mr. Tymesen confirmed that impact fees accrue.

Mayor Widmyer commented that the new building is a very simple space with no fills and was completed economically.

MOTION: Motion by Edinger, seconded by Evans to authorize the use of \$90,000 in Impact Fees for new Police Building.

Motion carried.

RESOLUTION NO. 17-016

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ESTABLISHING A POLICY FOR THE AWARD OF DUTY WEAPON, BADGE, AND HANDCUFFS UPON POLICE OFFICER RETIREMENT.

STAFF REPORT: Police Chief Lee White requested that Council declare it a

policy of the City to award their used duty weapon, badge, and handcuffs to those police officers who retire under the regular or medical PERSI provisions, upon the recommendation of the Chief for meritorious service. He noted that police officers often remain in the jurisdiction in which they formerly worked and periodically encounter criminal activity after retiring. In the past, the Police Officer's Association has purchased the used weapon for those retiring officers; however, this practice can be inconsistently applied. Currently, there are two Idaho code sections allowing a retiring law enforcement officer to receive their duty handgun, badge and handcuffs. The first section, IC 67-2901(11), allows for an officer with the Idaho State Police, as long as criteria has been met, to be awarded his badge, duty weapon and handcuffs. The second section, IC 31-830, allows for a retiring Sheriff or deputy county sheriff, as long as they have met the provisions of the public employee's retirement system, be awarded their duty weapon and badge. Neither of these code sections applies to city law enforcement officers. The current value of the items at time of trade-in is \$300.

MOTION: Motion by McEvers, seconded by Edinger to approve **Resolution No. 17-016**, a Policy to Award Duty Weapon, Badge, and Handcuffs upon retirement.

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

Item #5 under Other Business was moved forward on the Agenda.

REQUEST FOR SPECIAL USE PERMIT EXTENSION FOR THE PORT OF HOPE FACILITY LOCATED AT 218 N. 23rd STREET

STAFF REPORT: Hilary Anderson, Community Planning Director, presented a request, on behalf of Port of Hope Centers, Inc. for council approval of an additional six month extension of the Special Use Permit, following a six month extension approval on July 12, 2016 made by the Planning Commission. The original approval, which allowed for a two year continuation of a criminal transition facility in Port of Hope's existing location, was granted to allow the applicant time to find a new location. The Legal Department has reviewed the request and has determined that the Port of Hope can request an additional extension to allow them to complete construction of their new facility in Post Falls. The request, if granted, would allow the facility to operate in its current location until September 1, 2017.

Ms. Anderson presented photos showing the progress of construction in the new facility. She noted that because the council was the first to approve the special use permit, the council would need to extend it because the Planning Commission can no longer grant an extension. She further noted that the Port of Hope would need to continue to comply with all of the conditions of approval of the special use permit, and that there have not been any incidents at the facility. Ms. Anderson confirmed that the Port of Hope is asking for the full six month extension.

DISCUSSION: Councilmember Gookin asked if special use permits expire. Ms. Anderson said not particularly, but there is a condition that allows for a sunset to be applied to a special use permit. In this case there was a condition applied that the permit would sunset at a certain date

because the end goal is not to have the facility in that location and it is a unique situation. She confirmed that whoever buys the property next, if they wanted to do the same thing they would have to reapply.

MOTION: Motion by Edinger, seconded by McEvers to approve the request for Special Use Permit extension for the Port of Hope facility located at 218 N. 23rd Street.

DISCUSSION: Councilmember Miller asked if Port of Hope wasn't able to be out of their facility during the 6 month extension, would they be able to come back again for another extension. Ms. Anderson said that they could come back again, but they would have to come back to the council.

Councilmember McEvers commented that this has been going on since 2013. Ms. Anderson said that the applicant submitted a letter and indicated all of the financial hardships and construction delays they have endured. She noted that they are pushing forward and making progress.

Councilmember Gookin said that he admires Port of Hope and the work they do and wishes the state had a similar program.

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

COUNCIL BILL NO. 17-1009

AN ORDINANCE PROVIDING AMENDMENTS TO CHAPTER 12.36 ENTITLED URBAN FORESTRY BY AMENDING SECTIONS 12.36.010, 12.36.015, 12.36.020, 12.36.105(D), 12.36.115, 12.36.120, 12.36.125, 12.36.200, 12.36.205, 12.36.210, 12.36.235, 12.36.300, 12.36.305, 12.36.400, 12.36.405, 12.36.410, 12.36.430, 12.36.455, 12.36.505, AND 12.36.610, AMENDING ZONING DEFINITIONS 17.02.060, AND 17.07.920(B)(1)(f); AND PROVIDING FOR THE REPEAL OF SECTION 12.36.445 ENTITLED ROOT BARRIERS REQUIRED, OF THE COEUR D'ALENE MUNICIPAL CODE; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE THEREOF.

STAFF REPORT: Katie Kosanke, Urban Forster, presented a request for approval of amendments to various sections of Municipal Code Chapter 12.36 entitled Urban Forestry and repealing Section 12.36.445. Ms. Kosanke noted the ordinance was first established in 1985 and has had only minor changes since then. The Urban Forestry committee made recommendations for additional areas needing improvement and/or clarification. Ms. Kosanke discussed the areas for proposed changes, including various definitions and wording changes for clarification, removing topping as allowable with an approved permit, clarifying fee in lieu of replacement tree, additional provisions for tree service licensing, allowing others to plant trees in the right-of-way, increasing the minimum size of required street trees, adding permits to be required for root pruning of public trees, amending spacing requirements for consistency, including new allowable

technology for root containment, providing for deviations from approved street list requests to go through Urban Forestry Committee, rather than City Council, stump grinding requirement, and penalties for ordinance violations consistent with the appraised value of the damage, for unpermitted removals or topping. The updates to the ordinance provide clarification and updates consistent with tree care industry standards.

DISCUSSION:

Councilmember McEvers asked who pays for the permits. Ms. Kosanke said that the city doesn't have a tree crew and abutting property owners are responsible for the care and maintenance of public trees in the right-of-way. She noted that permits are free and come with information about tree care, etc. Within the last couple of years they have started a new cost share program to help offset the costs that abutting homeowners are having to incur to pay tree services. She noted that the Urban Forestry Committee is working on a master plan and would like to propose the City taking care of trees but that takes a crew of people and a lot of money. One of the goals identified in the Vision 2030 plan was for Urban Forestry to come up with a master plan and for the City to look at caring for the public trees.

Mayor Widmyer said that the property owner benefits from trees that are in the public right-of-way. If the City was to maintain all of the trees, it would probably take a substantial crew and a substantial investment.

Motion by Evans, seconded by Miller, to dispense with the rule and read **Council Bill No. 17-1009** once by title only.

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

Motion by Evans, seconded by Miller, to adopt **Council Bill 17-1009.**

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

COUNCIL BILL NO. 17-1010

AN ORDINANCE PROVIDING FOR THE ENACTMENT OF A NEW SECTION 12.36.460 ENTITLED "TREE PROTECTION PLAN" OF THE COEUR D'ALENE MUNICIPAL CODE; PROVIDING FOR THE REPEAL OF OTHER CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

STAFF REPORT: Katie Kosanke, Urban Forester, presented a request for Council approval of a new section within Municipal Code Chapter 12.36 entitled Section 12.36.460, Tree Protection Plan. Ms. Kosanke noted that currently there are no standards in place to protect trees and tree roots from impact through site development.

This has resulted in dieback of tree branches and/or tree decline and removals which can pose safety risks. The City's Commercial Design standards for C-17 and C-17L zoning include a section regarding preserving private property trees called "Grand Scale Trees." These are large diameter trees on private property within 20' of a public street that a developer can choose to retain for bonus points (FAR (Floor Area Ratio) bonus - more square footage). The intent of this program is to encourage the retention of existing, larger, mature trees on private property (not street trees that are required to be retained unless approved for removal by the Urban Forestry Committee). The developer can receive bonuses for preserving grand scale trees in order to support the natural beauty of Coeur d'Alene. Recently, there were locations where Grand Scale Trees were intended to be preserved, however no measures were put in place to ensure survivability through the development process. The impact of the construction (root cutting, soil compaction, and trunk damage) resulted in tree decline and the trees had to be removed, while the developer had received bonuses for preserving them. With new requirements, developers will need to provide a tree protection plan when preserving grand scale trees. The tree protection will consist of fencing, signs, and mulch supplied by the developer to be in place throughout the duration of the project. City staff time will be needed for pre-site inspections, review of plans, monitoring the site during construction, and increased coordination with the developer. If the tree protection measures are not followed, or the tree fails due to construction impacts within the tree protection zone, the appraised value of the tree will be charged to the developer. The appraised value of the tree will be determined at the beginning of the project following the Council of Trees & Landscape Appraisers Guide for Plant Appraisal. In addition to the appraised value, the developer will also have to plant a 2.5" caliper-sized tree.

Ms. Kosanke commented that the intent of the ordinance is to promote tree retention because of the many benefits they provide within the community. The proposed requirements are simple and easy to follow. The developer can choose to retain the trees. Ms. Kosanke said that they want to work with developers throughout the process to be sure that during development the trees are protected, and if the developer is not responding to concerns about site inspections, they penalties in place for "what if" situations where the developer might say they are going to retain trees and receive the FAR points, but then cut all the roots off the tree. They would also like to have the replacement cost of the trees noted up front. Ms. Kosanke said that a tree that has a 20 inch diameter can have a valuation anywhere from \$6,000 to \$10,000. In addition to paying for the value of the tree, the developer would also need to plant a 2.5 inch caliper-sized replacement tree.

DISCUSSION: Councilmember McEvers mentioned that the people who built the Highway 95 and Wilbur shopping mall tried to save all the trees, and then the wind came and blew them all down. Councilmember Miller suggested that Ms. Kosanke talk to the NIBCA about what kinds of trees would benefit being saved.

Councilmember McEvers asked about the new subdivision on 15th and if there are any "carrots" to offer them to save the trees. Ms. Kosanke said that they are private property trees so they can remove them if they want. None of the trees would qualify for "grand scale trees," but they will all have new street requirements. The proposed tree protection ordinance is just for the C-17 zoning designation.

Ms. Kosake confirmed that the decision to save the trees is option, but the developer can get bonus points for saving grand scale trees. She explained that the bonuses are items such as indoor bicycle parking, patios out front, different design features on the building. The bonus is called a FAR bonus and the developer can have more square footage than what is allowable in that zone.

Councilmember Gookin asked what would happen if the developer accidentally damaged the tree. Ms. Kosanke said that construction would be well on its way and the building permits approved, so they wouldn't be able to take away bonus and that is where they would look at violations and penalties and where the tree valuation would come into play.

Ms. Kosanke confirmed that this ordinance only applies to new development in the C17 and C17L zones. She noted that she and the Planning Director have discussed perhaps applying it to the residential locations in the future.

Motion by Evans, seconded by Miller, to dispense with the rule and read **Council Bill No. 17-1010** once by title only.

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

Motion by Evans, seconded by Miller, to adopt **Council Bill 17-1010**.

ROLL CALL: Evans, Aye; Miller, Aye; McEvers, Aye; Gookin, No; English, Aye; Edinger, Aye. **Motion carried.**

Mayor Widmyer called for a seven minute Recess at 7:53 p.m. The council meeting resumed at 7:59 p.m.

RESOLUTION NO. 17-008

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING A COOPERATIVE AGREEMENT (TRAFFIC SIGNAL) AND A COOPERATIVE AGREEMENT (FINANCIAL OBLIGATION) WITH THE IDAHO TRANSPORTATION DEPARTMENT FOR THE US 95, N CORRIDOR ACCESS IMPROVEMENTS, PROJECT NO. A019 (883).

STAFF REPORT: Jim Hammond, City Administrator presented a request for council approval of an agreement with the Idaho Transportation Department (ITD) to participate and share in the costs of the Fast Lane Grant and project. He noted that when the project was presented to council on February 28, 2017, there was some confusion regarding some responsibilities and funding for the project. Staff has since met with ITD engineers and has better clarity of the project. When the current version of US 95 was constructed through Coeur d'Alene, it was intended to provide through access north and south on a highway allowing speeds of 70 mph.

That goal was never achieved as the city quickly grew around and adjacent to the highway. Traffic flow on this highway struggles to meet the current speed limits of 35 to 45 mph. ITD engineers recognize the congestion that occurs on US 95 throughout the year, which is exacerbated in the summer season when tourist traffic is at its height. The Fast Lane Project will restrict east-west access to half-mile increments from Appleway north to Miles Avenue. This project will make improvements to the remaining intersections by providing more left and right turn lanes reducing back up and providing more red light storage for those turning left. The ITD engineers at the Coeur d'Alene District 1 office and in Boise acknowledge that this project is a temporary 10- to 15-year fix and an alternate route such as the proposed Huetter Bypass is the long-term solution. Mr. Hammond also noted that acquisition and construction costs for construction of Wilbur Ave. east of US 95 are included in the grant, and all work, including right-of-way acquisition, will be done by ITD. A proposed traffic signal at Wilbur and Government Way is not included in the project. Providing two southbound left turn lanes at Kathleen are also included in the grant. Construction of the lanes eastbound from US 95 to Government Way is not funded by the grant. Are confident that within impact fees both citywide and in the quadrant can widen Kathleen at the same time as they are constructing the rest of the project. Preliminary figures put cost for design, right-of-way acquisition and construction at \$550,000 to \$700,000. The City has until 2018 to fund the project. Facilitating an improved traffic flow through Coeur d'Alene benefits our community as well as the traveling public. The additional cost to the City could be between \$275,000 and \$350,000. Sufficient funds from Impact Fees are anticipated to be available by 2018 to fund this portion of the project.

Mr. Hammond reviewed the anticipated scheduled, with the project beginning in 2018. He noted that ITD recognizes that this is a short-term solution.

DISCUSSION: Councilmember Edinger asked if we are getting anything from the state. Mr. Hammond said that the state is matching to the federal money 10% and Coeur d'Alene and Hayden are picking up the other 10%. The federal government share is 80%. He noted that the long-term solution is the bypass, but that will be a state project. The other hope in terms of north/south traffic management that should help Highway 95 is that Highway 41 is also being improved from Post Falls to Rathdrum and beyond to four lanes this year and so traffic that might use 95 might move over to 41 and it could reduce some of the congestion.

MOTION: Motion by Edinger, seconded by Evans to approve **Resolution No. 17-008**, the FASTLANE Grant Match Agreement with ITD for Safety and Capacity Improvements to US-95 and the Agreement for Maintenance and Operation of the proposed Wilbur Avenue signal.

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

RESOLUTION NO. 17-017

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING AN AGREEMENT WITH OPENGOV FOR FINANCIAL TRANSPARENCY SOFTWARE.

STAFF REPORT:

Mr. Hammond noted that administration is very excited regarding this project because they believe that, internally, staff can better understanding budgeting, and they can also be more transparent for the public in terms of how they provide information.

Sam Taylor, Deputy City Administrator, presented a request for council approval of a five year contract with OpenGov, Inc. for financial transparency software. He noted that it is a three-prong effort and that part of the job he has been tasked with is working to better engage the public and to make sure that information is available, easy to get to, understandable, and will enhance community conversation. Mr. Taylor said that 1,500 community governments, counties and state agencies are utilizing the OpenGov software. He noted that Coeur d'Alene's citizens and elected officials deserve access to the City's financials in the most transparent and understandable way possible. Having this information is key to understanding how the City spends the public's money. Administration is proposing to utilize OpenGov's Transparency (public portal) and Intelligence (internal reporting system) software. Mr. Taylor said that the city website has links to spreadsheets, but the new software allows for the information to be provided in a more visually appealing what that is often easier to understand for those who aren't accountants. The new digital platform will provide both a public portal to review all of the City's budgetary information in a highly visual way as well as other functions like the "checkbook," which will literally show citizens how the City spends every penny of public funds. The software transforms often complex financial data into an interactive format. Having this portal linked to the City's website will keep this information at the community's fingertips and provides the opportunity to reduce records requests for the same information. The administration believes utilization of OpenGov's financial transparency software will build public trust and enhance decision making both by staff and elected officials. Staff also believes this software can also enhance upcoming strategic budget planning sessions with the City Council, and will allow for more robust review of the City's financials and encourage better, data driven discussions and decisions.

Mr. Taylor said that over the nine months, 591 people accessed financial information from the website. The platform will directly integrate with the City's financial management software, Springbrook, and the initial setup and integration with our system will be done by OpenGov. The company will also provide on-site training for staff and future data will be automatically update between Springbrook and OpenGov. Staff recommends a five-year contract at \$10,925 annually plus \$1,500 annually for auto integration into Springbrook for a total of \$12,425 each year. A one-time implementation and on-site training fee of \$2,700 would also be part of the initial cost. The City will save \$22,776 over the life of the contract by entering into a five-year agreement by March 31. Funding for this fiscal year is available from the Fund Balance due to unanticipated revenues. Future year costs will be affordable within the General Fund.

Mr. Taylor noted OpenGov is signed up with the General Services Administration of the federal government which requires them to have more accountability with pricing and they aren't allowed to increase their prices by more than 10% annually. He also noted that once you are on their system, OpenGov traditionally has not increased their prices even after the contract expires.

Mr. Taylor reviewed the OpenGov software on the Sausalito, California website. He noted that it is not just a financial management tool for the budget, but that any data they have can be uploaded into the internal reporting system. Inside the internal reporting system, you have the ability to geo-code various financial information which gives a visual representation of where the money is being spent.

DISCUSSION: Councilmember McEvers asked if water and sewer would be included. Mr. Taylor responded that yes, it would pull up all of the data they have. Councilmember McEvers asked who would drive the software or would every department head deal with it. Mr. Taylor said that because Springbrook will be integrated into the software, it will drive itself for the most part, but they will have to do some work on “Saved Views” for Frequently Asked Questions.

