



Coeur d'Alene

CITY COUNCIL MEETING

September 02, 2014

MEMBERS OF THE CITY COUNCIL:

Steve Widmyer, Mayor

Councilmen Adams, Edinger, Evans, Gookin, McEvers, Miller

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

August 19, 2014

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 August 19, 2014 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

Kiki Miller) Members of Council Present
Steve Adams)
Dan Gookin)
Amy Evans)
Loren Ron Edinger)

Woody McEvers) Member of Council Absent

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

INVOCATION: Pastor Geoff Rinehart from the Chi Rho Community Church provided the invocation.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was led by Councilmember Adams.

AMENDMENTS TO THE AGENDA:

MOTION: Motion by Gookin, seconded by Adams to add a discussion item to Other Business regarding the location of the swearing in of the new Police Chief.

DISCUSSION: Councilmember Edinger asked why the location was placed at the police station and if that was the normal location. Interim City Administrator Troy Tymesen stated that the past Police Chief swearing in ceremonies have taken place at the Police Department and that staff made the determination.

Motion carried with Edinger voting no.

MOTION: Motion by Gookin, seconded by Adams to move an update regarding the dog shooting excluding disciplinary/personnel matters to Presentations. City Attorney Mike Gridley stated that confidential items should continue to be discussed in Executive Session. Councilmember Miller asked if Mr. Gridley would be prepared to give an update. Mr. Gridley clarified that the investigation is not complete, but he could give a brief update. **Motion Carried.**

JOBS PLUS UPDATE: Economic Development Specialist from Jobs Plus, Jame Davis, provided an update regarding the past 24 months of work Jobs Plus has been involved in and where they are headed in the future. She thanked the City of Coeur d'Alene for its partnership over the years and reported that since the beginning of the City's partnership with Jobs Plus it has brought 22 companies to Coeur d'Alene, including 1,276 employees and \$106 Million in capital investments. She stated that they will continue to lead recruitment efforts and provide assistance to retain and expand existing businesses and start up efforts. They will continue to increase awareness in the community and internationally. Councilmember Gookin stated that the city has increased their payment to Jobs Plus this year to help support their strategic plan of bringing additional companies to the community. Ms. Davis stated that Jobs Plus would also like to provide support to entrepreneurs and retention of existing companies. Councilmember Miller thanked Jobs Plus for their efforts in working with Panhandle Area Council.

2014 UTILITY BOX BEAUTIFICATION PROJECT: Recreation Director Steve Anthony stated that the utility box project continues to be a success. Over the next couple of weeks the installation of the 2014 art will begin. Coeur d'Alene Charter Academy, Linda Lantzy Photography, Tom Hanson, Julie Clark, Lynn Hanley, Debbie McCulley, Joe McGee, Jason Sanchez, Mary Dee Dodge, Charles Reasoner, and Kenneth Jungjohann, provided art for this year's project. Additionally, historical photographs will be used this year. This artwork lowers maintenance costs, as it prevents the need to repaint the boxes for at least 7 years. A new Art Currents piece was installed in the place of the Blue Heron piece that was purchased and donated to the City by Justin Stormo-Gipson in memory of his late wife, Maj.

UPDATE REGARDING DOG SHOOTING: Mr. Gridley stated that the investigation is not complete. He stated that it is important for the City to check facts, take measurements related to the position of the officer and the dog, and get into all of the details. Additionally, witness statements need to be completed and some witness cooperation has been difficult. The next step that will be done is an internal review board consisting of three officers and one or two outside participants, and concurrently an outside review by a "use of force" expert will be conducted. Chief Clark has previously pointed out that there are two ongoing homicide investigations at this time. Mr. Gridley believes more details could be released in the next couple of weeks.

Councilmember Gookin asked if the investigation would be over in a couple of weeks. Mr. Gridley stated that when the investigation and review are complete, details can be released, that are not related to personnel issues. Councilmember Gookin asked what the City Council's role is in this process. Mr. Gridley stated that police personnel would be asked to investigate and gather evidence unless there is some reason for them not to. The City Council's role is to insure that staff carries through with protocol and policy and that they report results to them. Councilmember Gookin stated that it would be the City Council's role to look to craft future policies and procedures to deal with this type of situation in the future. Mr. Gridley stated that they could look to set policies relating to expectations for investigations, as well as work on the relationship with the Police Department and the community. Additionally, it would be good to discuss those ideas with the new Chief of Police. He also asked for additional patience and understanding as police continue to handle incoming calls and investigations. Councilmember Miller asked if the policy and procedure being utilized for this investigation is that normally used for a homicide. Mr. Gridley clarified that the format being used is for a human-involved

shooting, and this is being treated different than the type of investigation required for a deer shooting. Councilmember Miller clarified that due to the nature of the incident this is being handled more intensely. Mr. Gridley stated that the internal use of force/shooting review board will likely include a Patrol Officer, Sergeant, Captain, and an external participant or two. He felt it was important to note that these are sworn officers, who take an oath to uphold the law and regularly do investigations. Councilmember Edinger asked for clarification of the Council's role in disciplinary actions. Mr. Gridley stated that the City has personnel rules and procedures that would be followed. The Mayor and Council are the final appeal board, if need be, but would not be involved in the first level of discipline.

PUBLIC COMMENTS:

Dan English, Coeur d'Alene, wanted to share a recent experience with Coeur d'Alene Police Department. Approximately 6-7 weeks ago he had discovered his GPS was stolen from his vehicle, and he reported the crime to make sure it is not a part of a larger pattern. He provided the serial number but had no hope of getting his item back. A few weeks later he received notice that the GPS was recovered, as the Police Department compares serial numbers with items turned in to local pawn shops, which is where his item is located. He wanted to note that there are more incidents of beneficial work done by the police personnel than not, and wanted to share something that went right. He encouraged the community to report crimes when they happen.

CONSENT CALENDAR: Motion by Gookin, seconded by Edinger to approve the consent calendar.