Councilmember McEvers asked about security. Mr. Taylor said that the software is cloud-based and not on the City serve. OpenGov manages and maintains it and if it does go down, they will actually provide a reimbursement based on how long it is down. Councilmember McEvers asked if there is any potential to get into Springbrook and Mr. Taylor said not that he is aware of.

Councilmember English said that he was able to see a little bit of a demonstration this week and is very enthused about the software. From his experience at the county in dealing with a lot of public information requests, he is aware of how time consuming it can be. He commented that it is not just a matter of transparency, but the public can really get what they want and he thinks it is a great public resource and the amount of time it could save is great.

Councilmember Gookin said that he thinks that on the surface this sounds good. He commented that one of his friends is a councilperson in Sausalito, and she expressed concerns. He also expressed concern about the uncertain future with Springbrook, and noted that if OpenGov is tied in with Springbrook and the City switches to another program, it means that the service could be disrupted. The councilperson in Sausalito also passed along concerns that she received from a person named “Bill” regarding the difficult comprehending city government accounting, in that government accounting is fundamentally different from private sector accounting and the average person would have trouble understanding it. As a result, he doesn’t know how beneficial it would be for the general public. The other issue is that this item busts the budget. Councilmember Gookin recommended postponing it until next year, and noted that he has a problem with using the Fund Balance because it is fiscally unwise to have an ongoing concern in the Fund Balance. He commented that if the City is going to proceed he would like to see staff come up with an equivalent amount of cuts to the current budget to justify a purchase in the current year.

Mr. Taylor commented that the City has seen unexpected revenues this year as well as unexpected savings and they believe they have cost savings this year for the new software without tapping into the Fund Balance. Councilmember Gookin asked about the savings. Mr. Taylor said that they have not filled all of the positions, with some savings as a result of that.

Mr. Taylor noted that citizens can take a tour when they start the program that shows how to use it and explains how the budget works. The notes feature allows you to better explain the detail of things that people might have questions about. He noted that it will be a learning experience

and they would continue to enhance the system to ensure that it is as usable as possible for the community.

Mayor Widmyer noted “Bill’s” example of citizens not understanding how government accounting works and asked Mr. Tymesen to explain if the City operates under an accrual basis or a cash basis. Mr. Tymesen responded that the City operates on a cash basis.

Councilmember McEvers said that he thinks the software is worth a try. Mayor Widmyer said that the benefit of using Springbrook right now is it will directly integrate into the software. If Springbrook goes away, they can directly import their financial spreadsheets, which doesn’t take a lot of time.

Councilmember Evans said that she thinks the transparency is fantastic and she anticipates a lot of questions and curiosity from the community. She wondered if staff is prepared to manage that and if there is an implementation plan for staff or the influx of calls and letters. Mr. Taylor said that their intention is to market it and they want citizen questions. Councilmember Evans asked who the questions will go to. Mr. Taylor said that they would likely be farmed out to the relative departments just as the City is doing with the “Ask the City a Question” feature on the website. Councilmember Evans noted that the majority of the questions will most likely be financial questions and wondered if there are enough staff hours available to offer the best customer service for those questions.

Councilmember Miller commented that, for the general user, it might be complex and wondered if there is a planned user tutorial and who will answer questions from users. Mr. Taylor said that he will answer questions. Councilmember Miller asked about input from the rest of the department heads. Mr. Taylor that that it has been discussed at the Executive Team level and everyone is excited to try it out. Councilmember Miller asked about an exit strategy if it doesn’t work out. Mr. Taylor said that administration’s response is that they have no intention of backing out of it and they are comfortable with the five year contract. Councilmember Miller asked if geo-mapping can track the progress of bond expenditures, construction projects, etc. with without doing additional input of the data. Mr. Taylor said that if the information is in Springbrook it can be loaded up.

Councilmember McEvers asked about the check register detail. Mr. Taylor said that the data that is in the system will be the data that is in Springbrook.

Mr. Taylor explained that the reason they are proposing a five year contract is that it gets them the best price. OpenGov is offering 2016 prices through the end of March and they further lowered the price by committing to a five year deal, which is typical for software purchases. If the City waited to do it until later in the year, they would see an increase of almost \$23,000.

Councilmember English said that he thinks it makes a lot of sense and thinks there will be time saving for the staff. He thinks it is a great step forward and is very supportive.

Mayor Widmyer asked if there was language in the contract that addresses annual appropriation

and future councils. Mr. Taylor said not that he is aware of and that it is a standard contact.
MOTION: Motion by English, seconded by McEvers to approve **Resolution No. 17-017**, Approval of a Contract with OpenGov for Financial Transparency Software.

DISCUSSION: Councilmember Gookin said that he would feel better if it was introduced as part of the regular budget. He doesn't think it is fiscally responsible and would like to see more specific items that are being used to pay for it as opposed to Fund Balance and will be voting no.

Councilmember Miller said that in her initial, it seemed like a lot of money per inquiry and if people were already tuned into city government, why would we not just answer their questions and spend time on the phone with them. But, if you can put all of the other items in there that the general public would be interested in, such as the G.O. bond, etc., and if staff is supportive and it can be something that internally can save time and be more clear and readily available, she has started learning the other way.

ROLL CALL: McEvers, Aye; Gookin, No; English, Aye; Edinger, Aye; Evans, Aye; Miller, Aye. **Motion carried.**

RESOLUTION NO. 17-018

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ACCEPTING THE BID OF T. LARIVIERE EQUIPMENT & EXCAVATION, INC., AND APPROVING A CONTRACT FOR THE 2017 SELTICE WAY REVITALIZATION PROJECT.

STAFF REPORT: Chris Bosley, City Engineer presented a request for council approval a contract with T. LaRiviere Equipment & Excavation, Inc. for the Seltice Way Revitalization project. He noted that bids were opened for the Seltice Way Revitalization project on March 14, and the low bidder was T. LaRiviere. The low bid amount allows the City to include add alternates to the project. City Staff recommends including Add Alternates 1, 2, 5 & 6 in the contract. The total of the City's portion of the project including those Add Alternates is \$3,759,104.61. Ignite cda has agreed to fund \$4,560,000, which includes \$612,000 for construction phase services. The Base Bid plus the proposed Add Alternates allow for contingencies for change orders. A 7% contingency is planned for this project.

Mr. Bosley said that the engineer's estimate was \$4.68 million. Staff recommends that Add Alternate #2, street lighting, and Add Alternates 5 & 6 (Transit Shelters), be included in the contract for the project, which leaves enough money left over for a cushion for contingencies.

Mr. Bosley said that Add Alternate 3 (Additional 2' path width) can be added in if things go well and there are enough funds after contingencies. Add Alternate 4 (Atlas Storm Improvements) can be completed by the Street Department on its own, and not as part of the project.

MOTION: Motion by Edinger, seconded by McEvers to approve **Resolution No. 17-018**, Award of Bid and approval of a Contract with T. La Riviere for the Seltice Way Revitalization project

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

RESOLUTION NO. 17-019

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING THE 2ND ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING WITH THE CITY OF DALTON GARDENS FOR THE GOVERNMENT WAY IMPROVEMENT PROJECT.

STAFF REPORT: Chris Bosley, City Engineer, presented a request for council approval of a 2nd Addendum to the Memorandum of Understanding with Dalton Gardens for the Government Way Improvement Project for construction of the sanitary sewer system. He noted that funding through the Local Highway Technical Assistance Council has been awarded for design and construction of the Government Way improvement project between Hanley Avenue and Prairie Avenue. In coordination with the project, the City of Dalton Gardens desires to provide sanitary sewer service to the commercial properties along the corridor. There is no additional cost to the City of Coeur d'Alene through the Addendum. Approval of the Addendum to the MOU will allow for the City of Dalton Gardens to provide finances for the proposed sanitary sewer construction.

Mr. Bosley said that the addendum just clarifies some things on the original MOU.

MOTION: Motion by Gookin, seconded by Edinger to approve **Resolution No. 17-019**, Approval of a 2nd Addendum to the Memorandum of Understanding with Dalton Gardens for the Government Way Improvement Project

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

EXECUTIVE SESSION: Motion by Gookin, seconded by McEvers to enter into Executive Session pursuant to Idaho Code 74-206 (c) To acquire an interest in real property which is not owned by a public agency; (f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement

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

The City Council entered into Executive Session at 9:02 p.m. Those present were the Mayor, City Council, City Administrator, Finance Director, Deputy City Administrator, and City Attorney. Council returned to regular session at 10:00 p.m.

RECESS: Motion by Gookin, seconded by English to recess to March 31, 2017 for a workshop with the Planning Commission regarding Vacation Rental Code development, to be held in the Library Community Room at Noon, 702 E. Front Avenue. **Motion carried.**

The meeting adjourned at 10:02 p.m.

ATTEST:

Steve Widmyer, Mayor

Amy C. Ferguson
Deputy City Clerk

March 27, 2017
GENERAL SERVICES COMMITTEE
MINUTES
12:00 p.m., Library Community Room

COMMITTEE MEMBERS

Council Member Ron Edinger, Chairperson
Council Member Kiki Miller
Council Member Amy Evans

STAFF

Juanita Knight, Senior Legal Assistant
Dennis Grant, Engineering Project Manager
Bill Greenwood, Parks & Recreation Director
Melissa Tosi, Human Resources Director
Tom Greif, Deputy Fire Chief
Mike Gridley, City Attorney
Troy Tymesen, Finance Director
Jim Hammond, City Administrator

Item 1. V-17-4 Vacation of alley right-of-way within a portion of Block 3, Kootenai Addition and vacation of right-of-way of a portion of Melrose Street.

(Consent Calendar)

Dennis Grant, Engineering Project Manager said the applicant is Melrose Properties, LLC / Glacier 1919 Lincoln Way, LLC and they are requesting the vacation of alley right-of-way within a portion of Block 3 and a portion of Melrose Street north of Emma Avenue and east of Medina Street. Mr. Grant noted in his staff report that the requested right-of-way was originally dedicated to the City of Coeur d'Alene in the Kootenai Addition to the City of Coeur d'Alene plat in 1908. The vacation of the requested right-of-way would not have any financial impact on the City and would add approximately 15,968 square feet to the County tax roll. Although a minor amount, it would be a benefit to the municipality as tax revenue, and, to the land owner whose lots adjoin the alley. The dead-end alley is unimproved and not needed. Melrose Street is a dead-end Street and is not needed. The property on each side of the alley and street is owned by the applicant. Several utilities exist within the alley and the street. An easement will be reserved to accommodate these utilities until such a time they are relocated in cooperation with the parties benefiting from, serving or being encumbered by these utilities. This easement would allow unrestricted access to the City utilities in that area. Therefore, the vacation of the alley right-of-way and the street adjoining these lots would not impact the City and would be a benefit to the property owner.

MOTION: by Miller, seconded by Evans, to recommend that Council authorize staff to proceed with the vacation process as outlined in Idaho Code Section 50-1306 and set a public hearing for the item on April 18, 2017. Motion Carried.

Item 2. Construction of a Workers Memorial at City Park.

(Agenda)

Bill Greenwood, Parks and Recreation Director said this item was brought forward to the Parks Commission in 2010 with a request to consider this memorial at Riverstone Park and at that time staff could not find a suitable located so the quest was not approved. Since that time the commission believed that the memorial was a good idea and wanted to continue to seek an alternative location. This workers memorial would be dedicated to any employed person that has died while working or in the line of duty in Idaho. This applies to any trade or profession and the employee will not have to belong to any association, union or organization. We do have other type's memorials currently within the parks such as areas dedicated to Fire Fighters and Police Officers that have died in the line of duty. Mr. Greenwood noted in his staff report that the estimate of

probable cost for the memorial is \$80,000 and that number could go down with in-kind donations. The City would not be obligated for any costs associated with the project. All costs would be the responsibility of the North Idaho Central Labor Council. They would also be responsible for any vandalism and other capital repairs and/or replacements of the memorial included the costs of adding individual names to the memorial. The parks department would be responsible for the normal day to day maintenance of the memorial. The proposed location for this memorial does not have many park patrons using the area. In fact, staff had installed barbeques and picnic tables in this location to encourage use but were unsuccessful. The overall foot print of the project shall not exceed 2,000 square feet and the placement of the memorial will not cause damage to the existing trees or their root systems.

MOTION: by Evans, seconded by Miller, to recommend that Council authorize the construction of a workers memorial at City Park at a specified area located in the northwest corner of the park. Motion Carried.

**Item 3. Personnel Rule Amendment – Rule XXI: Drug/Alcohol Policy.
(Consent Res. 17-020)**

Melissa Tosi, Human Resources Director said in June of 2016, the Drug/Alcohol Policy was completely rewritten to bring the policy up-to-date and to reflect current practices. While the policy as a whole is working fine, Sections 4 & 7 need revising as well as additional language for more clarity. Mrs. Tosi went on to explain the proposed changes:

- Under Section 4. Notification or Convictions, amend this section to remove the conviction language. The purpose of this section is for employees to notify the City within 5 days of being arrested or cited for a criminal alcohol or drug charge (convictions can happen months after the initial arrest or citation).
- Under Section 7. Types of Testing, (d) Post- Accident Testing, it currently states that all employees operating a city vehicle or a commercial vehicle involved in an accident must notify their supervisor or HR staff of the accident. However, we have many employees throughout the city that do not have access to a city vehicle or chose not to drive a city vehicle and drive their own personal vehicle. By including personal vehicle in the policy, all employees who are involved in a vehicular accident in the course and scope of duties for the City, must notify their supervisor and/or HR staff and comply with the instructions given regarding drug and alcohol testing.
- The amendment mentions a Post-Accident Decision Tree. This decision tree will be provided to all supervisors to help determine if drug and alcohol testing is required due to an accident. This will provide consistency among our many departments and supervisors.
- After discussion with the police department, additional language was added under the post-accident testing section which will addresses supervisors or HR contacting law enforcement if they believe an employee that is involved in a vehicular accident may be under the influence of drugs or alcohol. Also, if the post-accident drug and/or alcohol test indicates an employee may be guilty of criminal conduct with regard to the accident, that information will not be used against the employee in any criminal proceedings, consistent with constitutional principles.

The proposed amendments have been provided to the three employee groups, discussed with Legal and the Police Department and posted for all employees to review. There have been no concerns from employees regarding the above amendments.

MOTION: by Evans, seconded by Miller, to recommend that Council adopt Resolution No. 17-020 approving amendments to Personnel Rule XXI entitled Drug & Alcohol Policy. Motion Carried.

Item 4. Memorandum of Understanding with the State of Idaho Fire Service Technology (FST).
(Consent Res. 17-020)

Tom Greif, Deputy Fire Chief is requesting the Council approve and Memorandum of Understanding with FST to house a State funded extrication training trailer with our Fire Department. Deputy Chief Greif noted in his staff report that the State of Idaho has purchased three (3) trailers with equipment to loan to Fire Department's in different regions of the State to conduct extrication training. These trailers are to be housed at a central point in each region for distribution and use. The Coeur d'Alene Fire Department has been asked to house the trailer for this region. There is no negative impact to our budget. There could be a positive as we would have access to their equipment for our in-house training, saving wear and tear on our equipment. This is a priority in training State wide.

MOTION: by Evans, seconded by Miller, to recommend that Council adopt Resolution No. 17-020 approving a Memorandum of Understanding with the State of Idaho Fire Service Technology to house a state funded extrication training trailer with the Coeur d'Alene Fire Department. Motion Carried.

Item 5. Memorandum of Understanding with Kootenai County Fire and Rescue.
(Consent Res. 17-020)

Tom Greif, Deputy Fire Chief is requesting the Council approve a Memorandum of Understanding with Kootenai County Fire and Rescue (KCFR) for response and stand-by activities associated with the City's Fire Boat? Deputy Chief Greif noted in his staff report that the City recently purchased and placed into service a Fire/Rescue Vessel which would meet our response needs in and around the City and the adjoining waterways. KCFR historically has had a response presence on the north shore of the lake and had a fire boat housed at the Blackwell Island Marina. With our needs growing, and their jurisdiction boundaries being decreased, we collaborated to have the City's vessel have a strong presence on the Lake and KCFR establish a stronger presence on the Spokane River. KCFR sold their boat in May of 2016 and we moved our vessel into a boat house they leased in the Blackwell Island Marina. As outlined in the MOU, the City would assume emergency response on the north shore of the Lake as well as non-emergency standbys for events. In the MOU it is stipulated that all non-emergency/event standbys which KCFR has historically charged for would be invoiced by KCFR, who would issue the permit, and we would be reimbursed at the rate of \$335.00 per event. This is the amount it would take to staff the boat with a compliment of three personnel for a three hour period. Responses and non-billable events would be handled by on-duty staff.

MOTION: by Miller, seconded by Evans, to recommend that Council adopt Resolution No. 17-020 approving a Memorandum of Understanding with Kootenai County Fire and Rescue for response and stand-by activities associated with the City's fire boat. Motion Carried.

The meeting adjourned at 12:20 p.m.

Respectfully submitted,


Juanita Knight

Recording Secretary

PUBLIC WORKS COMMITTEE

STAFF REPORT

DATE: March 27, 2017
FROM: Dennis J. Grant, Engineering Project Manager
SUBJECT: **V-17-4, Vacation of alley right-of-way within a portion of Block 3, Kootenai Addition in the City of Coeur d'Alene and Vacation of right-of-way of a portion of Melrose Street in the City of Coeur d'Alene.**

DECISION POINT

The applicant, Melrose Properties, LLC / Glacier 1919 Lincoln Way, LLC, is requesting the vacation of alley right-of-way within a portion of Block 3 and a portion of Melrose Street north of Emma Avenue and east of Medina Street. See attached exhibit.

HISTORY

The requested right-of-way was originally dedicated to the City of Coeur d'Alene in the Kootenai Addition to the City of Coeur d'Alene plat in 1908.

FINANCIAL ANALYSIS

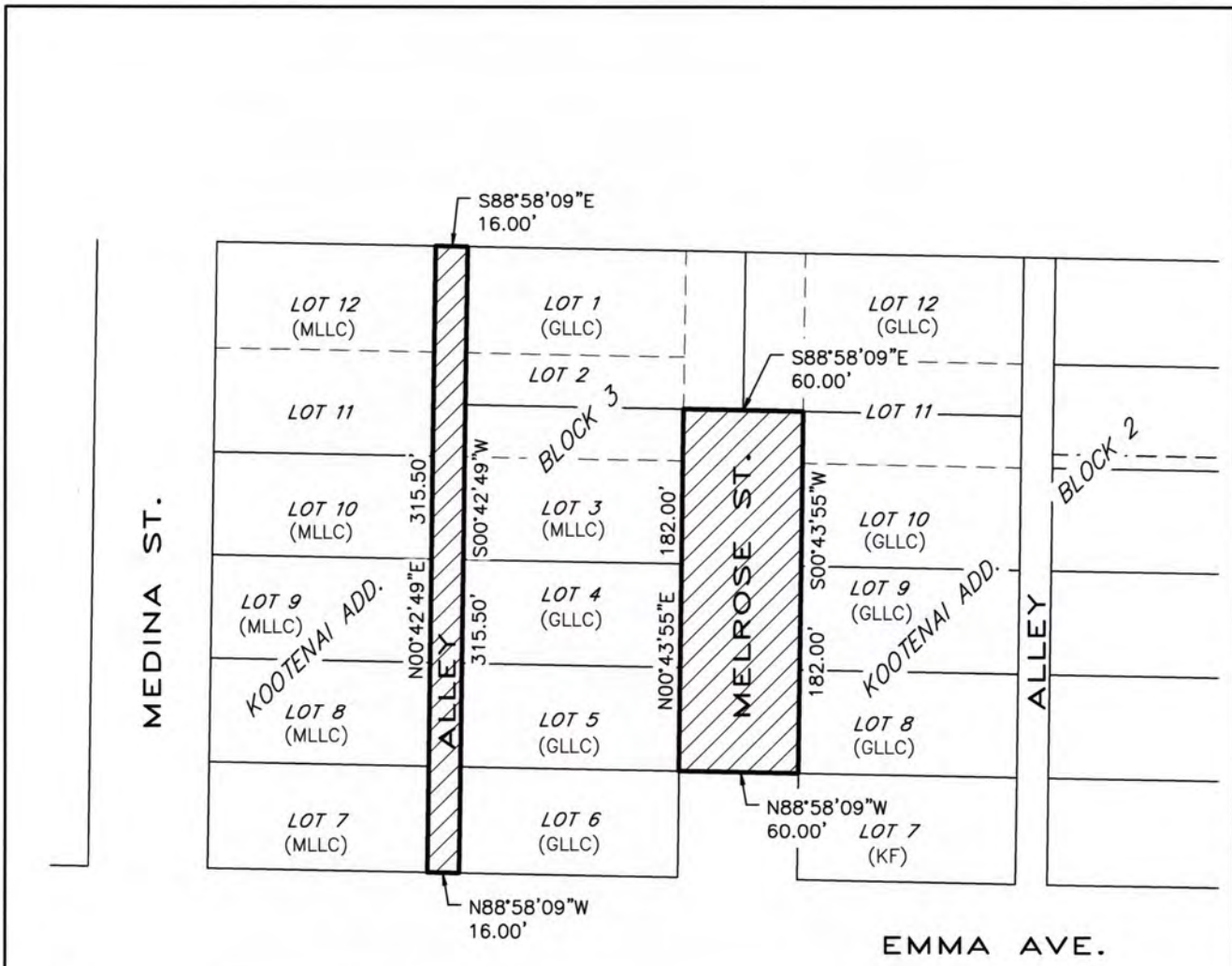
The vacation of the requested right-of-way would not have any financial impact on the City and would add approximately 15,968 square feet to the County tax roll. Although a minor amount, it would be a benefit to the municipality as tax revenue, and, to the land owner whose lots adjoin the alley.

PERFORMANCE ANALYSIS

The purpose of this request is to vacate the alley in Block 3 of the Kootenai Addition to the City of Coeur d'Alene, and a portion of Melrose Street lying between Blocks 2 and 3 of the Kootenai Addition to the City of Coeur d'Alene. The dead-end alley is unimproved and not needed. Melrose Street is a dead-end Street and is not needed. The property on each side of the alley and street is owned by the applicant. Several utilities exist within the alley and the street. An easement will be reserved to accommodate these utilities until such a time they are relocated in cooperation with the parties benefiting from, serving or being encumbered by these utilities. This easement would allow unrestricted access to the City utilities in that area. Therefore, the vacation of the alley right-of-way and the street adjoining these lots would not impact the City and would be a benefit to the property owner.

RECOMMENDATION

Staff recommends to the Public Works Committee to proceed with the vacation process as outlined in Idaho Code Section 50-1306, and, to recommend to the City Council the setting of a public hearing for the item on April 18, 2017.



LEGEND

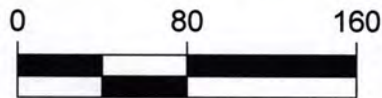


AREA TO BE VACATED

(GLLC) GLACIER 1919 LINCOLN WAY, LLC OWNERSHIP

(MLLC) MELROSE PROPERTIES, LLC OWNERSHIP

(KF) KELLIE FOUNTAIN OWNERSHIP



SCALE IN FEET

Jeremy Russell



Digitally signed by Jeremy J Russell:A0109800000013AC3285009000038C7

Digitally Signed on: Mar 15, 2017

File Date: 3/14/2017 1:59 PM Plotted By: Bruce L. Coppess Date Created: 3/14/2017 12:04 PM FILE: S:\PUBLIC\PROJECTS\MR20-18-008 VETERANS ADMINISTRATION BUILDING\CAD\SURVEY\MODEL\MELROSE_ROW_VAC.DWG

REUSE OF DRAWINGS
THIS DOCUMENT, AND THE IDEAS AND DESIGNS INCORPORATED HEREIN AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF J-U-B ENGINEERS, INC. AND IS NOT TO BE USED, IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE EXPRESS WRITTEN AUTHORIZATION OF J-U-B ENGINEERS, INC.

NO.	REVISION DESCRIPTION	BY	APR	DATE

FILE: MELROSE_ROW VAC
JUB PROJ. # 20-16-068
DRAWN BY: BLC
DESIGN BY:
CHECKED BY: GJR
J-U-B ENGINEERS, INC.
LAST UPDATED: 3/14/2017

CITY OF COEUR D'ALENE
VACATION ORDINANCE NO. _____
 A PORTION OF SEC. 11, T 50N, R 4W, B.M.,
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

SHEET
1

City of Coeur d'Alene

Municipal Services
Department

City Hall, 710 E Mullan Avenue
Coeur d'Alene, Idaho 83814
(208) 769-2229 or Fax 769.2237
kathylew@cdaid.org

OUTDOOR EATING FACILITY ENCROACHMENT APPLICATION

Valid March 17 – Nov 1 Annually

New applications or renewals with changes will be submitted to the City Council for approval. The application must be received in the Customer Service Center a minimum of seven (7) days prior to a City Council meeting (First and Third Tuesday of each month). Payments are due with the application (check or cash only).

Name of Eating Establishment: VICTORY
Applicant's Name: CHRIS EVANS Phone Number: 208-758-1221
Contact Person: CHRIS EVANS Phone Number: 208-758-1221
Cell Phone: 208 758-1221 Email: Chris@CraftedToHouse.com
Mailing Address: 519 E Sherman Ave City/State/Zip: COA 83814
Physical Address: 519 E Sherman Ave City/State/Zip: COA 83814

Is Application New Renewal
Any change in ownership or type of use? No Yes _____
Do you hold a current State of Idaho, Kootenai County and City of CDA alcohol license? No Yes
If yes, on your state of Idaho alcohol license do you have a restaurant designation? No Yes
Is anyone under 21 allowed in the area inside your establishment where alcohol is served? No Yes

Please supply a copy of your current menu.

What hours is the full menu available? Start 11 Am End 11 Pm

What days is the full menu available? 7 day a week

Please supply a proposed site/seating plan, which is subject to approval and includes the following:

24" Show table sizes and chair placement, distance from building (side street 24" tables max.)

_____ Show distance to any tree grate, bench, light post, bicycle rack, news rack etc.

_____ What is width of sidewalk from property line to curb

_____ Please show location of refuse receptacle and disposal of cigarette remains

Insurance: Please supply copy of liability insurance naming City as additional insured (\$1,000,000.00)

Signed encroachment application

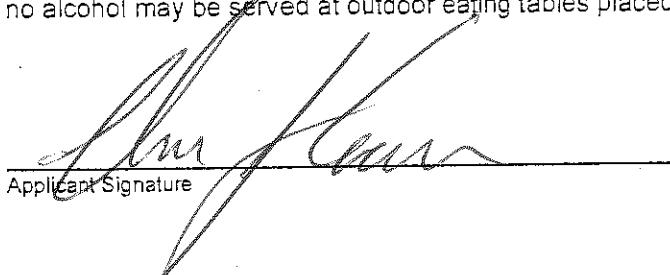
FEES

<u>16</u> Number of Seats x \$27.94 per seat (Sewer Cap Fee)	=	\$	<u>447.04</u>
If located on sidewalk or City property, the encroachment fee is \$125.00.	+	\$	<u>125 -</u>
		\$	<u>125 -</u>
TOTAL DUE		\$	<u>\$7697.04</u>

If this is a new or renewal of permit with any changes to site plan or ownership, submit documentation. Please include the following:

- If serving alcohol, please submit a site plan indicating proposed location of posts, type of barrier between posts, measurements from posts and barriers to any obstacles including curbs, trees, grates, benches etc.
- Mark sidewalk for placement of posts and have the City team inspect and approve markings prior to installation
- Have sidewalk cored and posts installed with caps for winter at owners expense after obtaining City Council approval (see attached policy)
- Signs installed at exits

I have read the outdoor eating policy, and encroachment agreement, and agree to abide by the regulations of the City. The encroachment agreement on file with the City shall remain in full force and effect until the permit is cancelled by owner, change of ownership of business, or permit is expired, non-renewed, revoked or denied. Further, I understand that no alcohol may be served at outdoor eating tables placed on City property after 10:00 p.m.


Applicant Signature

3/24/17
Date

Internal Use Only

Reviewed and approved on: _____ By: _____

Issued By: _____ Date: _____

Conditions: _____

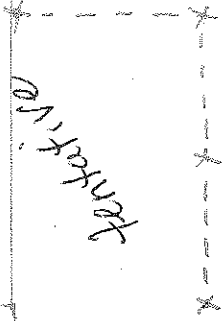
Denied due to: _____

Date: _____

Shelburn Ave

↙ Curb

T - Table
X - RST'S
Chairs

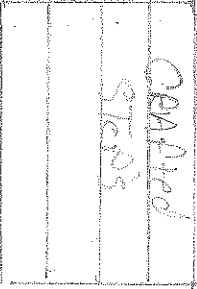


Circle
pole

48" clearance



lines
up with
Tire Price



victory

Front Door ↓

CITY COUNCIL STAFF REPORT

DATE: April 4, 2017
FROM: Dennis J. Grant, Engineering Project Manager
SUBJECT: **SS-8-16, Zanetti First Addition: Final Plat Approval**

DECISION POINT

Staff is requesting the following:

1. City Council approval of the final plat document, a three (3) lot commercial subdivision.

HISTORY

- a. Applicant: Tony Zanetti, Zanetti Bros., Inc.
P. O. Box 928
Osburn, ID 83849
- b. Location: 1327 W. Appleway Ave (north side of Appleway Ave, btwn Ramsey Rd & Julia St)
- c. Previous Action:
 1. Preliminary plat approval, February 2017.

FINANCIAL ANALYSIS

There are no financial issues with this development.

PERFORMANCE ANALYSIS

This commercial development is a re-plat of existing Lot 4 and a portion of Lot 1, Block One of the Zanetti Subdivision, located in Coeur d'Alene. This subdivision created 3 buildable parcels. The infrastructure has been previously installed and accepted by the appropriate departments. There were no conditions attached to the plat, therefore, the document is ready for approval and recordation.

DECISION POINT RECOMMENDATION

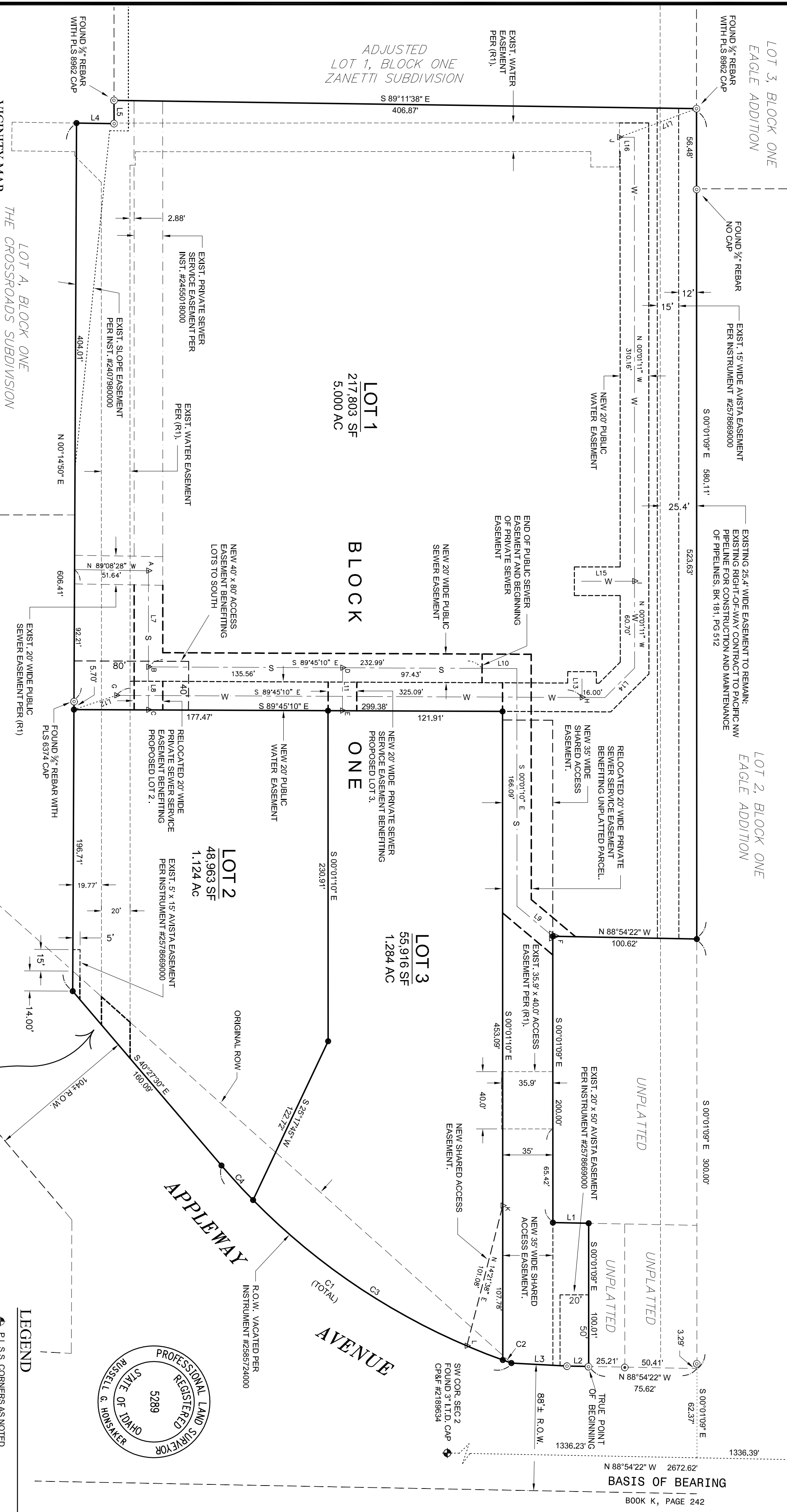
City Council approval of the final plat document

Zanetti First Addition

LOT 4 AND A PORTION OF LOT 1, BLOCK ONE, ZANETTI SUBDIVISION, RECORDS OF KOOTENAI COUNTY, IN A PORTION OF THE SW $\frac{1}{4}$ SW $\frac{1}{4}$, SEC. 2, T.50N., R.4W., B.M., CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK _____, **PAGE** _____
INST. No. _____

3/4 COR. SEC. 2
FOUND 2 1/2" ALUM CAP
CPR# #2189635

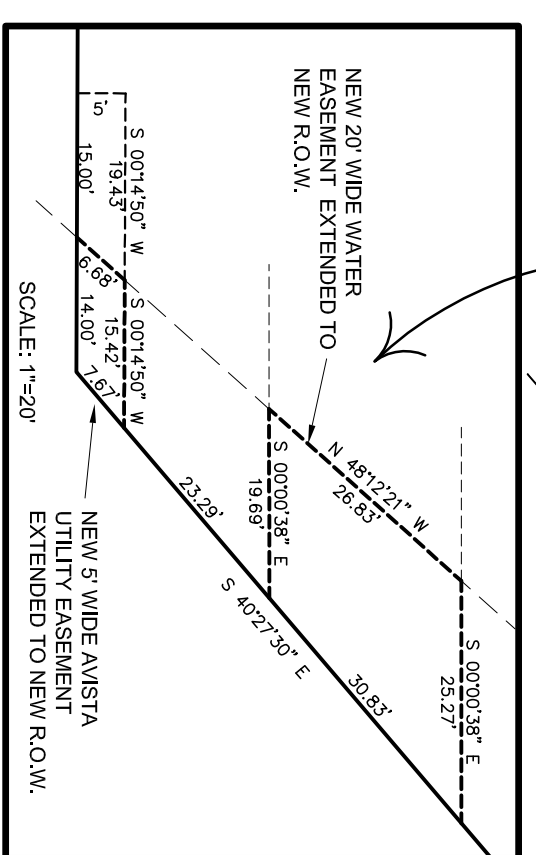


CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHRD BRG	CHORD
C1	247.93	465.19	30°32'15"	S 55°43'38" E	245.02
C2	6.32	465.19	0°46'44"	S 70°56'24" E	6.32
C3	208.90	465.19	25°43'47"	S 57°21'08" E	207.15
C4	32.71	465.19	4°01'44"	S 42°28'23" E	32.71