1. Approval of Council Minutes for August 5, 2014.
2. Approval of Bills as Submitted.
3. Setting of General Services and Public Works Committees meetings for August 25, 2014 at 12:00 noon and 4:00 p.m. respectively.
4. Setting of Public Hearings for September 2, 2014, for:
 - a. A-4-14 -Proposed annexation from County AS to City R-3 and R-8, for property located between Pennsylvania Avenue, Fernan Hill Road, Lilac Lane and I-90.
 - b. ZC-1-14 - Proposed zone change from County AS to City R-3, R-8, and R-17 zoning districts for property located between Pennsylvania Avenue, Fernan Hill Road, Lilac Lane and I-90.
 - c. ZC-2-14 -Proposed zone change from R-17 to NC (Neighborhood Commercial) located at 602 E. Garden.
5. Approval of Cemetery lot transfer from Robert Bloyed to Betty Westover, lot 14, Block 33, Section B, Forest Cemetery.
6. Approval of participation in the County-wide Emergency Medical Services Licensure.
7. Approval of **Resolution No. 14-032** - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE BELOW MENTIONED CONTRACTS AND OTHER ACTIONS OF THE CITY OF COEUR D'ALENE INCLUDING APPROVAL OF AN AGREEMENT FOR MAINTENANCE /WARRANTY OF SUBDIVISION WORK FOR BELLERIVE 4TH ADDITION WITH RIVERSTONE WATERFRONT, LLC; APPROVAL OF AN AGREEMENT TO PERFORM SUBDIVISION WORK AND FINAL PLAT APPROVAL FOR BELLERIVE 5TH ADDITION WITH RIVERSTONE WATERFRONT, LLC;

APPROVAL OF A MEMORANDUM OF AGREEMENT WITH KOOTENAI COUNTY FOR MAINTENANCE AND USE OF THE SPILLMAN PUBLIC SAFETY SYSTEM FOR POLICE AND FIRE DEPARTMENTS; APPROVAL OF THE DECLARATION OF THE SURPLUS 5 POLICE DEPARTMENT VEHICLES.

ROLL CALL: Edinger Aye; Evans Aye; Adams Aye; Gookin Aye, Miller Aye. **Motion Carried.**

COUNCIL ANNOUNCEMENTS:

Councilmember Evans stated that the Arts Commission has announced that two installations will take place in September; the “American Worker” and “The Explorers.” The “American Worker” piece will be located between 5th and 6th Street on Front Avenue and “The Explorers” will be installed south of the splash pad at the base of Tubbs Hill at the trail confluence.

Councilmember Miller gave the community notice that there will be a Heart Guitar Gathering on October 4, 2014, at 730 p.m. at NIC. This event includes the unveiling of an instrument created from a portion of the Veterans Freedom Tree by the Tone Devil Guitars. She has also participated in two meetings regarding the closure of the McEuen construction contract and staff will be providing a presentation and report soon.

Councilmember Gookin thanked Dan English for his public comment and reiterated that there are a lot of fine officers that work for the City.

ADMINISTRATOR’S REPORT: Interim City Administrator Troy Tymesen stated that MSN Money provided a ranking of the 50 states economies from worst to first and Idaho came in at Number 17. They reviewed GDP, unemployment, average wages and home price and auto sales. With assistance from the Kootenai County Dog Park Association, the city’s Parks Department recently installed agility equipment at the new dog park at the southeastern end of McEuen Park. The Association helped to fund the equipment and determine the layout. In all there are five pieces of agility equipment including weave sticks and a tunnel in the small dog portion of the park, and two agility platforms and a hoop for large dogs. The Coeur d’Alene Fire Department will hold an open house on Saturday, September 13, from 11:00 a.m. to 2:00 p.m. at Fire Station No. 3, located at 1500 N. 15th Street. The event will be packed with fun and education, as well as a free hot dog lunch. The theme this year is “Working Smoke Alarms Save Lives.” Joining firefighters at the open house will be Coeur d’Alene Police, the Coeur d’Alene Firefighter Pipe and Drums, and “Sparky” the Fire Dog. Attractions include Life Flight medical helicopter, Idaho Disaster Dogs, a fire extinguisher demonstration and a combat challenge for kids. There will also be car seat and bike helmet inspections, blood pressure checks, and much more. The Coeur d’Alene Fire Department is celebrating 125 years of service this year. Planning has officially started on a project that will guide the gradual transformation of a six-mile stretch of land along the Spokane River from Independence Point in downtown Coeur d’Alene west to Huetter Road. During a kickoff meeting on Monday, August 4th, a diverse group of land use planners, engineers, architects and city officials met to discuss a wide range of possibilities for the corridor. A master plan being developed by Welch Comer Engineers of Coeur d’Alene could involve recreational, commercial, and private development uses, as well as numerous opportunities to secure public access to the Spokane River, including the development of trails