LINE TABLE

LINE	LENGTH	BEARING
L1	25.00	S 88°54'22" E
L2	15.00	N 88°54'22" W
L3	39.07	N 86°55'16" W
L4	26.25	N 89°11'34" W
L5	16.19	N 00°01'10" W
L6	no	no
L7	67.21	S 00°00'38" E
L8	29.99	S 00°00'38" E
L9	32.63	S 50°02'37" E
L10	30.00	S 00°14'50" E
L11	24.31	S 89°45'10" E
L12	31.33	S 71°37'14" W
L13	13.00	N 00°14'50" E
L14	29.22	N 49°14'50" E
L15	36.99	N 90°00'00" E
L16	10.46	N 89°58'50" E
L17	57.45	S 69°39'26" W



LEGEND

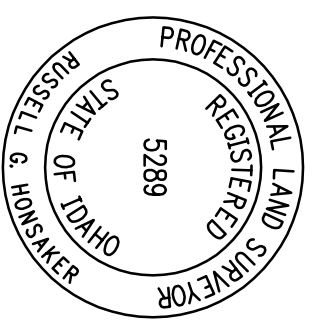
- PLS.S. CORNERS AS NOTED
- FOUND SURVEY PINS AS NOTED.
- SET 5/8" x 24" REBAR WITH PVC CAP MARKED "PLS 5289"
- FOUND 5/8" REBAR WITH PVC CAP MARKED "PLS 5289"
- REFERENCE POINTS FOR EASEMENT DESCRIPTIONS

REFERENCES

- (R1) PLAT OF ZANETTI SUBDIVISION - BOOK K, PAGE 242
- (R2) PLAT OF THE CROSSROADS SUBDIVISION - BOOK K, PAGE 405
- (R3) PLAT OF EAGLE ADDITION - BOOK I PAGE 6.
- (R4) RECORD OF SURVEY - BOOK 28, PAGE 111

BASIS OF BEARING

SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 2, PER (R1), N 88°54'22" W



Zanetti First Addition

SCALE: 1"=50'
DATE: 03/29/17

2-50N-4W A223SE

DRAWN BY: DWJ
FILE: A223SE PLAT

FRAME & SMETANA, PA
Consulting Engineers
603 North 4th Street, Coeur d'Alene, Idaho, 83814
Ph: (208) 664-2121 Fax: (208) 664-5502 Email: sframe@frame.com

ES
SHEET 1 OF 2

Zanetti First Addition

LOT 4 AND A PORTION OF LOT 1, BLOCK ONE, ZANETTI SUBDIVISION, RECORDS OF KOOTENAI COUNTY, IN A PORTION OF THE SW¼ SW¼, SEC. 2, T.50N., R.4W., B.M., CITY OF COEUR DALENE, KOOTENAI COUNTY, IDAHO

BOOK _____, PAGE _____
INST. No. _____

OWNER'S CERTIFICATE

BE IT KNOWN THAT ZANETTI BROS., INC, AN IDAHO CORPORATION, THE OWNER OF THE REAL PROPERTY DESCRIBED IN THIS CERTIFICATE HAS CAUSED THE SAME TO BE SURVEYED AND DIVIDED INTO LOTS AND BLOCK AS SHOWN HEREON TO BE KNOWN AS ZANETTI FIRST ADDITION, BEING LOT 4 AND A PORTION OF LOT 1, BLOCK ONE, OF THE PLAT OF ZANETTI SUBDIVISION, BOOK K, PAGE 242, RECORDS OF KOOTENAI COUNTY, AND A VACATED PORTION OF APPLEWAY AVENUE, IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 50 NORTH, RANGE 4 WEST, B.M., IN THE CITY OF COEUR DALENE, KOOTENAI COUNTY, IDAHO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 2, FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION 2 BEARS N 88°54'22" W, 2672.62 FEET; THENCE ALONG THE SOUTH LINE OF SAID SECTION 2, N 88°54'22" W, 1336.39 FEET; THENCE LEAVING THE SAID SOUTH LINE, N 0°01'09" W, 62.37 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF APPLEWAY AVENUE; THENCE ALONG THE SAID RIGHT-OF-WAY LINE, N 88°54'22" W, 75.62 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 4 AND THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE ALONG THE SOUTHERLY BOUNDARY LINE OF SAID LOT 4, N 88°54'22" W, 15.00 FEET;
THENCE N 86°55'16" W, 39.07 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST;
THENCE LEAVING THE SAID BOUNDARY LINE, 247.93 FEET ALONG SAID CURVE, HAVING A RADIUS OF 465.19 FEET, A CENTRAL ANGLE OF 30°32'15", A CHORD BEARING OF N 55°43'38" W, AND A CHORD DISTANCE OF 245.02 FEET;
THENCE N 40°27'30" W, 160.09 FEET;
THENCE N 00°14'50" E, 14.02 FEET TO THE SOUTHEASTERLY CORNER OF BLOCK ONE OF THE PLAT OF CROSSROADS SUBDIVISION, BOOK K, PAGE 405, RECORDS OF KOOTENAI COUNTY;
THENCE ALONG THE EASTERLY BOUNDARY LINE OF SAID BLOCK ONE, N 00°14'50" E, 592.39 FEET;
THENCE CONTINUING ALONG THE SAID EASTERLY BOUNDARY LINE, S 89°11'34" E, 26.25 FEET;
THENCE CONTINUING ALONG THE SAID EASTERLY BOUNDARY LINE, N 00°01'10" W, 16.19 FEET;
THENCE LEAVING THE SAID BOUNDARY LINE OF SAID BLOCK ONE, S 89°11'38" E, 406.87 FEET TO THE EASTERLY BOUNDARY OF BLOCK ONE OF THE SAID PLAT OF ZANETTI SUBDIVISION;
THENCE ALONG SAID BOUNDARY LINE OF BLOCK ONE OF SAID PLAT OF ZANETTI SUBDIVISION,
S 00°01'09" E, 580.11 FEET;
THENCE N 88°54'22" W, 100.62 FEET;
THENCE S 00°01'09" E, 200.00 FEET;
THENCE S 88°54'22" E, 25.00 FEET;
THENCE S 00°01'09" E, 100.01 FEET TO THE TRUE POINT OF BEGINNING;
CONTAINING APPROXIMATELY 7.408 ACRES, MORE OR LESS.

THE OWNER HEREBY GRANTS THE FOLLOWING EASEMENTS:

- 1) A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS ACROSS THE PARKING AND DRIVEWAY AREAS OF EACH PLATTED LOT FOR THE MUTUAL BENEFIT OF EACH LOT.
- 2) A NON-EXCLUSIVE 40 FOOT X 80 FOOT INGRESS AND EGRESS EASEMENT AS SHOWN ON LOT 1 FOR THE MUTUAL BENEFIT OF LOTS 2 AND 3.
- 3) A NON-EXCLUSIVE 35 FOOT WIDE INGRESS AND EGRESS EASEMENT AS SHOWN ON LOT 1 FOR THE BENEFIT OF LOTS 2 AND 3.
- 4) A NON-EXCLUSIVE SHARED ACCESS EASEMENT AS SHOWN ON LOT 3 FOR THE MUTUAL BENEFIT OF LOTS 1 AND 2.
- 5) A NON-EXCLUSIVE 5 FOOT WIDE UTILITY EASEMENT FOR OVERHEAD AND UNDERGROUND AVISTA FACILITIES AS SHOWN ON LOT 2.
- 6) TO THE CITY OF COEUR DALENE, A 20.0 FOOT WIDE SANITARY SEWER LINE EASEMENT AS SHOWN HEREON AND THE 20.0 FOOT WIDE WATER LINE EASEMENT AS SHOWN. BOTH THE SANITARY SEWER LINE AND THE WATER LINE EASEMENTS ARE FOR RIGHTS OF INGRESS AND EGRESS FOR THE INSTALLATION, IMPROVEMENT, OPERATION AND MAINTENANCE OF SAID LINES, NO BUILDING, STRUCTURE, OR IMPROVEMENT SHALL BE ERRECTED OR CONSTRUCTED OTHER THAN SIDEWALK, NOR SHALL ANY TREES OR PLANTS OR ANY OTHER VEGETATION OF FLORA BE PLANTED, EXCEPT GRASS, WITHIN SAID EASEMENTS, NOR SHALL THE EXISTING GROUND ELEVATIONS BE INCREASED OR DECREASED WITHOUT THE EXPRESS WRITTEN APPROVAL OF THE CITY OF COEUR DALENE.

LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO THE EASEMENTS AS SHOWN HEREON AND ANY OTHER SUCH EASEMENT THAT MAY BE OF RECORD OR IN VIEW.
WATER SERVICE TO EACH LOT PLATTED HEREIN WILL BE PROVIDED BY THE CITY OF COEUR DALENE .
SANITARY SEWER SERVICE TO EACH LOT PLATTED HEREIN SHALL BE PROVIDED BY THE CITY OF COEUR DALENE.

HERBERT J. ZANETTI, JR., PRESIDENT

STATE OF IDAHO, COUNTY OF KOOTENAI, SS

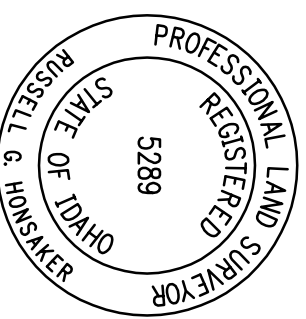
ON THIS _____ DAY OF _____, IN THE YEAR _____, BEFORE ME _____, PERSONALLY APPEARED, HERBERT J. ZANETTI, JR., KNOWN OR IDENTIFIED TO ME TO BE THE PRESIDENT OF THE CORPORATION THAT EXECUTED THE INSTRUMENT OR THE PERSON WHO EXECUTED THE INSTRUMENT ON BEHALF OF SAID CORPORATION, AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC: _____
RESIDING AT _____
MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE

I, RUSSELL G. HONSAKER, P.L.S. No. 5289, STATE OF IDAHO, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE LAWS OF THE STATE OF IDAHO AS PERTAINING TO PLATS AND SURVEYS.

RUSSELL G. HONSAKER, P.L.S. No. 5289



CITY COUNCIL APPROVAL

THIS PLAT ACCEPTED AND APPROVED BY THE CITY COUNCIL OF COEUR DALENE, KOOTENAI COUNTY, IDAHO ON THE _____ DAY OF _____, 20____.

CLERK CITY OF COEUR DALENE _____

ENGINEER CITY OF COEUR DALENE _____

PANHANDLE HEALTH DISTRICT 1

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED BASED ON A REVIEW BY A QUALIFIED LICENSED PROFESSIONAL ENGINEER (CLPE) REPRESENTING (CITY OF COEUR DALENE) AND THE CLPE APPROVAL OF THE DESIGN PLANS AND SPECIFICATIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER FOR CONTINUED SATISFACTION OF THE SANITARY RESTRICTIONS. WATER AND SEWER LINE HAVE BEEN COMPLETED AND SERVICES CERTIFIED AS AVAILABLE. SANITARY RESTRICTIONS MAY BE REIMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

DATED: _____, HEALTH DISTRICT SIGNATURE: _____

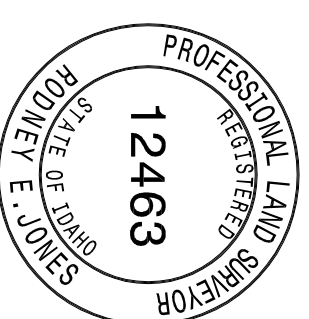
KOOTENAI COUNTY TREASURER

I HEREBY CERTIFY THIS _____ DAY OF _____, 20____, THAT THE REQUIRED TAXES ON THE HEREIN DESCRIBED LAND HAVE BEEN PAID THROUGH _____.

KOOTENAI COUNTY TREASURER _____

KOOTENAI COUNTY SURVEYOR

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT AND APPROVE THE SAME FOR RECORDING THIS _____ DAY OF _____, 20____.



KOOTENAI COUNTY RECORDER

I HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF KOOTENAI COUNTY, IDAHO, AT THE REQUEST OF _____, THIS _____ DAY OF _____, 20____, AT _____ M. AND DULY RECORDED IN PLAT BOOK _____, PAGE _____, INST. # _____, FEE \$ _____.

KOOTENAI COUNTY RECORDER _____

Zanetti First Addition		FRAME & SMETANA, PA <i>Consulting Engineers</i>	
SCALE:	2-50N-4W	DRAWN BY:	DWJ
DATE: 03/29/17	A223SE	FILE:	A223SE PLAT
		603 North 4th Street, Coeur d'Alene, Idaho, 83814 Ph: (208)664-1211 Fax: 765-5802 Email: ssmetana@quadrunner.com	
			SHEET 2 OF 2

RESOLUTION NO. 17-020

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 APPROVING AMENDMENTS TO PERSONNEL RULE XXI ENTITLED "DRUG/ALCOHOL POLICY," APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE STATE OF IDAHO FIRE SERVICE TECHNOLOGY TO HOUSE A STATE-FUNDED EXTRICATION TRAINING TRAILER WITH THE COEUR D'ALENE FIRE DEPARTMENT, AND APPROVING A MEMORANDUM OF UNDERSTANDING WITH KOOTENAI FIRE AND RESCUE FOR RESPONSE AND STAND-BY ACTIVITIES ASSOCIATED WITH THE CITY'S FIRE BOAT.

WHEREAS, it has been recommended that the City of Coeur d'Alene enter into the contract(s), agreement(s), and other actions listed below pursuant to the terms and conditions set forth in the contract(s), agreement(s), and other action(s) documents attached hereto as Exhibits "A through C" and by reference made a part hereof as summarized as follows:

- A) Approving amendments to Personnel Rule XXI entitled "Drug/Alcohol Policy";
- B) Approving a Memorandum of Understanding with the State of Idaho Fire Service Technology to house a state-funded extrication training trailer with the Coeur d'Alene Fire Department; and
- C) Approving a Memorandum of Understanding with Kootenai Fire and Rescue for response and stand-by activities associated with the City's Fire Boat; and

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof to enter into such agreements or other actions;

NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of Coeur d'Alene that the City enter into the agreements or other actions for the subject matter, as set forth in substantially the form attached hereto as Exhibits "A through C" and incorporated herein by reference, with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said agreements or other actions so long as the substantive provisions of the agreements or other actions remain intact.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and they are hereby authorized to execute such agreements or other actions on behalf of the City.

DATED this 4th day of April, 2017.

Steve Widmyer, Mayor

ATTEST

Renata McLeod, City Clerk

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

ROLL CALL:

COUNCIL MEMBER EVANS Voted _____

COUNCIL MEMBER MILLER Voted _____

COUNCIL MEMBER MCEVERS Voted _____

COUNCIL MEMBER ENGLISH Voted _____

COUNCIL MEMBER GOOKIN Voted _____

COUNCIL MEMBER EDINGER Voted _____

_____ was absent. Motion _____.

To: General Services

From: Melissa Tosi; Human Resources Director

Re: Personnel Rule Amendment

Date: March 27, 2017

Decision Point: The City Council is requested to approve the below amendments to Rule XXI: Drug/Alcohol Policy.

History: In June of 2016, the Drug/Alcohol Policy was completely rewritten to bring the policy up-to-date and to reflect current practices. While the policy as a whole is working fine, Sections 4 & 7 need revising as well as additional language for more clarity.

Under *Section 4. Notification or Convictions*, amend this section to remove the conviction language. The purpose of this section is for employees to notify the City within 5 days of being arrested or cited for a criminal alcohol or drug charge (convictions can happen months after the initial arrest or citation).

Under *Section 7. Types of Testing, (d) Post- Accident Testing*, it currently states that all employees operating a city vehicle or a commercial vehicle involved in an accident must notify their supervisor or HR staff of the accident. However, we have many employees throughout the city that do not have access to a city vehicle or chose not to drive a city vehicle and drive their own personal vehicle. By including personal vehicle in the policy, all employees who are involved in a vehicular accident in the course and scope of duties for the City, must notify their supervisor and/or HR staff and comply with the instructions given regarding drug and alcohol testing.

Additionally, the amendment mentions a Post-Accident Decision Tree (below). This decision tree will be provided to all supervisors to help determine if drug and alcohol testing is required due to an accident. This will provide consistency among our many departments and supervisors.

Lastly, after discussion with the police department, additional language was added under the post-accident testing section which will addresses supervisors or HR contacting law enforcement if they believe an employee that is involved in a vehicular accident may be under the influence of drugs or alcohol. Also, if the post-accident drug and/or alcohol test indicates an employee may be guilty of criminal conduct with regard to the accident, that information will not be used against the employee in any criminal proceedings, consistent with constitutional principles.

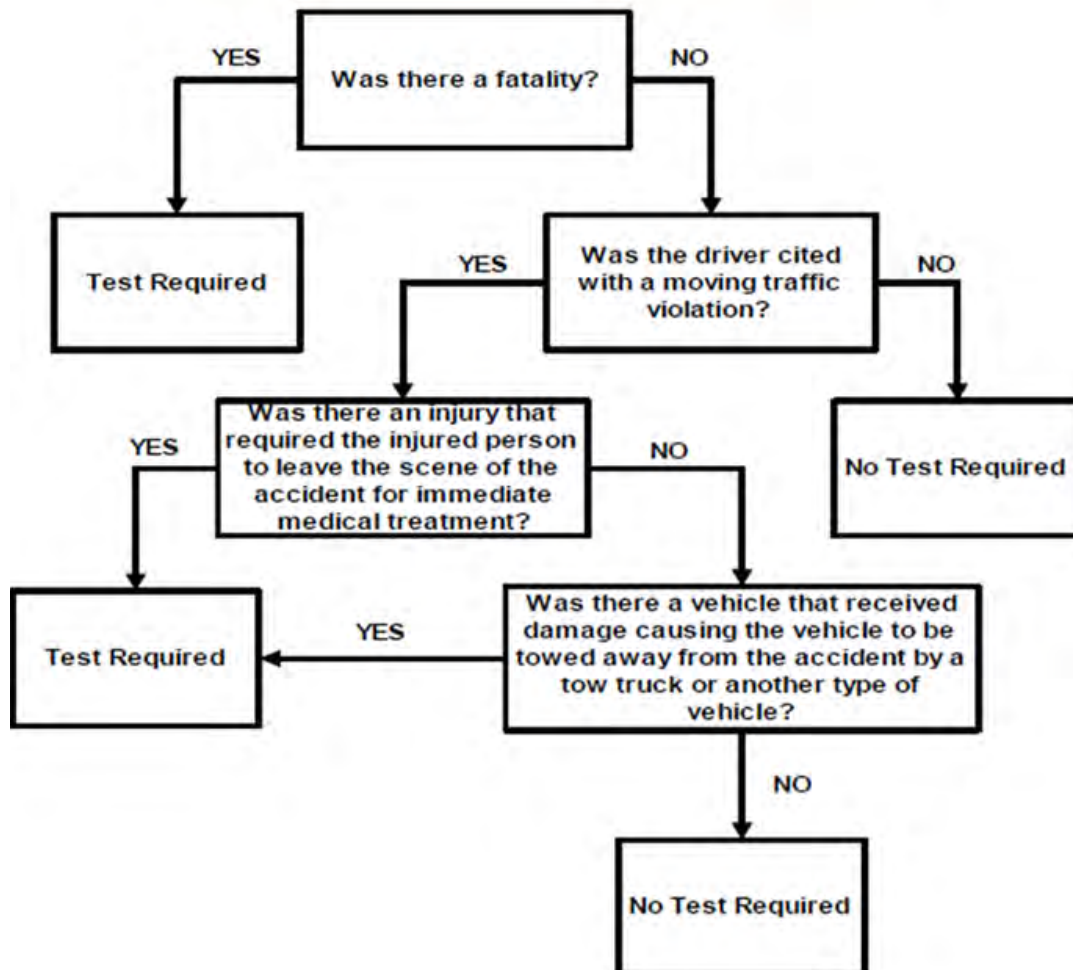
The proposed amendments have been provided to the three employee groups, discussed with Legal and the Police Department and posted for all employees to review. There have been no concerns from employees regarding the above amendments.

Financial Analysis: There are no hard costs associated with this Personnel Rule amendment.

Performance Analysis: The purpose of these amendments to the current policy will provide for a more detailed policy and clearer guidelines for all employees to follow.

Recommendation: The City Council is requested to approve the amendments to Rule XXI: Drug/Alcohol Policy.

POST-ACCIDENT DECISION TREE



RULE XXI: DRUG/ALCOHOL POLICY

SECTION 1. Purpose

The City of Coeur d'Alene (hereinafter the "City") is committed to protecting the safety, health and well-being of all employees and members of the public its employees encounter in the course of performing their jobs. We recognize that alcohol abuse and drug use pose a significant threat to our goals. The City is committed to assuring a drug and alcohol-free program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment.

SECTION 2. Drug and Alcohol Free Workplace

Employees will work alcohol and drug free in order to perform their jobs in a safe and efficient manner. This policy is designed to prevent alcohol and prohibited drug use, and to encourage employees who need to seek help. Any employee who is found to be in violation of the Drug/Alcohol Free Workplace policy shall be subject to disciplinary action up to and including termination. In addition, the employee may be subject to criminal prosecution as determined by the prosecutor, should such violation be subject to police investigation. As a condition of employment with the City, all employees are required to abide by the terms of this policy.

SECTION 3. Prohibited Behavior

- (a) It is the policy of the City that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance or prescription medication, both on and off the job, is prohibited on or in any property of the City.
- (b) Employees will not be permitted to work with a detectable level of alcohol or prohibited substance in their system, unless that substance is a medication currently prescribed by a licensed physician (or other appropriate healthcare professional) for specific treatment of the employee.
- (c) Employees will not perform any job functions where the use of doctor-prescribed medication may negatively affect their safety and/or the safety of others, or their job performance.
- (d) The City prohibits the adulterating or attempted adulteration of a urine specimen, or refusing to submit to an alcohol or controlled substances test required or requested pursuant to this policy.
- (e) Engaging in any of these prohibited acts may lead to disciplinary action up to and including termination.

SECTION 4. Notification of Arrest or Citation~~Convictions~~

Any employee who is arrested or; cited ~~or convicted~~ or for any criminal alcohol or drug related statute or ordinance must notify their supervisor and the City Human Resources staff ~~of the conviction~~ in writing within five calendar days of the arrest or; citation-~~or conviction~~.

SECTION 5. Drug/Alcohol Testing

- (a) To ensure the accuracy and fairness of our testing program, the City will test designated positions as provided by the regulations of the United States Department of Transportation (DOT), Controlled Substances and Alcohol Use and Testing, 49 CFR Part 382.
- (b) The City will test all new appointments and current employees of the City (to include employees transferred/promoted to other positions since a change of position constitutes a new appointment) who operate commercial vehicles and all “safety sensitive positions”. A “safety sensitive position” is defined as one in which the duties that are performed as a regular part of the job could reasonably be expected to affect the health, safety, and security of citizens. “Safety sensitive positions” include those which require employees to:
 - (1) Qualify and maintain qualification standards to carry firearms;
 - (2) Perform emergency medical, lifesaving, and/or fire suppression activities;
 - (3) Supervise other employees during the performance of critical functions (those which require employees to qualify to carry firearms, perform emergency medical, lifesaving and/or fire suppression activities);
 - (4) Operate, maintain or inspect emergency vehicles, heavy equipment, or vehicles having a gross combined weight rating of 26,001 or more pounds and/or carrying lifesaving equipment used for emergency services;
 - (5) Exercise custodial responsibility for illegal drugs or precursors;
 - (6) Supervise minor children and/or to monitor and maintain parks, playgrounds, Libraries, or beach areas; and
 - (7) Handle hazardous materials which, if mishandled, would place the general public at risk of serious injury.
 - (8) Engage in some special and obvious physical or ethical demands which, if compromised, could have detrimental consequences upon public and co-worker safety or security.

SECTION 6. Testing Guidelines

- (a) Confidentiality: All information received by the City through the drug and alcohol-free workplace program is confidential communication. All test results will be maintained by the Human Resources Office and access will be limited to the employee’s supervisor or as otherwise required under DOT regulations. Test results will be made available to other parties only upon specific written consent of the individual tested and to those persons who may be directly involved in any disciplinary procedure, or upon court order.
- (b) The City will test for the following substances:
 - (1) Cannabinoids (Marijuana)
 - (2) Cocaine
 - (3) Opiates
 - (4) Amphetamine
 - (5) Phencyclidine (PCP)
 - (6) Benzodiazepines
 - (7) Ecstasy
 - (8) Alcohol

- (c) The City agrees to utilize an independent Substance Abuse and Mental Health Services Administration certified laboratory which conforms with the United States Department of Health and Human Services (USDHHS) certification guidelines to ensure test accuracy.

SECTION 7. Types of Testing

(a) Pre-employment Testing

- (1) All new appointments who operate commercial vehicles and those in “safety sensitive positions” (to include employees transferred/promoted to other positions since a change of position constitutes a new appointment), shall take, and must pass, a drug and alcohol test as a condition of employment.
- (2) All prospective CDL drivers must disclose to the City all previous employers for whom they have worked as a driver within the past two (2) years. The City will then request from those employers all information regarding any incidents where the prospective employee has tested positive for illegal drugs or alcohol, or refused to test. In the event that the City receives information from a past employer that the prospective employee has tested positive for drugs or alcohol within the last ninety (90) days, that prospective employee will not be offered employment, or their conditional employment will be terminated, with the City.

- (b) Reasonable Suspicion Testing: The City shall require an employee to be tested for drugs or alcohol when there is reasonable suspicion to believe the employee has consumed drugs or alcohol while at work or is under the influence of drugs or alcohol while at work. When a supervisor has reasonable suspicion, either by personal observation or from reports from another employee or the public, to believe that an employee on duty has consumed drugs or alcohol when reporting for work or when acting within the scope and course of employment (must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee), the supervisor shall take appropriate measures to reduce any immediate safety risks and shall report the matter immediately (or as soon as practical) to his/her supervisor and the Human Resources staff. In the absence of a supervisor, an employee who has reasonable suspicion to believe another employee on duty has consumed drugs or alcohol is authorized to take such steps which appear necessary to reduce any immediate safety risks and such employee shall, as soon as possible, report the situation to a responsible supervisor and/or the Human Resources staff.

- (c) Random Testing: All CDL drivers and those in “safety sensitive positions” will be subject to unannounced random drug and alcohol testing. Random testing selections shall be made by a scientifically valid method that will result in each employee having an equal chance of being tested each time selections are made. Random testing for drugs and alcohol will take place just prior to, during, or just after an employee’s duty time. The City is notified of the randomly selected employees on a monthly basis. The day and time the employee(s) is sent for testing is at the discretion of the Human Resources Staff.

- (d) Post-Accident Testing: All employees operating a city vehicle, a personal vehicle, or a commercial vehicle requiring a CDL license who is involved in an vehicular accident of any kind or degree while in the course and scope of duties on duty for the City must notify his/her supervisor and/or the Human Resources staff of the accident as quickly as possible and comply with instructions given regarding drug and alcohol testing shall be tested for both drugs and alcohol as soon as practical. Alcohol testing must be

~~administered within two (2) hours of the accident and drug testing must be administered within 32 hours of the accident.~~

Any employee required to be tested under this section must remain readily available for such testing and ~~such a driver~~ shall not consume alcohol or take any drug other than prescription medications for within eight (8) hours ~~after of~~ the accident or the testing is completed, whichever is sooner. ~~A driver who is involved in an accident requiring a drug and alcohol test must notify his/her supervisor and/or the Human Resources staff of the accident as quickly as possible and comply with those instructions given him/her relative to his/her taking a drug and alcohol test.~~

Any supervisor or Human Resources staff member to whom a vehicular accident is reported shall follow the current Post-Accident Decision Tree to determine if drug and alcohol testing is required. In addition, the supervisor or Human Resources staff member may require drug and alcohol testing if reasonable suspicion exists to believe that the employee involved in a vehicular accident was under the influence of drugs or alcohol at the time of the accident. The supervisor or Human Resources staff member may also contact law enforcement for assistance.

The purpose of Post-Accident drug and alcohol testing is to obtain information to assist the City in determining whether administrative disciplinary action is warranted. If, during the Post-Accident drug and alcohol testing, information is obtained or disclosed which indicates that the employee may be guilty of criminal conduct with regard to the accident, neither the information nor anything derived from that information will be used against the employee in any criminal proceeding.

SECTION 8. Drug & Alcohol Testing Procedures

- (a) Drug specimen collection procedures: All testing for drugs will be done by the testing of an employee's urine specimen.
All such testing will utilize the split specimen collection procedure. Under that procedure, each employee will have his/her urine specimen sealed in two separate containers and both sent to a certified laboratory for testing. If an employee's first specimen tests positive, that employee may request, within three (3) days of the positive notification, that the other specimen be tested at another certified laboratory. During the time the second specimen is being tested, that employee will be suspended without pay. Any employee who has a second test come back negative will be given back pay for the time of the suspension. All specimen collections will be conducted by personnel that have been instructed and trained in collection procedures set by the DOT.
- (b) Adulteration or submission of a concealed specimen: If, during the collection procedure, the collection monitor detects an effort by an employee to adulterate or substitute a specimen, a second specimen will be requested. If a second specimen is provided, that specimen will be tested. If the request for a second specimen is refused, the collection monitor will inform Human Resources staff of the employee's refusal to submit a true specimen. Such conduct by the employee will be considered as a refusal to provide a true specimen for testing. In the event that a prospective or current employee submits a specimen that the laboratory later identifies as a diluted specimen, the City will advise the employee of that result and request that employee submit a second specimen. Such employee will be advised by the City not to drink any fluids prior to the test.

- (c) Alcohol testing procedure: All testing for alcohol will be done by the use of an approved breath testing device, operated by a trained and qualified breath alcohol technician (BAT). Blood testing for alcohol will only be allowed when a breath testing device is not readily available.
- (d) Refusal: An employee for the City may not refuse to take a drug or alcohol test when requested to do so, consistent with the terms of this policy. Such a refusal will be considered equivalent to testing positive for drugs and alcohol.

An employee will be considered as refusing to test if she/he expressly refuses to take a test when so requested, or otherwise fails to provide an adequate breath or urine sample without a valid medical explanation. Additionally, an employee will be considered as refusing to test if she/he engages in conduct that clearly obstructs the testing process, including but not limited to providing or attempting to provide an adulterated or substitute specimen.

SECTION 9. Test Result Notification

- (a) The City has arranged that all test results, both drug and alcohol, will be forwarded to the City's Human Resources staff through the City's designated Medical Review Officer (MRO). Prior to Human Resources being informed that a prospective or current employee has tested positive for drugs, the employee will be offered an opportunity to personally discuss a positive drug test with the MRO or his/her representative. The MRO will follow up on such information as is appropriate. Any employee who is taking a prescription drug that may have been the cause of a positive test result will be asked to provide the name of the medication and the identity of the prescribing physician for verification. If this is verified, the employee's test result will be reported as negative. If, after consideration of the matter, the MRO finds no reason to doubt the validity of the positive test, that result (including the identity of the drug, if applicable) will be conveyed to the City's Human Resources.

If the employee cannot be located, the MRO or his/her representative may request that the City contact arrange for the employee to contact the MRO as soon as possible to discuss the results of the test. The MRO will communicate a positive result to the City without discussing the result with the employee if the employee expressly declines the opportunity to discuss the results of the test, or the employee is instructed by the City to contact the MRO and fails to do so within 24 hours, excluding weekends.

SECTION 10. Testing Positive for Drugs or Alcohol

- (a) Any prospective employee who tests positive for the presence of drugs or alcohol will not be hired. In addition, prospective employees will not be allowed to reapply and/or retest.
- (b) Any current employee (to include any new appointment, transfer or promotion) who tests positive for the presence of drugs or alcohol will be subject to disciplinary action, up to and including dismissal.
- (c) Any employee who tests positive for drugs or alcohol and who is allowed to continue to be employed by the City will be referred to the City's Employee Assistance Program (EAP) and will be required to take and pass a drug and/or alcohol test, at the employee's expense. Thereafter, such employee will be subject to six (6) unannounced random drug

and/or alcohol tests over the next twelve (12) months (follow-up testing), all at the employee's own expense. The requirement of random drug and/or alcohol tests will be in addition to any other discipline deemed appropriate. Follow-up testing will also be required of CDL drivers who tested positive for drugs or alcohol within the past two (2) years while employed by another company.

SECTION 11. Grounds for Discipline

An employee may be found in violation of this policy on the basis of any appropriate evidence including, but not limited to:

- (a) The unlawful use, distribution, or possession of controlled substances, including alcohol, drugs, and related paraphernalia, by an employee while on the job; or
- (b) The unlawful use or abuse of drugs, alcohol, or other controlled substances by an employee on or off the job, which results in an employee having detectable levels of such substances in his/her body while on duty; or
- (c) Evidence obtained from an arrest or criminal conviction that arises while the employee is at the workplace, or that affects the employee's ability to perform job duties.

Discipline shall be in accordance with Personnel Rule XIV governing employee discipline.

SECTION 12. Voluntary Treatment

It is the City's intent to emphasize education and prevention of substance abuse, and not to rely on testing and disciplinary measures alone to deal with alcohol and drug use in the workplace. A fundamental purpose of the City's Drug/Alcohol Free Workplace Policy is to assist employees who are seeking treatment for alcohol or drug use. For this reason, the City will not initiate disciplinary action against any employee who meets all three of the following conditions:

- (a) Voluntarily identifies him/herself as a user of alcohol and/or illegal drugs and/or an abuser of prescription medications, as referenced by this policy, prior to being identified through other means;
- (b) Obtains evaluation, counseling or rehabilitation through the Employee Assistant Program (EAP) or other professionally recognized organization; and
- (c) Thereafter refrains from using illegal drugs, abusing prescription medications, or misusing alcohol.

Any employee of the City who considers themselves alcohol or drug dependent and who voluntarily identifies themselves as such will be referred to the City's EAP. Conscientious efforts to seek and use such help will not jeopardize an employee's job. The EAP counselor will complete an evaluation, provide counseling, and recommend relevant treatment and rehabilitation.

SECTION 13. Employee Assistance Program (EAP)

- (a) Purpose: To assist employees who may need help in dealing with substance abuse or other personal problems which may be contributing to on-the-job behavior or

performance difficulties. It provides free evaluation from a qualified, professional counselor. The City recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, our drug and alcohol-free workplace policy:

- (1) Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- (2) Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
- (3) Offers all employees and their family members in their household confidential assistance with alcohol and drug problems through the Employee Assistance Program (EAP).

Please feel free to consult, in complete confidence, with the Human Resources staff for guidance in identifying appropriate resources to help deal with such problems.

SECTION 14. Shared Responsibility

A safe and productive drug and alcohol-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

All employees are required to not report to work or be subject to duty while their ability to perform job duties may be impaired due to on or off-duty use of alcohol or other drugs.

In addition, employees are encouraged to:

- Be concerned about working in a safe environment.
- Support fellow workers in seeking help.
- Use the Employee Assistance Program.
- Report dangerous behavior to their supervisor.