and parks along the water and expansion of Riverstone Park. The master planning process will include numerous opportunities for public involvement and input through “small group” meetings, public workshops and informational forums. Adoption of the master plan is anticipated in February 2015. The summer reading program, “Fizz, Boom, Read,” in the Seagraves Children’s Library on the lower level, continues through August. All programs, for ages newborn and up, are free and most do not require registration. Even if children do not attend programs, families are invited to visit the library for a Reading Log to keep track of the time children spend reading or being read to. For every three hours of reading time bring the log back to the library to collect a prize. For more information about the “Fizz, Boom, Read” summer program, call the Library at 769-2315. A small patch of soggy soil and swampland at the southwestern end of McEuen Park near Harbor House has been transformed into green space with the addition of hundreds of square feet of sod. Officials recently dug open the area and re-engineered that corner of the park to allow for better drainage. They do not expect the puddling problem to persist. Crews also placed fresh sod near the wild onion art feature at Third and Front and on a section near the Harbor House. Coeur d’Alene is seeking a Community Planning Director. Job duties include managing the city’s planning and community development functions with an emphasis on long-range planning. Complete job announcement and application are available on the city’s website, www.cdaid.org. Filing deadline is Friday, August 22, 2014. The city is also recruiting for Assistant City Attorney, Police Officer, Temporary Grounds Maintenance Workers, and Part-time Sports Officials. Please visit the city website and click on the “Job Posting” icon on the main page for a list of current openings at the City of Coeur d’Alene. The Coeur d’Alene Arts Commission is seeking nominations for the 19th Annual Mayor’s Awards in the Arts. Please consider nominating a deserving individual, business, or organization in the categories of Excellence in the Arts, Support of the Arts, and Arts in Education. Nomination forms are available at City Hall, and can be downloaded from www.cdaid.org. Nominations must be submitted by September 5, 2014. For more information, call Steve Anthony at 769-2249, or email stevea@cdaid.org. The CDA TV committee currently has openings for a Citizen at Large residing in the City Limits, and a student representative and alternate. If one has media experience or are interested in the city’s government/education channel, CDA TV, please submit an application for membership. Please call Amy Ferguson, at 666-5754 for an application form, or visit www.cdaid.org, click on “I want to . . .” and then click on “Volunteer.” The city of Coeur d’Alene strives to provide responsive, consistent and convenient services to the citizens of our community. Each month, a “CityPoll” question will be posed to learn how the community feels about a particular issue. This is not a survey, but a poll asking primarily “yes” or “no” questions. It is an attempt to gain public input from a different audience and notification of the unique poll will be included on monthly utility bills. Data collected will be used as guidance in the city’s strategic planning process. One vote is allowed per computer per month. The city is accepting polling question ideas from the council and the community. This month’s question is regarding Dog Parks. Visit www.cdaid.org to participate. Meet Coeur d’Alene’s new Chief of Police, learn what makes the Lake City’s longest serving employee tick, and discover the possibilities of improved public access to the Spokane River in western Coeur d’Alene. Learn about it all and more in our newest newsletter. To subscribe visit our website at cdaid.org and click on the Municipal Milestones Newsletter icon. Additionally, Coeur d’Alene Mayor Steve Widmyer has established a direct telephone line for callers to leave a comment, idea or concern. To leave a message 24/7 with the mayor, call 769-2220, extension 503, or visit the city’s website and click on the icon shown on the screen.

RESOLUTION NO. 14-033

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO DECLARING ITS INTENT TO SELL REAL PROPERTY TO THE HIGHEST BIDDER VIA A SEALED BID PUBLIC AUCTION AND DIRECTING THE CITY CLERK TO SET A PUBLIC HEARING ON THE PROPOSED SALE.

STAFF REPORT: Water Superintendent, Jim Markley stated that the utility owns the property located at 9th Street and Locust Avenue that was originally acquired for a booster station by Idaho Water Company. He provided a map of the property location and surrounding parcels. He clarified that the utility does not use the property and has no need for it in the future. It is his recommendation to declare the property surplus and declare the City's intent to sell the property by sealed bid and set a public hearing date. He believes the abutting property owners may have some interest in acquiring the land. He recommended a minimum value be set at \$1,000.

DISCUSSION: Councilmember Gookin asked if the master plan contract included a review of surplus property. Mr. Markley stated that it did not and there are a couple other parcels near Neider/Fruitland that maybe eligible for surplus. Councilmember Edinger asked if the Water Department has talked with the neighbors or area churches regarding land donations for community gardens. Mr. Markley stated Idaho Code does not allow for the City to donate land. Mr. Gridley stated that there is latitude under the code to trade the property, and/or lease but the code sets forth the auction as the method of disposal. Mr. Markley stated that if there is anyone that is interested in the parcel and/or use of the parcel they should contact him directly.

MOTION: Motion by Adams, seconded by Edinger, to approve **Resolution No. 14-033** declaring city owned property located at 9th & Locust as surplus property and setting of a public hearing for September 16, 2014 and setting a minimum value of \$1,000.

ROLL CALL: Evans Aye; Adams Aye; Gookin Aye; Miller Aye; Edinger Aye. **Motion carried.**

Resolution No. 14-034

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR MULTI-MEDIA SERVICES WITH JEFFREY D. CROWE d/b/a BUNKHOUSE MEDIA.

Councilmember Adams stated that this item was recommended for approval at the General Services meeting; however, he wanted to take a moment to thank Jeff Crowe for his professionalism and guidance in running the CDATV channel.

DISCUSSION: Mayor Widmyer stated that Mr. Crowe does an outstanding job and believes the City is lucky to have him doing our broadcasts. Councilmember Edinger also wanted to extend thanks to Andy Finney and said that they are a great team. Councilmember Gookin noted that this type of service is excluded from competitive bid under Idaho Code.

MOTION: Motion by Adams, seconded by Gookin, to approve **Resolution No. 14-034** approving an Agreement with Jeff Crowe d/b/a Bunkhouse Media for Operation of CDATV.

ROLL CALL: Adams Aye; Gookin Aye; Miller Aye; Edinger Aye; Evans Aye. **Motion carried.**

COMMUNICATIONS UPDATE

STAFF REPORT: Communication Coordinator Keith Erickson stated that he wanted to provide an update to the City Council regarding programs and projects he has been working on since March 2014. He stated that he had worked with the North Idaho College graphic design students to create a new city logo and provided a graphic of the top pick designed by Darcy Gross. He clarified the NIC students worked on the project outside of the school semester. Additionally, he has created a City Newsletter and a city poll opportunity on the website. The city poll has seen almost 201 visitors. The Newsletter and city poll can be accessed through the city website by clicking on the icons at the bottom of the main screen. He asked the Council to continue to provide him feedback, as well as the public. He thanked Amy Ferguson in Administration for helping him with the newsletter.