It is the supervisor's responsibility to:

- Inform employees of the drug and alcohol-free workplace policy.
- Observe employees performance.
- Investigate reports of dangerous practices.
- Document negative changes and problems in performance.
- Counsel employees as to expected performance improvement.
- Refer employees to the Employee Assistance Program (EAP).
- Clearly state consequences of policy violations.

SECTION 15. Communication and Training

Communicating our drug and alcohol-free workplace policy to both supervisors and employees is critical to our success. To ensure all employees are aware of their role in supporting our drug

and alcohol-free workplace program:

- All current employees will receive a copy of the updated policy.
- All employees will receive a written copy of this policy during new employee orientations.
- The policy will be reviewed at safety meetings.
- Supervisors will receive training to help him/her recognize and manage employees with alcohol and other drug problems.
- Employees will receive information and instructions on how to access resources through the City's current Employee Assistance Program (EAP).

GENERAL SERVICES COMMITTEE

Date: February 22, 2017

From: Kenneth G. Gabriel, Fire Chief

Re: MOU with State of Idaho Fire Service Technology (FST)

DECISION POINT: Should the City Council agree to enter into an agreement with FST to house a State funded extrication training trailer with our Fire Department?

HISTORY: The State of Idaho has purchased three (3) trailers with equipment to loan to Fire Department's in different regions of the State to conduct extrication training. These trailers are to be housed at a central point in each region for distribution and use. The Coeur d'Alene Fire Department (CDAFD) has been asked to house the trailer for this region.

FINANCIAL ANALYSIS: There is no negative impact to our budget. There could be a positive as we would have access to their equipment for our in-house training, saving wear and tear on our equipment.

PERFORMANCE ANALYSIS: This is a priority in training State wide. Being able to use their equipment is positive for us and also beneficial to the entire region.

DECISION POINT/RECOMMENDATION: For the Council to approve an MOU with FST to house a State funded extrication training trailer with the CDAFD.



EASTERN IDAHO TECHNICAL COLLEGE
FIRE SERVICE TECHNOLOGY
1600 S 25TH E
IDAHO FALLS, ID 83406
PHONE (208) 535-5443 FAX (208) 523-1815
<http://www.fst.eitc.edu>

Letter of Agreement

April 4, 2017

This Letter of Agreement summarizes the understanding of the agreement reached on April 4, 2017, after email and telephone conversations. If this agreement is acceptable to you, please sign below in the space designated for your signature.

As I understand it, we have agreed as follows:

1. Agreement

It is my understanding that we have agreed to the following in regards to: Storage of Eastern Idaho Technical College/Fire Service Technology Training (EITC/FST) Trailer.

The Coeur d'Alene Fire Department (CDAFD) agrees to store the EITC/FST training trailer at their training facility.

EITC/FST has total responsibility for maintenance, inventory and insuring of trailer and contents. EITC/FST also assumes the risk of loss of the same unless the loss is caused by the negligence of the City of Coeur d'Alene. CDAFD and EITC/FST will work together in management of the trailer for check out and check in when trailer is used for training events. No burden of cost to the CDAFD will be associated with the storage and check out/in procedures of the training trailer.

2. Term

The term of this agreement will commence on April 5, 2017 and will continue in effect until December 31, 2021 at which point it shall terminate unless the term is extended or terminated earlier in a written document signed by both parties.

3. Indemnity Clause.

EITC/FST agrees to indemnify and defend the City from any claim or cause of action arising out of the storage of the training trailer, including claims or

causes of action for personal injury, death, or property damage, except for claims or causes of action arising out of the City's sole negligence.

4. Remedy of Parties

In the event one of us is in default or breach of any of the material provisions of this Agreement and fails to cure the default or breach within ten (10) days after written notice of such default or breach by the other, the non-breaching party shall have the right to terminate this Agreement.

5. Termination

Either of us shall have the right, forthwith and without further notice, to terminate this Agreement by written notice to the other, upon the occurrence of any of the following events:

A breach or default of a provision of this Agreement which is not cured within the period set forth in Paragraph 3 of this Agreement.

If the above correctly expresses your understanding of the terms reached, please sign and date a copy of this Agreement and return the signed and dated Agreement to me.

Dean Ellis
Eastern Idaho Technical College/Fire Service Technology
1600 S 25 E
Idaho Falls, ID 83404

Accepted and agreed to on April _____, 2017.

**CITY OF COEUR D'ALENE
KOOTENAI COUNTY, IDAHO**

**EASTERN IDAHO TECHNICAL
COLLEGE/FIRE SERVICE
TECHNOLOGY**

By:

By:

Steve Widmyer, Mayor

Dean Ellis

Its: _____

ATTEST:

Renata McLeod, City Clerk

GENERAL SERVICES COMMITTEE

Date: March 21, 2017

From: Kenneth G. Gabriel, Fire Chief

Re: Memorandum of Understanding with Kootenai County Fire and Rescue

DECISION POINT: Should the City of Coeur d'Alene enter into an agreement with Kootenai County Fire and Rescue (KCFR) for response and stand-by activities associated with the City's Fire Boat?

HISTORY: The City recently purchased and placed into service a Fire/Rescue Vessel which would meet our response needs in and around the City and the adjoining waterways. KCFR historically has had a response presence on the north shore of the lake and had a fire boat housed at the Blackwell Island Marina. With our need growing, and their jurisdiction boundaries being decreased, we collaborated to have the City's vessel have a strong presence on the Lake and KCFR establish a stronger presence on the Spokane River. KCFR sold their boat in May of 2016 and we moved our vessel into a boat house they leased in the Blackwell Island Marina. As outlined in the MOU, the City would assume emergency response on the north shore of the Lake as well as non-emergency stand-by's for events.

FINANCIAL ANALYSIS: In the MOU it is stipulated that all non-emergency/event stand-byes which KCFR has historically charged for would be invoiced by KCFR, who would issue the permit, and we would be reimbursed at the rate of \$335.00 per event. This is the amount it would take to staff the boat with a compliment of three personnel for a three hour period. Responses and non-billable events would be handled by on-duty staff.

PERFORMANCE ANALYSIS: Having a state of the art all hazard response vessel on the north shore of the lake is very positive. It enhances our emergency response on and near the water and through cooperation with our neighboring department's, eliminated duplication of efforts.

DECISION POINT/RECOMMENDATION: Approve an agreement with KCFR for response and stand-by activities associated with the City's Fire Boat.

MEMORANDUM OF UNDERSTANDING RE: FIREBOAT

Between

KOOTENAI COUNTY FIRE & RESCUE and THE CITY OF COEUR D'ALENE

This MEMORANDUM OF UNDERSTANDING RE: FIREBOAT (hereinafter "MOU") is hereby entered into by and between KOOTENAI COUNTY FIRE & RESCUE (hereinafter "KCFR"), a political subdivision of the State of Idaho, and the CITY OF COEUR D ALENE (hereinafter "City"), a political subdivision of the State of Idaho.

I. PURPOSE - The purpose of this MOU is to set forth the parties' responsibilities and fees involved in the operations of the City's Fireboat.

II. RESPONSIBILITIES –

a. KCFR shall:

- i. Make requests to the City's Fire Chief, or his designee, for assistance for boat-related calls and stand-by events in the manner set out in City policies.
- ii. Promptly pay, upon the conclusion of the boat-related call or event, for each such boat-related call or event at the flat rate of three-hundred thirty-five and no/100 Dollars (\$335.00).
- iii. Utilize its best efforts to cooperate with the City with respect to boat-related calls, requests for assistance, and stand-by events by the City's Fireboat and City personnel.

b. The City shall:

- i. Promptly respond to requests for assistance for boat-related calls in the Response Area unless there is a conflict. "Response area" shall mean Lake Coeur d'Alene, to the extent that the lake is contiguous to KCFR's District.
- ii. Provide the Fireboat and a three-person crew for three (3) hours as stand-by for events on Lake Coeur d'Alene upon the request of KCFR.
- iii. Maintain adequate records with respect to each boat-related call or event.

III. TERM AND TERMINATION –

- a. This MOU will become effective on the date of the last signature below and shall remain in effect for one (1) year, unless terminated earlier by either party in accordance with the provisions of this MOU.
- b. If this MOU has not been terminated prior to the end of any one-year term, it will automatically renew for one year.
- c. Either party may terminate this MOU, with or without cause, by providing thirty (30) days' written notice to the other party.

IV. GENERAL PROVISIONS – The parties agree that:

- a. If circumstances change, operational difficulties arise, or misunderstandings develop, the parties will meet and confer at the request of either party to discuss the issue and proposed solutions. Further, each party agrees not to bring a claim, initiate other legal action, or suspend performance without meeting directly with the other party regarding the subject matter of the disagreement.
- b. Amendments to this MOU may be made only in a writing, signed and dated by both parties.
- c. Each party is liable for any and all claims, damages, or suits arising from the acts, omissions, or negligence of its own officers, agents, and employees.
- d. This MOU shall in no way restrict either KCFR or the City from participating in similar activities with other public or private agencies, organizations, and individuals.
- e. In the event that a conflict arises in the use of the Fireboat under this MOU, the City's Fire Chief, or his designee, shall determine priority.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding as of the last date written below.

DATED this 13th day of March, 2017.

KCFR

By Richard Nordstrom
Richard Nordstrom, BOFC President

DATED this _____ day of _____, 2017.

CITY OF COEUR D'ALENE

ATTEST:

Steve Widmyer, Mayor

Renata McLeod, City Clerk

ANNOUNCEMENTS

Memo to Council

DATE: March 27, 2017

RE: Appointments to Boards/Commissions/Committees

The following appointment and reappointments are presented for your consideration for the April 4th Council Meeting:

PHIL WARD DESIGN REVIEW COMMISSION (Appointment)

TOM MESSINA PLANNING COMMISSION (Reappointment)

LYNN FLEMING PLANNING COMMISSION (Reappointment)

Copies of the data sheets have been placed by your mailboxes.

Sincerely,

Amy Ferguson
Executive Assistant

cc: Renata McLeod, Municipal Services Director
 Hilary Anderson, Design Review & Planning Commission liaison

GENERAL SERVICES COMMITTEE

**GENERAL SERVICES
STAFF REPORT**

March 27, 2017

From: Bill Greenwood, Parks & Recreation Director

Subject: CITY PARK WORKERS MEMORIAL

Decision Point: Recommendation to allow construction of a workers memorial at City Park at a specified area located in the northwest corner of the park.

History: This item was brought forward to the Parks Commission in 2010 with a request to consider this memorial at Riverstone Park and at that time we could not find a suitable location so the quest was not approved. Since that time the commission believed that the memorial was a good idea and wanted to continue to seek an alternative location. This workers memorial would be dedicated to any employed person that has died while working or in the line of duty in Idaho. This applies to any trade or profession and the employee will not have to belong to any association, union or organization. We do have other type's memorials currently within the parks, we have monuments set up on the Centennial Trail and at Tubbs Hill where any person can have a name inscribed in memory of a loved one, or their own name. We have also have locations for tree donations with a plaque for the same purpose; however those locations are scarcer. In addition have the Fallen Heroes Plaza; an area dedicated to Fire Fighters and Police Officers that have died in the line of duty.

Financial Analysis: The estimate of probable cost for the memorial is \$80,000 and that number could go down with in-kind donations. The City would not be obligated for any costs associated with the project. All costs would be the responsibility of the North Idaho Central Labor Council. They would also be responsible for any vandalism and other capital repairs and/or replacements of the memorial included the costs of adding individual names to the memorial. The parks department would be responsible for the normal day to day maintenance of the memorial.

Performance Analysis: The proposed location for this memorial in City Park does not have many park patrons using this area in fact staff has installed barbeques and we place picnic tables there to encourage use the table are moved into the center of the park near the playground and the barbeque are not used. The overall foot print of the project shall not exceed 2,000 square feet and the placement of the memorial will not cause damage to the existing trees or their root systems.

Decision Point: Recommendation to allow the construction of a workers memorial at City Park at a specified area located in the northwest corner of the park.

OTHER BUSINESS

March 29, 2017

Mr. Chris Bosley, P.E.
City of Coeur d'Alene
710 Mullan Avenue
Coeur d'Alene, ID 83814

Re: CDA Lake Drive Master Plan

Dear Chris:

Welch Comer Engineers was retained by the Idaho Transportation Department (ITD) to complete a master plan of Coeur d'Alene Lake Drive (CDA Lake Drive) from Sherman Avenue to Higgins Point. ITD's objective for the master plan was to use it as a "guidance document" to help ITD, the City of Coeur d'Alene ("City"), East Side Highway District ("ESHD") and other interested stakeholders to make an informed analysis of potentially transferring CDA Lake Drive jurisdictional control from ITD to a local entity. City representatives have been part of the Master Planning process from the beginning and you are particularly familiar with the Master Plan content.

ITD desires to transfer CDA Lake Drive to local entities (the City and ESHD) because the public will be better served by local control of the roadway. Subject to ITD Board approval, ITD plans to provide funding to the local entities who take over jurisdiction to fund immediately necessary improvements and anticipated on-going maintenance for 30 years. The funding value for the CDA Lake Drive Sherman Avenue to City Limits at Silver Beach is \$840,000 and includes the Sherman Avenue signal upgrades Tim Martin recently requested.

We would like to attend the April 4, 2017 Council Meeting and make a brief presentation, enclosed, and answer Council Member and staff questions.

Sincerely,



Philip F. Boyd, P.E.
President / Principal Engineer

PFB/ljs
Enclosure

cc: Ben Ward, P.E. – Idaho Transportation Dept.

Coeur d'Alene Lake Drive



Sherman Ave to CDA City Limits



Why Transfer Part of the Road to the City of Coeur d'Alene?

- The Roadway would Receive Funding for Improvements and Maintenance
- Public Benefits From Local Control:
 - Local Attention and Maintenance
 - Local Access and Permitting
- CDA Lake Drive is not an ITD High Priority because it is Non-Commerce
 - It's Not in ITD's Transportation Asset Management System (TAMS)
 - It Receives Low priority winter response
- Current Operations
 - Memorandum of understanding with IDPR for the Centennial Trail
 - Mostly easements for a transportation facility so limited land disposal opportunities
 - There are limitations on transfer of jurisdiction



History

- Designated US-10 in 1927
- Changed to a Local Road, Coeur d'Alene Lake Drive, in early 1990's
- Potential Jurisdiction Transfer to Coeur d'Alene Discussed in Mid 2013
- ITD Initiated a Corridor Master Plan in 2014



CDA Lake Drive Master Plan Objectives

1. Evaluate the corridor conditions and identify issues and opportunities.
2. Develop estimates for repair and/or rehabilitation and long term maintenance.
3. Facilitate a stakeholder and public involvement process.
4. Develop a master plan that can be used as a “guidance document” to make the transfer.



CDA Lake Drive Evaluation Area



Facility Condition Evaluation

- What we evaluated:

1. Pavement Condition
2. Signs
3. Stormwater System
4. Shoreline
5. Guardrail
6. Centennial Trail

- Why we evaluated:

1. To have a technical and objective analysis of existing facilities.
2. To have Opinions of Cost to:
 1. Improve (if necessary) Facilities to Good, Maintainable Condition.
 2. Maintain the facilities for a 30 year period.



Sherman Ave to CDA City Limits



Sherman to CDA City Limits

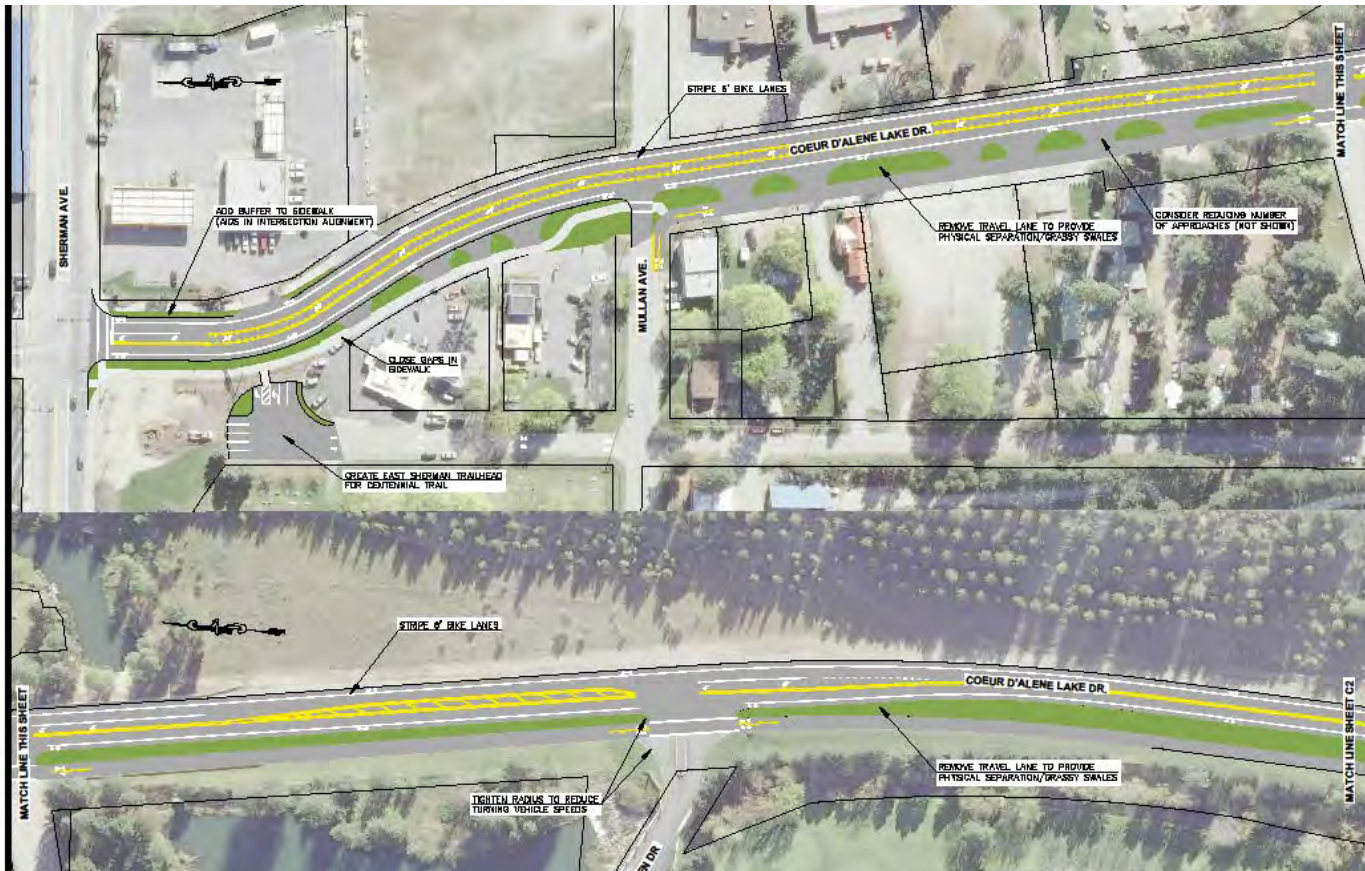
- Other Facilities

- Potlatch Road Bridge (ITD Retains)
- Sherman Ave/CDA Lake Drive traffic signal



Sherman to CDA City Limits





Welch-Comer & Associates, Inc.
 This document, and files and designs incorporated herein, as an instrument of professional service, is the property of Welch-Comer & Associates, Inc., and is not to be used in whole or in part for any other project without the written authorization of Welch-Comer & Associates, Inc.

GRAPHIC SCALE
 (IN FEET)
 1" = 400'
 1" = 800'

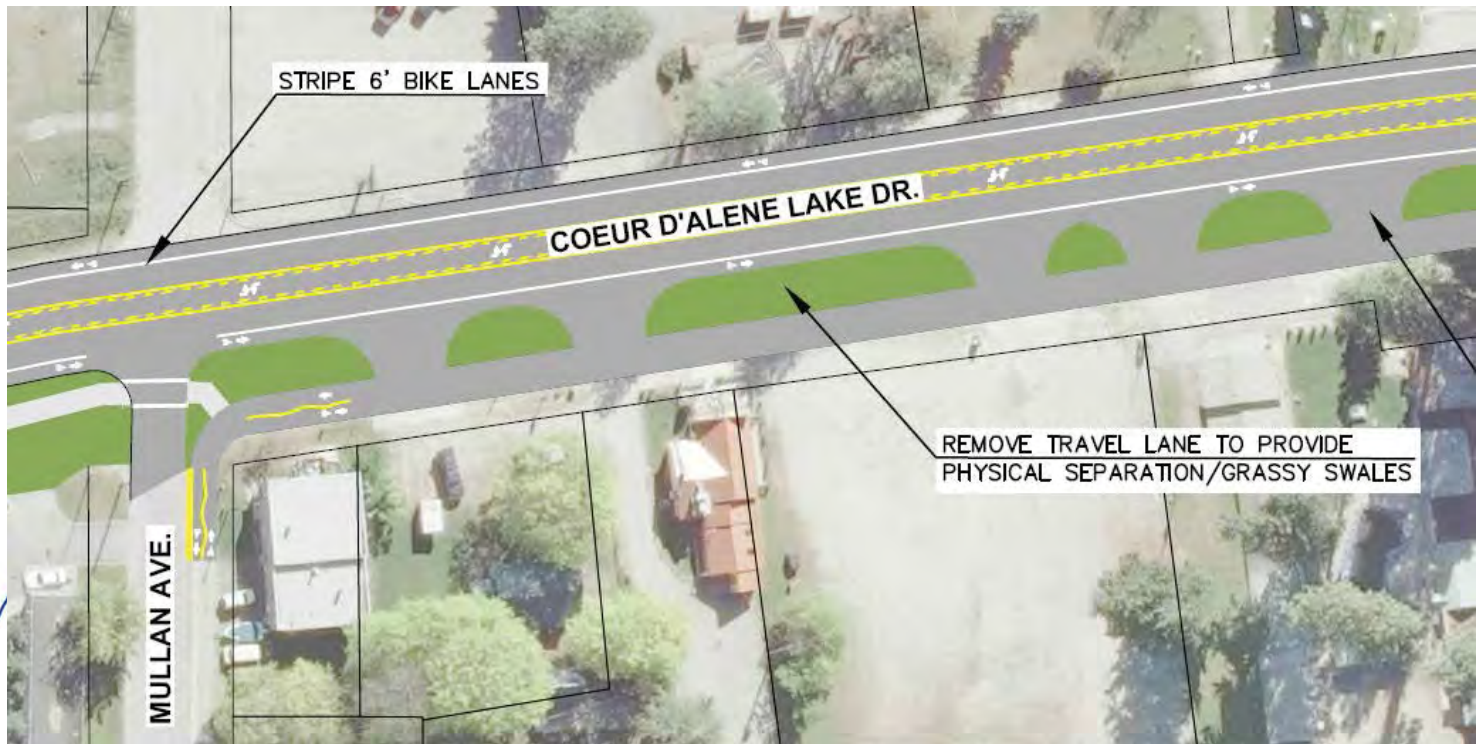
WELCH-COMER & ASSOCIATES, INC.
 208-664-5800
 208-664-5822
 3302 Millman Ave
 Coeur d'Alene, ID 83815
 (IN) 208-664-5946
 FAX 208-664-5946
 www.welchcomer.com

IDAHO TRANSPORTATION DEPT
 COEUR D'ALENE LAKE DRIVE
 CONCEPTUAL IMPROVEMENTS

SHERMAN AVE TO CITY LIMITS

PROJECT NO. 47185
 DRAWING BY C.W.R.

Pavement Width Reduction Schematic Plan



Sherman to CDA City Limits – Summary

- Roadway
 - Remove strip of asphalt, providing separation between Centennial Trail and CDA Lake Drive, overlay, and restripe
- Sherman Ave Traffic Signal
 - Upgrade the Signal to Current City Standards.
- Potlatch Road Bridge
 - Unique maintenance requirements.
 - ITD can continue to maintain the bridge



Opinions of Cost of Improvements and On-Going Maintenance

City of Coeur d'Alene		Annual Cost
Reduce Pavement Width, Complete a Thin Lift Overlay		\$ 520,000
Improvements to Sherman Ave. Signal		\$ 65,000
Chip seal every +/- 8 yrs (annual cost share)	\$ 10,000	
Annual crack seal cost	\$ 3,000	
Sum of Annual Costs		\$ 13,000
Present Value of Annual Cost for 30 Years at 3%		\$ 255,000
TOTAL		\$ 840,000



Thank You



CITY COUNCIL STAFF REPORT

DATE: April 4, 2017

FROM: Mike Gridley – City Attorney

SUBJECT: Conveyance of Right of Way along Government Way to the Lakes Highway District and the cities of Hayden and Dalton Gardens

=====

DECISION POINT:

Should the City Council convey right of way along Government Way from Dalton Avenue to Prairie Avenue to the Lakes Highway District and the cities of Hayden and Dalton Gardens?

HISTORY:

The city of Coeur d’Alene is the Project Sponsor of the Government Way improvement project. As the Project Sponsor the City acquired property on the east and west side of Government Way that lies in Lakes Highway District and the cities of Hayden and Dalton Gardens. The City now needs to convey the property to the respective entities where the property lies.

FINANCIAL ANALYSIS:

The properties were acquired with funding from the federal government grant for the project. The property is right of way and has no value to the City. State law allows cities to convey property to other taxing entities for no consideration.

PERFORMANCE ANALYSIS:

The conveyance of the right of way has no impact on the City.

DECISION POINT/RECOMMENDATION:

City Council should approve a declaration of no value and the conveyance of right of way along Government Way to the Lakes Highway District, and the cities of Hayden and Dalton Gardens and set a public hearing for the proposed conveyances.

RESOLUTION NO. 17-021

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING AN ANNEXATION AGREEMENT WITH MICHAEL H. KOBOLD, TRUSTEE OF THE MICHAEL H. KOBOLD LIVING TRUST.

WHEREAS, an annexation agreement has been negotiated between the City of Coeur d'Alene and Michael H. Kobold, Trustee of the Michael H. Kobold Living Trust, pursuant to the terms and conditions set forth in said agreement, a copy of which is attached hereto as exhibit "1" and by this reference made a part hereof; and

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof to enter into such agreement;

NOW, THEREFORE,

BE IT RESOLVED that the City enter into an annexation agreement with Michael H. Kobold, Trustee of the Michael H. Kobold Living Trust, 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 agreement to the extent the substantive provisions of the agreement remain intact.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and they are hereby authorized to execute such agreement on behalf of the City of Coeur d'Alene.

DATED this 4th day of April, 2017.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

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

ROLL CALL:

COUNCIL MEMBER GOOKIN Voted _____

COUNCIL MEMBER MCEVERS Voted _____

COUNCIL MEMBER MILLER Voted _____

COUNCIL MEMBER EDINGER Voted _____

COUNCIL MEMBER EVANS Voted _____

COUNCIL MEMBER ENGLISH Voted _____

_____ was absent. Motion _____.

ANNEXATION AGREEMENT
KOBOLD
A-5-16

THIS AGREEMENT, made and dated this 4th day of April, 2017, by and between the *City of Coeur d'Alene*, a municipal corporation organized pursuant to the laws of the state of Idaho, hereinafter termed the "City," and *Michael H. Kobold, Trustee of the Michael H. Kobold Living Trust*, organized pursuant to the laws of the State of Idaho, with its address at *1820 W. Prairie Avenue, Coeur d' Alene, ID. 83815*, hereinafter referred to as the "Owner,"

W I T N E S S E T H:

WHEREAS, the Owner owns a parcel of land adjacent to the City limits of the City, which the Owner wishes to develop, and the Owner has applied for annexation to the City, and said property to be annexed is more particularly described in Exhibit "A" attached hereto (hereinafter referred to as "the Property") and incorporated by reference into the substantive portion of this agreement; and

WHEREAS, The Coeur d'Alene Planning and Zoning Commission has approved, subject to the successful completion of the annexation process of the Property, which is commonly known as *Kobold Annexation*. A copy of the approved Findings and Order are attached hereto as Exhibit "B" and are incorporated by reference into the substantive portion of this agreement; and

WHEREAS, the Mayor and City Council of the City have determined that it would be in the best interests of the City and the citizens thereof to annex the Property subject to the Owner performing the conditions hereinafter set forth; NOW, THEREFORE,

IN CONSIDERATION of the covenants and conditions set forth herein, the parties agree as follows:

ARTICLE I: LEGAL DESCRIPTION

1.1. Legal description: The Property to be annexed is located south of Prairie Avenue and west of the intersection of Prairie Avenue and Ramsey Road and is more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

ARTICLE II: STANDARDS

2.1. Applicable standards: The Owner agrees that all laws, standards, policies and procedures regarding public improvement construction that the Owner is required to comply with or otherwise meet pursuant to this agreement or City codes shall be those in effect at the time of plan approval. The Owner further waives any right the Owner may have regarding the date used to determine what public improvements; construction laws, standards, policies and procedures shall apply.

ARTICLE III. UTILITIES

3.1. Water and sewer: The Owner agrees to use Hayden Lake Irrigation District and the City's sanitary sewer systems for this development. The Owner will extend, at its own cost, the water and sanitary sewer systems to each lot when a building permit is pulled for the existing lot and for future subdivided lots, and further agrees to fully comply will all city policies for its water and wastewater systems.

3.2. Water: Water for this development will be provided by Hayden Lake Irrigation District. A “will serve” letter from HLID will be required as a condition of a subdivision.

3.3. Water rights: Prior to the recordation of any plat on the Property or any other transfer of an ownership interest in the Property, the Owner will grant to Hayden Lake Irrigation District by warranty deed in a format acceptable to HLID, all water rights associated with the Property. The parties expressly agree that the Owner is conveying the water rights to HLID so that HLID will have adequate water rights to ensure that HLID can provide domestic water service to the Property.

3.4 Public Sewer: Any deviation from the Sewer Master Plan will require the Applicant to demonstrate their project’s impacts to the public sewer system.

3.5. Garbage collection: The Owner agrees that upon the expiration of the existing term of any contract to provide garbage collection services to the Property, that the Owner will begin using the garbage collection service in effect within the City of Coeur d'Alene, which garbage collection service shall be identified by the City.

3.6. Street lights: The Owner agrees to adhere to City policies and standards for street light design and construction.

3.7. Street Trees: The Owner agrees to adhere to City policies and standards for street trees.

ARTICLE IV: PUBLIC IMPROVEMENTS

4.1. Installation of public improvements: The Owner further agrees prior to occupancy of the Property, and prior to issuance of any building permits for the Property, the Owner shall submit plans for approval and construct and install, or otherwise secure the required construction and installation in a manner acceptable to the City, of all improvements required by this agreement or by City code including but not limited to sanitary sewer improvements, storm water disposal, water lines, hydrants, monumentation, grading, subbase, paving, curbs, dry utility conduit, street lights, pedestrian/bicycle paths and sidewalks. The City shall have no obligation, if any exists, for maintenance of improvements until such time as the City formally accepts the improvements.

4.2. Compliance with conditions of approval: The conditions of approval for the subdivision of the Property attached as Exhibit “B” are expressly incorporated into this Agreement as binding provisions of this Agreement. As such, the Owner specifically agrees to fulfill each condition of approval as if each condition was specifically enumerated in this Agreement.

ARTICLE V: FEES

5.1. Consideration: Owner agrees to provide specific consideration, in the amount of Six Thousand Two Hundred Fifty Five Dollars and no/100 (\$6,255.00) to the City at the time specified in Section 5.3 below. This amount is based on the policy adopted by the City Council by Resolution 98-112 and represents a fee of Seven Hundred Fifty Dollars and no/100 (\$750.00) based upon maximum units of zoned density on the 2.78 acre lot zoned R-3 (Residential at 3 units/acre) on the approved annexation map. The sum provided for by this Agreement is deemed by the parties to be a reasonable fee for City benefits and services to the Owner's project, including but not limited to public safety and other services. The Owner will remain responsible for all other costs and fees required by City code.

5.2. No extension of credit: The parties, after careful consideration of the actual burdens on the City, have agreed to a specific dateline in which those burdens will occur. This section anticipates specific payment at a specific date and is in no manner a loan of services or an extension of credit by the City. The following sum shall be paid upon fulfillment of the conditions precedent set forth below.

5.3. Payment of annexation fees: On or before the date of the publication of the ordinance annexing the Property into the City, the owner will pay the required annexation fee for annexation into the City. Owner expressly agrees that the City may withhold annexation until such time as the required fees are paid.

5.4. Other fees: Additionally, the Owner shall be responsible for all required fees and charges including but not necessarily limited to water hook-up fee(s), water connection (capitalization) fee(s), sanitary sewer connection (capitalization) fee(s), and building permit fees and any applicable impact fees that may be imposed. Fees referred to in this paragraph, are set forth by Municipal Ordinance and/or resolution and arise independent of this agreement.

5.5. Owner's reimbursement to the City: The Parties further agree that the City has utilized substantial staff time to prepare the annexation agreement that will benefit the Owner. The Parties further agree the City shall be reimbursed a reasonable fee for its costs to prepare such agreement. The Parties further agree that such fee shall be in the amount of One Thousand Dollars and no/100 (\$1000.00).

ARTICLE VI. MISCELLANEOUS

6.1. Deannexation: Owner agrees that in the event the Owner fails to comply with the terms of this agreement, defaults, is otherwise in breach of this agreement, the City may deannex

and terminate utility services without objection from owners, assigns or successors in interest of such portions of Owner's Property as City in its sole discretion decides.

6.2. Owner to hold City harmless: The Owner further agrees it will indemnify, defend and hold the City harmless from any and all causes of action, claims and damages that arise, may arise, or are alleged, as a result of the Owner's development, operation, maintenance, and use of the Property described in Exhibit "A." Owner further agrees to pay City's legal costs, including reasonable attorney fees in the event this annexation is challenged in a court of law. Payment for City's legal costs will be remitted within thirty (30) days after receipt of invoice from the City for legal expenses.

6.3. Time is of the essence: Time is of the essence in this agreement.

6.4. Merger: The representations, warranties, covenants, conditions and agreements of the parties contained in the agreement shall survive the acceptance of any deeds and/or easements.

6.5. Recordation: The Owner further agrees this agreement shall be recorded by the City at the Owner's expense. All promises and negotiations of the parties merge into this agreement. Parties agree that this agreement shall only be amended in writing and signed by both parties. The parties agree that this agreement shall not be amended by a change in any law. The parties agree this agreement is not intended to replace any other requirement of City code.

6.6. Section headings: The section headings of this agreement are for clarity in reading and not intended to limit or expand the contents of the respective sections to which they appertain.

6.7. Compliance with applicable laws: The Owner agrees to comply with all applicable laws.

6.8. Covenants run with land: The covenants herein contained to be performed by the Owner shall be binding upon the Owner and Owner's heirs, assigns and successors in interest, and shall be deemed to be covenants running with the land. This document shall be recorded at the Kootenai County Recorder's Office at the sole cost of the Owner.

6.9. Publication of ordinance: The parties agree that until the date of publication of the annexation ordinance, no final annexation of Owner's Property shall occur. Upon proper execution and recordation of this agreement, the City will, to the extent lawfully permitted, adopt and thereafter publish an ordinance annexing Owner's Property.

6.10. Promise of cooperation: Should circumstances change, operational difficulties arise or misunderstandings develop, the parties agree to meet and confer at the request of either party to discuss the issue and proposed solutions. Further, each party agrees not to bring a claim, initiate other legal action or suspend performance without meeting directly with the other party regarding the subject matter of the disagreement.