DISCUSSION: Councilmember Gookin asked what public involvement was in the logo project. Mr. Erickson stated that the involvement was through heads up and city-wide email, as well as blog comments. Councilmember Gookin stated that he felt that branding is needed, including emblems on cars and trucks, and that it should be consistent. Councilmember Gookin felt that the process used for Public Art and the 2030 project provided a lot of public comment and feedback that was missing in this project. Mr. Erickson stated that the City could unify its messaging and brand themselves consistently and similar to how Kootenai Health changed its logo. Councilmember Evans stated that she is a fan of the old logo, and wonder if comments received by local designers have they been considered. Mr. Erickson stated that he had not seen additional design comments and that he was trying to work with the students that had award winning talent. Councilmember Evans stated that she would forward the emails Council received from local designers that contained valuable feedback. Councilmember Miller stated that she has worked with NIC before and they are a great group. She questioned how the budget was going to be managed for the implementation of a new logo. Mr. Erickson explained that the plan would be to phase it in and when items run out, such as business cards, the logo would be integrated into the new order. Existing department budgets will be used.

Councilmember Miller stated that city poll concept started with looking at ways for the community to engage with the City, and that it is a way to reach out to those that may not generally engage with the city, and was very inexpensive to do. She likes the ability to use feedback information during strategic planning.

**Council Bill 14-1014
ORDINANCE NO. 3490**

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, VACATING A PORTION OF RIGHT-OF-WAY IN THE LAKE SHORE ADDITION SUBDIVISION, RECORDED IN BOOK "B" OF PLATS, PAGE 128, RECORDS OF KOOTENAI COUNTY, COEUR D'ALENE, IDAHO, GENERALLY DESCRIBED AS THAT TEN FOOT (10') STRIP ADJOINING THE NORTHERLY BOUNDARY OF LOTS 1 – 7, BLOCK 25 OF SAID PLAT; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

MOTION: Motion by Edinger, seconded by Adams, to pass the first reading of Council Bill No. 14-1014.

ROLL CALL: Gookin Aye; Miller Aye; Edinger Aye; Evans Aye; Adams Aye. **Motion carried.**

MOTION: Motion by Gookin, seconded by Adams, to suspend the rules and to adopt Council Bill 14-1014 by its having had one reading by title only.

DISCUSSION:

ROLL CALL: Gookin Aye; Miller Aye; Edinger Aye; Evans Aye; Adams Aye. **Motion carried.**

Resolution No. 14-035

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ESTABLISHING A NOTICE OF TIME AND PLACE OF PUBLIC HEARING OF THE PROPOSED AMENDED BUDGET FOR FISCAL YEAR 2013-2014, AND INCLUDING PROPOSED EXPENDITURES BY FUND AND/OR DEPARTMENT, AND STATEMENT OF THE AMENDED ESTIMATED REVENUE FROM PROPERTY TAXES AND THE AMENDED TOTAL AMOUNT FROM SOURCES OTHER THAN PROPERTY TAXES OF THE CITY FOR THE ENSUING FISCAL YEAR AND PROVIDING FOR PUBLICATION OF THE SAME.

WHEREAS, it is necessary, pursuant to Idaho Code 50-1003, for the City Council of the City of Coeur d'Alene, prior to passing an Amended Annual Appropriation Ordinance, to prepare a proposed amended Budget, tentatively approve the same, and enter such proposed amended Budget at length in the journal of the proceedings; NOW, THEREFORE,

BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene that the following be and the same is hereby adopted as an Amended Estimate of Expenditures and Anticipated Revenue of the City of Coeur d'Alene for the fiscal year beginning October 1, 2013:

GENERAL FUND EXPENDITURES:

Mayor and Council	\$ 224,206	
Administration	388,505	
Finance Department	713,701	
Municipal Services	1,411,958	
Human Resources	274,471	
Legal Department	1,481,826	
Planning Department	442,225	
Building Maintenance	422,261	
Police Department	10,503,340	10,604,340
Drug Task Force	70,258	
ADA Sidewalks	248,844	
Byrne Grants		
COPS Grant	116,206	
Fire Department	7,930,410	8,047,679
General Government	216,920	816,920
Engineering Services	1,265,481	2,471,434
Streets/Garage	2,457,859	
Parks Department	1,925,661	
Recreation Department	755,235	776,235
Building Inspection	893,846	
TOTAL GENERAL FUND EXPENDITURES:	<u>\$ 31,743,213</u>	<u>33,788,435</u>

SPECIAL REVENUE FUND EXPENDITURES:

Library Fund	\$ 1,327,173	1,331,173
Community Development Block Grant	297,298	
Impact Fee Fund	731,710	
Parks Capital Improvements	460,800	
Annexation Fee Fund	14,000	
Insurance / Risk Management	280,000	430,000
Cemetery Fund	272,255	
Cemetery Perpetual Care Fund	98,000	
Jewett House	59,640	
Reforestation / Street Trees / Community Canopy	68,500	
Arts Commission	6,600	
Public Art Funds	250,800	
TOTAL SPECIAL FUNDS:	<u>\$ 3,866,776</u>	<u>\$ 4,020,776</u>

ENTERPRISE FUND EXPENDITURES:

Street Lighting Fund	\$ 572,000	
Water Fund	8,202,517	
Wastewater Fund	20,877,169	22,977,169
Water Cap Fee Fund	1,100,000	
WWTP Cap Fees Fund	900,000	
Sanitation Fund	3,499,362	3,539,362
City Parking Fund	179,957	
Drainage Fund	1,016,995	
TOTAL ENTERPRISE EXPENDITURES:	<u>\$ 36,348,000</u>	<u>\$ 38,488,000</u>
FIDUCIARY FUNDS:	\$ 2,567,700	
STREET CAPITAL PROJECTS FUNDS:	2,072,370	3,072,370
DEBT SERVICE FUNDS:	1,255,435	
GRAND TOTAL OF ALL EXPENDITURES:	<u>\$ 77,853,494</u>	<u>\$ 83,192,716</u>

BE IT FURTHER RESOLVED, that the same be spread upon the Minutes of this meeting and published in two (2) issues of the Coeur d'Alene Press, seven (7) days apart, to be published on August 27, 2014 and September 3, 2014.