6.11. Pedestrian and Bike Trail Connections: The applicant/owner will be required to construct a 10 foot multi-use pathway within the Lakes Highway District right-of-way, or within the subdivision boundary along Prairie Avenue, or a combination of the two and connect to the existing sidewalks to the east and west of the subject property. The required multi-use pathway will be required prior to Final Plat approval of a subdivision or at the time of building permit, whichever occurs first.

IN WITNESS WHEREOF, the City of Coeur d'Alene has caused this agreement to be executed by its Mayor and City Clerk and its corporate seal affixed hereto, and Michael H. Kobold have caused the same to be executed the day and year first above written.

CITY OF COEUR D'ALENE

Owner:

By: _____
Steve Widmyer, Mayor

By: _____
Michael H. Kobold, Trustee of the Michael H. Kobold living trust

ATTEST:

Renata McLeod, City Clerk

STATE OF IDAHO)
) ss.
County of Kootenai)

On this 4th day of April, 2017, before me, a Notary Public, personally appeared **Steve Widmyer** and **Renata McLeod**, known to me to be the Mayor and City Clerk, respectively, of the City of Coeur d'Alene that executed the foregoing instrument and acknowledged to me that said City of Coeur d'Alene executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

Notary Public for Idaho
Residing at _____
My Commission expires: _____

ACKNOWLEDGMENT

STATE OF IDAHO)
) ss.
County of Kootenai)

On this ___ day of April, 2017, before me, a Notary for the State of Idaho, personally appeared **Michael H. Kobold** known, or identified to me to be the Trustee of the Michael H. Kobold living trust is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereto set my hand and affixed my official seal the date and year in this certificate first above written.

Notary Public for the State of Idaho
Residing at: _____
Commission Expires: _____

Annexation Land Description

The East 192 feet of Tract 316 of Hayden Lake Irrigated Tracts as recorded at Book B of Plats at Page 150, Records of Kootenai County, Idaho, located in Northeast Quarter Section 27, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, more particularly described as follows:

Commencing at the Northeast Corner of Section 27, being and 3.25 inch Brass cap per CP&F Instrument Number 2145300000, Records of Kootenai County, Idaho, from which the North Quarter Corner bears North 88° 12' 45" West 2614.15 feet; thence along the North line of said Section 27, North 88° 12' 45" West 845.55 feet; thence leaving said North line, South 01° 11' 21" West 30.00 feet to the southerly Right of Way of Prairie Avenue and the **True Point of Beginning**;

thence along said southerly Right of Way, South 88° 12' 45" East 192.01 feet to the West line of Tract 315 of said Hayden Lake Irrigated Tracts;

thence along the West line of Tract 315, South 01° 09' 58" West 632.14 feet to the common corner of Tracts 315, 316, 329, and 330 of said Hayden Lake Irrigation Tracts and the boundary of the City of Coeur d'Alene;

thence along the North line of said Tract 329 and said City Boundary, North 88° 12' 54" West 192.01 feet;

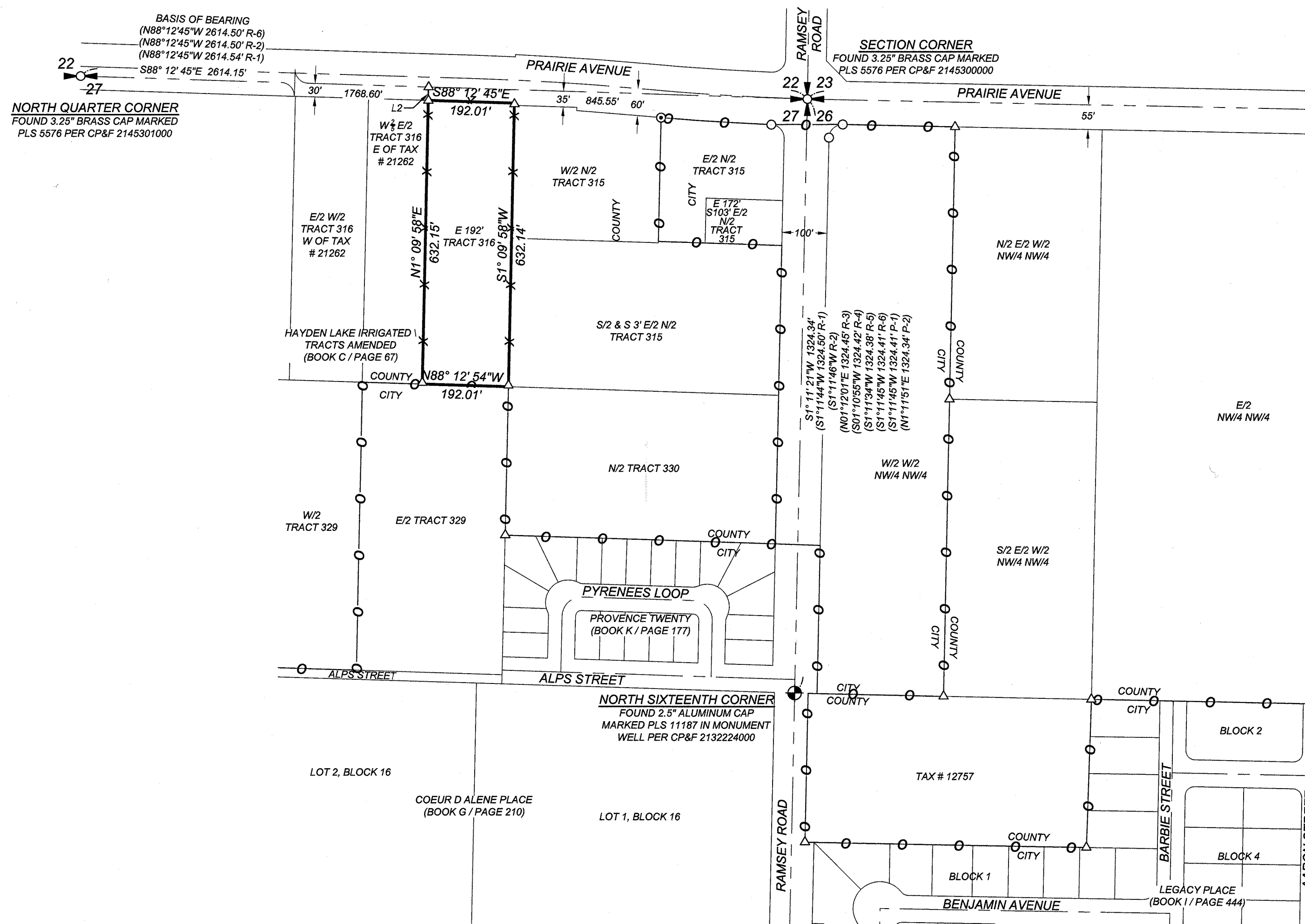
thence leaving said North line and said City Boundary, North 01° 09' 58" East 632.15 feet to the **True Point of Beginning**;

containing 2.786 acres, more or less.



CITY OF COEUR D'ALENE ANNEXATION MAP ORDINANCE # _____

THE EAST 192 FEET OF TRACT 316, HAYDEN LAKE IRRIGATED TRACTS,
SECTION 27, TOWNSHIP 51 NORTH, RANGE 4 WEST, BOISE MERIDIAN,
KOOTENAI COUNTY, IDAHO



BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS N88°12'45"W PER (R-1) SHOWN AS ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 27.

NOTE

THERE WAS NO ATTEMPT MADE TO SHOW ALL OF THE PHYSICAL FEATURES OF THIS PROPERTY, NOR ANY EASEMENTS OF RECORD, EXCEPT FOR THOSE SHOWN HEREON.

PURPOSE

THE PURPOSE OF THIS MAP TO CONFORM WITH STATE AND LOCAL REQUIREMENTS SHOWING THE ADJUSTED BOUNDARY FOR THE CITY OF COEUR D'ALENE.

LEGEND

- FOUND 5/8" REBAR
 - ⊙ FOUND 1/2" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 5078"
 - FOUND 2-1/2" ALUMINUM CAP
 - FOUND 1-1/2" ALUMINUM CAP MARKED PLS 3390
 - FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4665"
 - △ CALCULATED POINT, NOTHING FOUND OR SET
-
- EXISTING CITY LIMITS
 - x— PROPOSED ANNEXATION LINE
 - — — ADJACENT LOT LINE
 - — — CENTER LINE
 - — — SECTION LINE
 - — — SURVEY LINE

REFERENCE DOCUMENTS

- (R-1) RECORD OF SURVEY PREPARED BY TATE ENGINEERING AND FILED AT BOOK 28 OF SURVEYS, PAGE 76, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (R-2) RECORD OF SURVEY PREPARED BY RUEN-YEAGER & ASSOCIATES, INC. AND FILED AT BOOK 28 OF SURVEYS, PAGE 348, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (R-3) RECORD OF SURVEY PREPARED BY INLAND NORTHWEST CONSULTANTS AND FILED AT BOOK 18 OF SURVEYS, PAGE 135, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (R-4) RECORD OF SURVEY PREPARED BY RUEN-YEAGER & ASSOCIATES, INC. AND FILED AT BOOK 25 OF SURVEYS, PAGE 319, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (R-5) RECORD OF SURVEY PREPARED BY LAND SURVEYOR GALE R. DAHLMAN AND FILED AT BOOK 24 OF SURVEYS, PAGE 378, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (R-6) ANNEXATION MAP ORDINANCE #3528 RECORD OF SURVEY PREPARED BY LAKE CITY ENGINEERING FILE AT BOOK 29 OF SURVEYS, PAGE 51 RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-1) PLAT OF PROVENCE TWENTY PREPARED BY TATE ENGINEERING AND FILED AT BOOK K OF PLATS, PAGE 177, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-2) PLAT OF LEGACY PLACE PREPARED BY E. D. SMITH AND FILED AT BOOK I OF PLATS, PAGE 444, RECORDS OF KOOTENAI COUNTY, IDAHO.

Line Table		
Line #	Direction	Length
L2	S1°11'21"W	30.00'

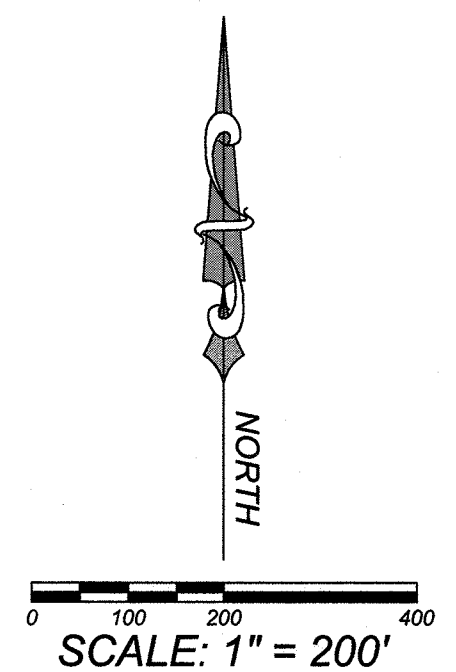
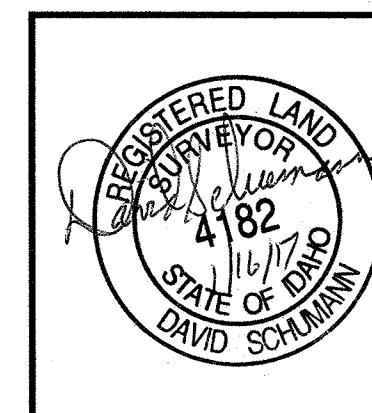


Exhibit A



CHECKED BY:	DES
DRAFTED BY:	WAL
SCALE:	1" = 200'
DATE:	01/11/2017
JOB NO:	LCE 16-098

**COEUR D'ALENE CITY COUNCIL
FINDINGS AND ORDER**

A. INTRODUCTION

This matter having come before the City Council on December 20, 2016, and there being present a person requesting approval of ITEM A-5-16, a request for zoning prior to annexation from County Agricultural to City R-3 (Residential at 3 units/acre) zoning district.

APPLICANT: LAKE CITY ENGINEERING, INC.

LOCATION: +/- 2.78 ACRE PARCEL LOCATED ON THE SOUTH SIDE OF PRAIRIE AVENUE AND WEST OF RAMSEY ROAD.

B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON

- B1. That the existing land uses are residential, single-family, large parcels (in county), civic, and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is County Agricultural.
- B4. That the notice of public hearing was published on October 22, 2016, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was not required to be posted, which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on December 20, 2016.
- B8. That this proposal is in conformance with the Comprehensive Plan policies as follows:
 - Objective 1.11 –Community Design:
Employ current design standards for development that pay close attention to context, sustainability, urban design, and pedestrian access and usability throughout the city.
 - Objective 1.14 -Efficiency:
Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.
 - Objective 1.13 –Open Space:
Encourage all participants to make open space a priority with every development and annexation.
 - Objective 3.02 –Managed Growth:
Coordinate planning efforts with our neighboring cities and Kootenai County, emphasizing connectivity and open spaces.

Exhibit R

- Objective 3.04 -Neighborhoods:
Encourage the formation of active neighborhood associations and advocate their participation in the public process.
- Objective 3.08 -Housing:
Design new housing areas to meet the city's need for quality neighborhoods for all income and family status categories.

B9. That public facilities and utilities are available and adequate for the proposed use. This is based on the staff report.

B10. That the physical characteristics of the site do make it suitable for the request at this time.

B11. That the proposal would not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, and existing land uses based on the information in the staff report.

C. ORDER: CONCLUSION AND DECISION

The City Council, pursuant to the aforementioned, finds that the request of LAKE CITY ENGINEERING, for zoning prior to annexation, as described in the application should be approved.

Suggested provisions for inclusion in an Annexation Agreement are as follows:

PARK AND RECREATION:

The City of Coeur d'Alene's draft '2016 Trails and Bikeways Master Plan, anticipated adoption in November 2016, calls for a 10 foot multi-use path along Prairie Avenue in this area. The applicant/owner will be required to construct a 10 foot multi-use pathway within the Lakes Highway District right-of-way, or the subdivision boundary along Prairie Avenue, or a combination of the two and connect to the existing sidewalks to the east and west of the subject property.

The developer needs to contact the Lakes Highway District to get permission to remove the sidewalk to put the trail in.

WASTEWATER:

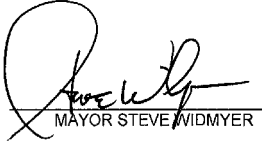
Public sewer is not readily available to this property. In compliance to the 2013 Sewer Master Plan Figure A13, this property is required to connect to the nearest public sanitary sewer located in Ramsey Road approximately 850 feet east of the Subject Property's easterly property line. Any deviation from the Sewer Master Plan will require the Applicant to demonstrate their project's impacts to the public sewer system

Motion by McEvers, seconded by Gookin, to adopt the foregoing Findings and Order.

ROLL CALL:

Council Member Gookin	Voted Yes
Council Member Edinger	Voted Yes
Council Member Evans	Voted Yes
Council Member McEvers	Voted Yes
Council Member English	Voted Yes
Council Member Miller	Voted Yes

Motion to approved carried by a 6 to 0 vote.



MAYOR STEVE WIDMYER

ORDINANCE NO. _____
COUNCIL BILL NO. 17-1001

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF THE NORTHEAST QUARTER SECTION 27, TOWNSHIP 51, NORTH, RANGE 4 WEST, BOISE MERIDIAN; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED; 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.

WHEREAS, after public hearing, the City Council finds it to be in the best interests of the City of Coeur d'Alene and the citizens thereof that said property be annexed; NOW, THEREFORE,

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

SECTION 1. That the following described property contiguous and adjacent to the City of Coeur d'Alene, Kootenai County, Idaho, to wit:

The East 192 feet of Tract 316 of Hayden Lake Irrigated Tracts as recorded at Book B of Plats at Page 150, Records of Kootenai County, Idaho, located in Northeast Quarter Section 27, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, more particularly described as follows:

Commencing at the Northeast Corner of Section 27, being and 3.25 inch Brass cap per CP&F Instrument Number 2145300000, Records of Kootenai County, Idaho, from which the North Quarter Corner bears North 88° 12' 45" West 2614.15 feet; thence along the North line of said Section 27, North 88° 12' 45" West 845.55 feet; thence leaving said North line, South 01° 11' 21" West 30.00 feet to the southerly Right of Way of Prairie Avenue and the **True Point of Beginning**;

thence along said southerly Right of Way, South 88° 12' 45" East 192.01 feet to the West line of Tract 315 of said Hayden Lake Irrigated Tracts;

thence along the West line of Tract 315, South 01° 09' 58" West 632.14 feet to the common corner of Tracts 315, 316, 329, and 330 of said Hayden Lake Irrigation Tracts and the boundary of the City of Coeur d'Alene;

thence along the North line of said Tract 329 and said City Boundary, North 88° 12' 54" West 192.01 feet;

thence leaving said North line and said City Boundary, North 01° 09' 58" East 632.15 feet to the **True Point of Beginning**;

containing 2.786 acres, more or less.

be and the same is hereby annexed to and declared to be a part of the City of Coeur d'Alene, Kootenai County, Idaho, and the same is hereby zoned as R-3.

SECTION 2. That the Zoning Act of the City of Coeur d'Alene, known as Ordinance No. 1691, Ordinances of the City of Coeur d'Alene, be and the same is hereby amended as set forth in the preceding section hereof.

SECTION 3. That the Planning Director be and he is hereby instructed to make such change and amendment on the three (3) official Zoning Maps of the City of Coeur d'Alene.

SECTION 4. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

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.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on April 4, 2017.

APPROVED by the Mayor this 4th day of April, 2017.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____

A-5-16 Kobold Annexation

+/- 2.78 acre parcel located on the south side of Prairie Avenue and West of Ramsey Road

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF THE NORTHEAST QUARTER SECTION 27, TOWNSHIP 51, NORTH, RANGE 4 WEST, BOISE MERIDIAN; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED; 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.

Renata McLeod, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Randall R. Adams, am a Chief Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, A-5-16 Kobold Annexation and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 4th day of April, 2017.

Randall R. Adams, Chief Deputy City Attorney