BE IT FURTHER RESOLVED, that a Public Hearing on the Budget be held on the 16th day of September, 2014 at the hour of 6:00 o'clock p.m. on said day, at which time any interested person may appear and show cause, if any he has, why the proposed amended Budget should or should not be adopted.

STAFF REPORT: Deputy Finance Director Vonnie Jensen stated that budget amendments are allowed by Idaho Code and the action requested tonight is to set a public hearing for September 16, 2014. Amendments include an increase in the general fund of \$2 Million, which include expenditures for construction approved in Fiscal Year 2012-2013 for the McEuen Park/Front Avenue projects that was not completed within the Fiscal Year 2012-2013. Another large amendment includes the transfer from the General Fund to the Insurance Fund. Additional unanticipated expenditures include a retirement payout, overtime, and wastewater treatment plant project. She reviewed unanticipated revenues and fund balance and expressed comfort with the budget amendment requested.

MOTION: Motion by Gookin, seconded by Adams to approve **Resolution No. 14-035**.

DISCUSSION: Councilmember Gookin asked for clarification regarding the engineering overlay carryover item from 2013 and wondered if it was the second overlay budget held over for the McEuen project. Ms. Jensen explained that this is a carryover from last year as the City did not spend the authorized budget amount as the project was not completed before the end of the fiscal year. This amendment will give budget authority to spend those dollars within this fiscal year as required by law. Councilmember Gookin clarified that this is not new money but rather, money not spent within the previous fiscal year; however, it still affects the budget. Mr.

Tymesen stated that it is best to look at the audited financial plan and stated that this amendment also includes forecasting 30 days out, due to the timeline requirement of the Idaho State code.

ROLL CALL: Gookin Aye; Miller Aye; Edinger Aye; Evans Aye; Adams No. **Motion carried.**

DISCUSSION REGARDING THE POLICE CHIEF SWEARING IN LOCATION:

Councilmember Gookin expressed concern that the swearing in of the Police Chief will be located at the police station as it is too small of a venue and felt that it should be moved to the Library Community Room. He stated that he understood that the time and date work best for the Police Department as more officers would be able to attend. His concern is that the new Police Chief is for the community, not just the Police Department. Mr. Tymesen stated that the city has traditionally provided a swearing in ceremony at the police station, so that officers on patrol would be able to attend. Additionally, the specific day of the event includes a City Council meeting which would require set up time and would not allow for social time after the event as people would need to allow the meeting to start on time. Councilmember Edinger stated that the swearing in at the Police Department is traditional and that the greatest number of police personnel would be able to attend, and he believes there is enough space. Additionally, Mr. White is the Police Chief and that is going to be his location so it is appropriate to keep it at the police station. Councilmember Adams stated that he felt the room is small, as he attended a recent event there and there was no place for him to sit; therefore he does not believe there is enough room at that location and felt it was short notice. Councilmember Evans felt there is some tradition and culture in the Police Department regarding the ceremony and she would be hesitant to disrupt that. She believes that there should be as many officers present as possible and is not worried about getting back to the Council meeting timely, so she would like it to remain at the Police Department. Councilmember Miller stated that the meet and greets with the new Chief were open to the public and the swearing in ceremony is more of a personal family event for the Chief. She expressed that he has stated that he is going to be very engaged with the public and there should be more interactive opportunities down the road. Councilmember Miller stated that this was a good discussion but she thinks the staff decision makes more sense; and that the general public could squeeze in if they really wanted to attend. Mayor Widmyer stated that the tradition is always at the Police Department and he would be in favor of leaving the ceremony at the Police Department. Mr. Tymesen stated that he would invite Mr. White to attend the Council meeting that night to be introduced to the public at that time.

EXECUTIVE SESSION: Motion by Gookin, seconded by Adams to enter into Executive Session as provided by Idaho Code 67-2345 § (b) To consider the evaluation, dismissal, or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student; (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.

ROLL CALL: Miller Aye; Evans Aye; Adams Aye; Gookin Aye. **Motion carried.**

The City Council entered into Executive Session at 7:56 p.m. Those present were the Mayor, City Council, City Administrator, and City Attorney. Council returned to regular session at 8:58 p.m.

ADJOURNMENT: Motion by Evans seconded by Adams that there being no other business that this meeting be adjourned. **Motion Carried.**

The meeting adjourned at 8:58 p.m.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

**CITY COUNCIL
MEMORANDUM**

DATE: SEPTEMBER 2, 2014

FROM: RENATA MCLEOD, CITY CLERK

RE: REQUEST FOR PUBLIC HEARING

I am requesting the City Council set a public hearing for the Council meeting scheduled September 16, 2014, to hear public testimony regarding fee increases for the Municipal Services Department, Parks Department and the Water Utility Department.

**CITY COUNCIL
MEMORANDUM**


DATE: SEPTEMBER 2, 2014

FROM: RENATA MCLEOD, CITY CLERK

RE: REQUEST FOR PUBLIC HEARING

I am requesting the City Council set a public hearing for the Council meeting scheduled September 16, 2014, to hear public testimony regarding ZC-3-14 – Zone Change of 3615 N. Fruitland, from R-12 to R-17.

**CITY COUNCIL
STAFF REPORT**

DATE: September 2, 2013
FROM: Christopher H. Bates, Engineering Project Manager 
SUBJECT: **West Lakeshore Condominium, Final Plat Approval**

DECISION POINT

Staff is requesting the following:

1. City Council approval of the final plat document, a one (1) lot, four (4) unit residential condominium subdivision.

HISTORY

- a. Applicant: Rick & Roxanne Gunther Living Trust
701 W. Lakeshore Drive
Coeur d'Alene, ID 83814
- b. Location: Northwest corner of West Lakeshore Drive and Military Drive, adjoining the north shore of Lake Coeur d'Alene.

FINANCIAL ANALYSIS

There are no financial issues with this development.

PERFORMANCE ANALYSIS

This is a replat of existing lots (L 1 & 2, Blk 2) in the Finch's Subdivision in the Fort Grounds neighborhood of Coeur d'Alene, into one lot that contains four (4) condominium units. All infrastructure improvements were addressed during the construction of the residential units on the subject property, and the property is now fully developed and ready for final plat approval.

DECISION POINT RECOMMENDATION

Approve the final plat document.

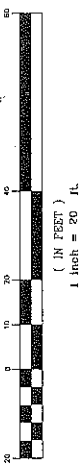
West Lakeshore Condominiums

LOTS 1, 2 AND PART OF THE VACATED ALLEY, BLOCK ONE, AND LOTS 1 & 2, BLOCK TWO
FINCH'S SUBDIVISION OF LOTS 32, 51, AND 52, SHERMAN PARK ADDITION,
IN SEC. 14, T. 50 N., R. 4 W., B.M., CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK _____, PAGE _____
INST. No. _____



GRAPHIC SCALE
(IN FEET)

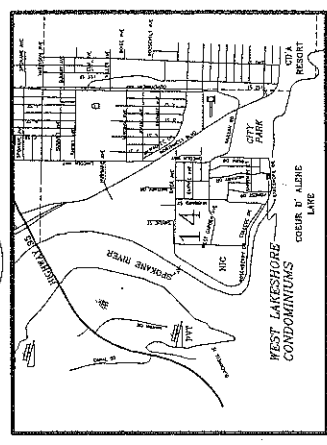


LEGEND

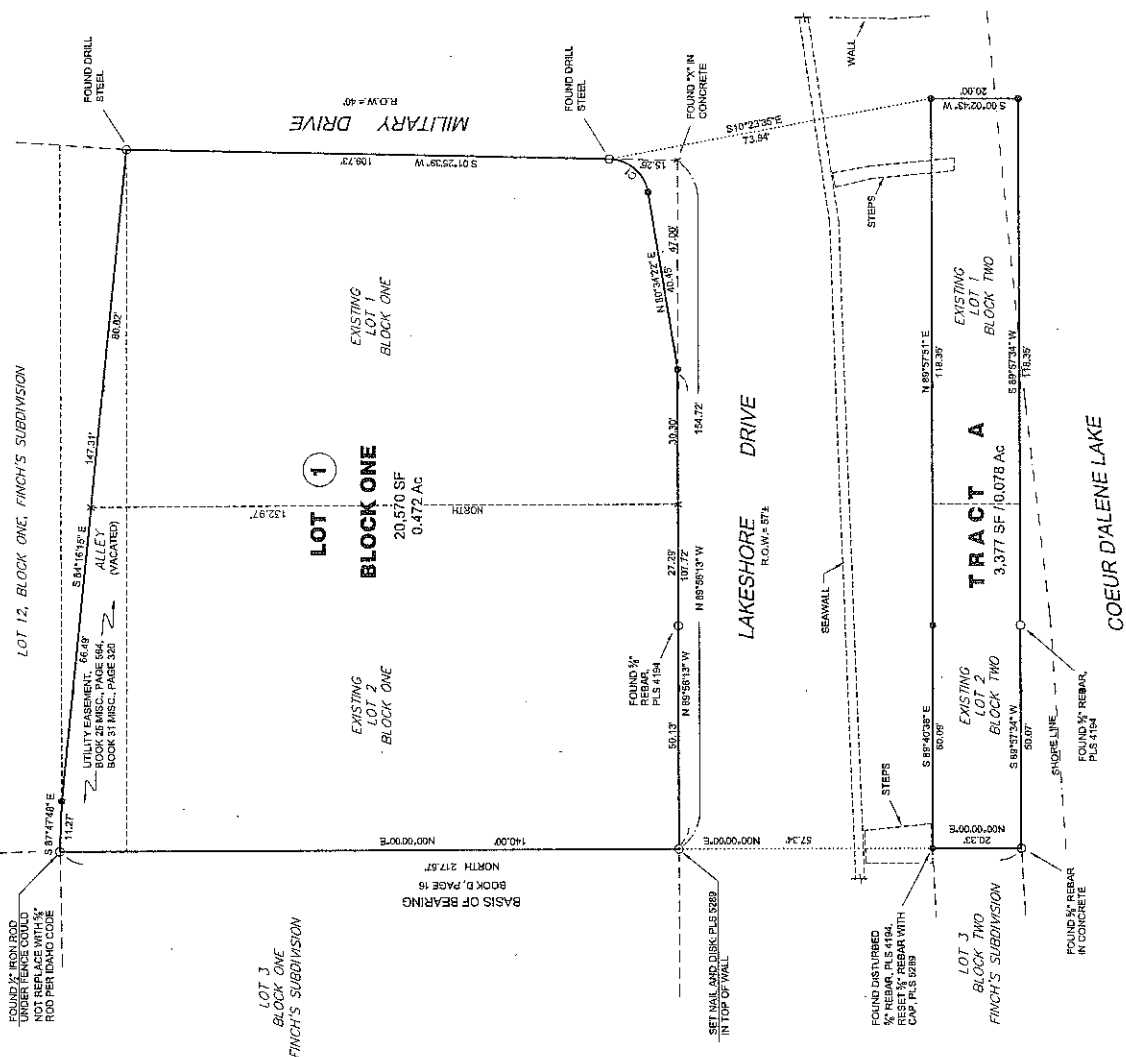
- P.L.S. CORNERS AS NOTED
- SET 5/8" REBAR WITH PVC CAP MARKED "PLS 5289"
- SET 1/2" NAIL & DISK MARKED "PLS 5289"
- FOUND SURVEY MARKERS AS NOTED
- x CALCULATED POINT, NOTHING FOUND OR SET

REFERENCES

- PLAT OF FINCH'S SUBDIVISION OF LOTS 32, 51, AND 52, SHERMAN PARK ADDITION, BOOK 12, PAGE 16.
- RECORD OF SURVEY, BOOK 3, PAGE 38.
- UNRECORDED WORKSHEET BY PLS 4194 DATED APRIL 2008



VICINITY MAP

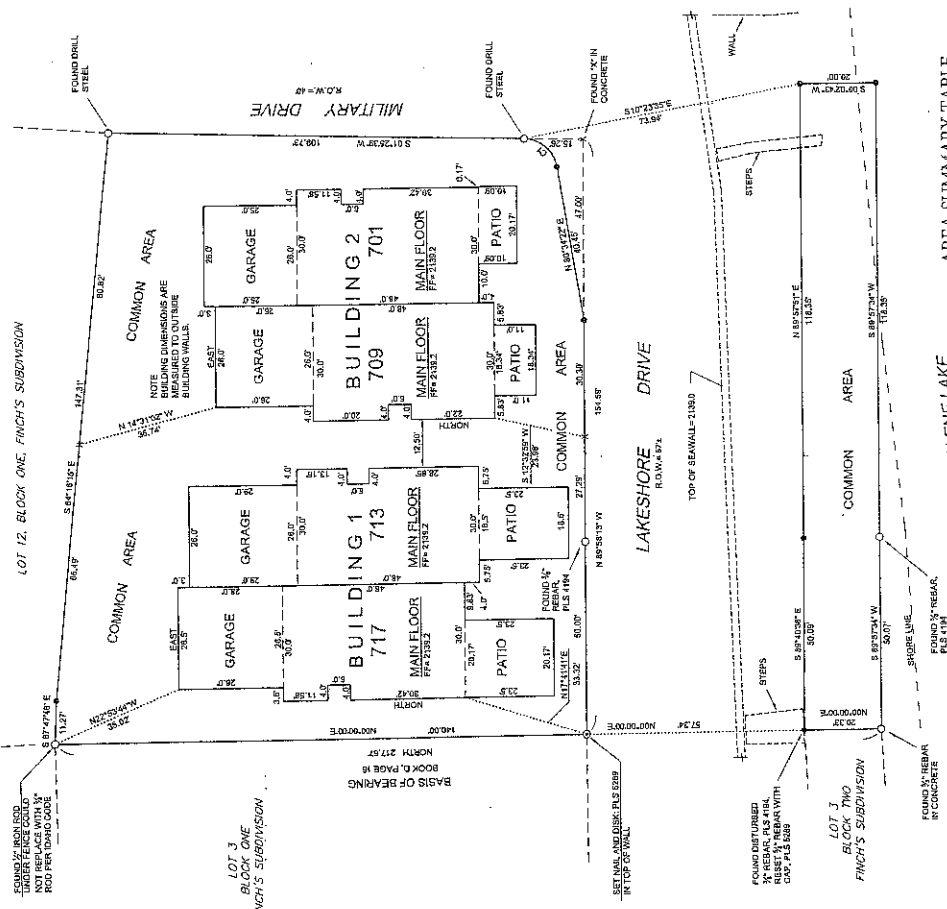


CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
CHORD B/C	11.27	11.27	90°
CHORD B/D	11.27	11.27	90°
CHORD C/D	11.27	11.27	90°

West Lakeshore Condominiums
SCALE: 1" = 20'
DATE: 01/13/14

Frame & Smetana, PA
Consulting Engineers
603 North 14th Street, Coeur d'Alene, Idaho 83814
PH: 208.834.3211 FAX: 208.834.3212
www.frameandsmetana.com

West Lakeshore Condominiums
LOTS 1, 2 AND PART OF THE VACATED ALLEY, BLOCK ONE, AND LOTS 1 & 2, BLOCK TWO
FINCH'S SUBDIVISION OF LOTS 32, 51, AND 52, SHERMAN PARK ADDITION,
IN SEC. 14, T. 50 N., R. 4 W., B.M., CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO



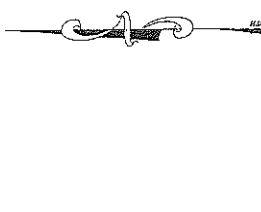
AREA SUMMARY TABLE

UNIT	8.712	8.713	6.728	2.701
GARAGE	742	764	676	660
MAIN FLOOR	1,418	1,410	1,489	1,156
UPPER FLOOR	2,108	2,267	2,088	4,000
BALCONY	194	226	226	260
TOTAL (SF)	4,562	4,891	4,580	4,176

AREAS ARE SHOWN IF SQ. FT.
- MEASURED TO OUTSIDE BUILDING WALLS

CURVE TABLE

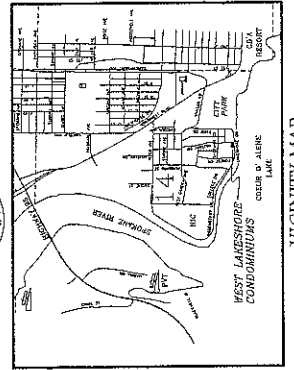
CURVE LENGTH	RADIUS	CHORD	CHORD BEG	CHORD END
01	1,000	1,000	0	1,000



- LEGEND**
- PLS. CORNERS AS NOTED
 - SET 5/8" REBAR WITH PVC CAP MARKED "PLS 58P"
 - SET 1/2" REBAR MARKED "PLS 58P"
 - FOUR SURVEY MARKS AS NOTED
 - X CALCULATED POINT, VERTICAL CURVE ON SET

- REFERENCES**
- RECORD OF SURVEY OF LOTS 32, 51, AND 52, SHERMAN PARK ADDITION, BOOK 0, PAGE 16.
 - RECORD OF SURVEY, BOOK 3, PAGE 34.
 - UNRECORDED WORKSHEET BY PLS-AM DATED APRIL 2009

- NOTES**
- SEE PLAN FOR DIMENSIONS AND NOTES
 - SET 5/8" REBAR WITH PVC CAP MARKED "PLS 58P"
 - SET 1/2" REBAR MARKED "PLS 58P"
 - FOUR SURVEY MARKS AS NOTED
 - C-6.68 BRASS CAP IN ROCK AT SILVER BEACH NEAR HALE POST 16.

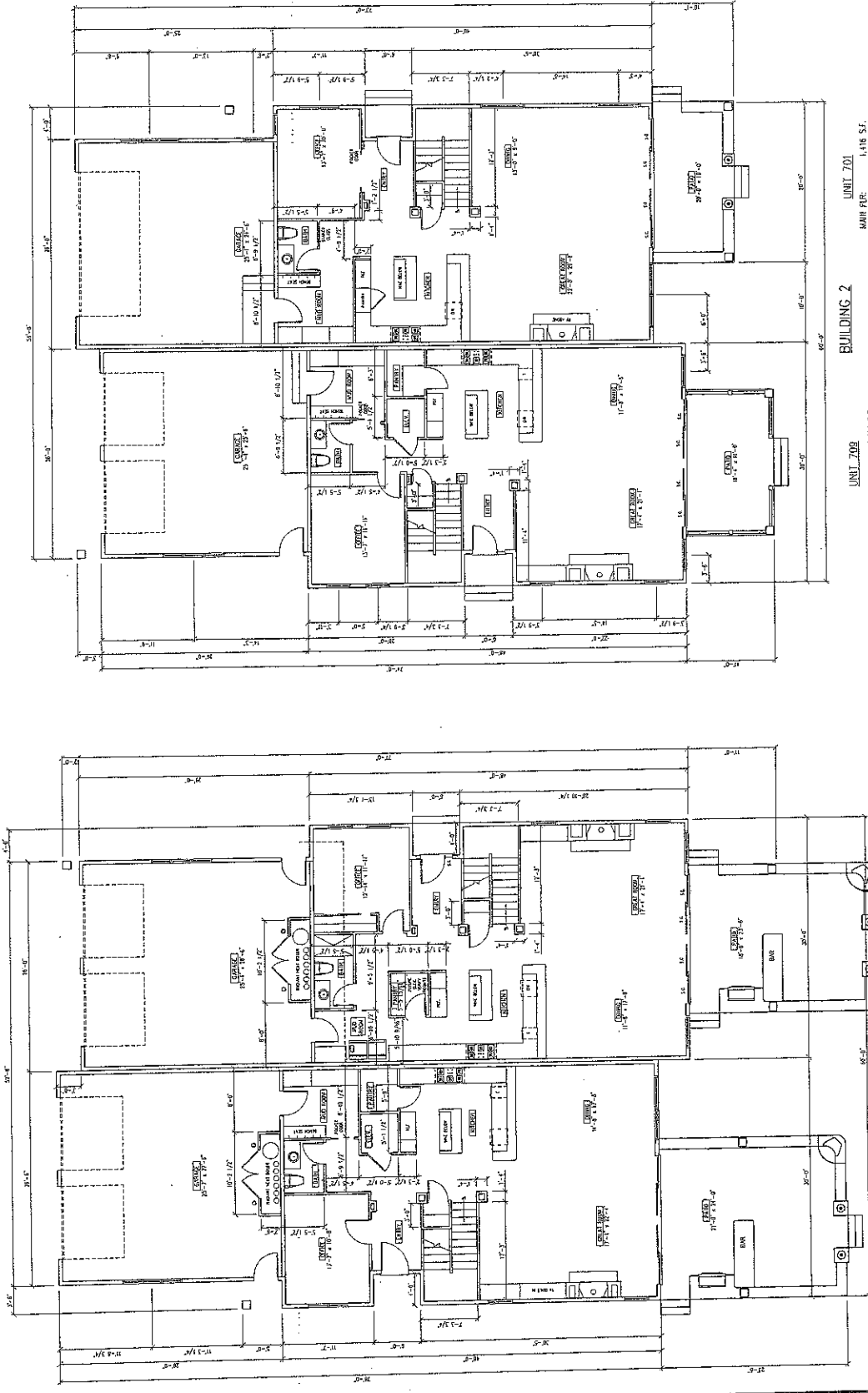


West Lakeshore Condominiums
FRAME & SMETANA, PA
Consulting Engineers
100 Iron Ave. Ste. 400, Coeur d'Alene, Idaho, 83814
PH: (208) 421-1212 FAX: (208) 421-1213
WWW.FRAMEANDSMETANA.COM

DATE: 01/13/14
SCALE: 1" = 20'
SHEET: 2 OF 6

West Lakeshore Condominiums

LOTS 1, 2 AND PART OF THE VACATED ALLEY, BLOCK ONE, AND LOTS 1 & 2, BLOCK TWO, FINCH'S SUBDIVISION OF LOTS 32, 51, AND 52, SHERMAN PARK ADDITION, IN SEC. 14, T. 50 N., R. 4 W., E.M., CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO



BUILDING 2

UNIT 720
 MAIN FLR: 1,418 S.F.
 GARAGE: 500 S.F.
 PATIO: 200 S.F.

UNIT 709
 MAIN FLR: 1,416 S.F.
 GARAGE: 500 S.F.
 PATIO: 202 S.F.

BUILDING 1

UNIT 718
 MAIN FLR: 1,416 S.F.
 GARAGE: 500 S.F.
 PATIO: 191 S.F.

UNIT 717
 MAIN FLR: 1,416 S.F.
 GARAGE: 500 S.F.
 PATIO: 191 S.F.

West Lakeshore Condominiums
MAIN FLOOR

Scale: 1/8"=1'-0"
 DATE: 01/13/14

OWNER: DWI
 FZ089P
 14-50N-1W

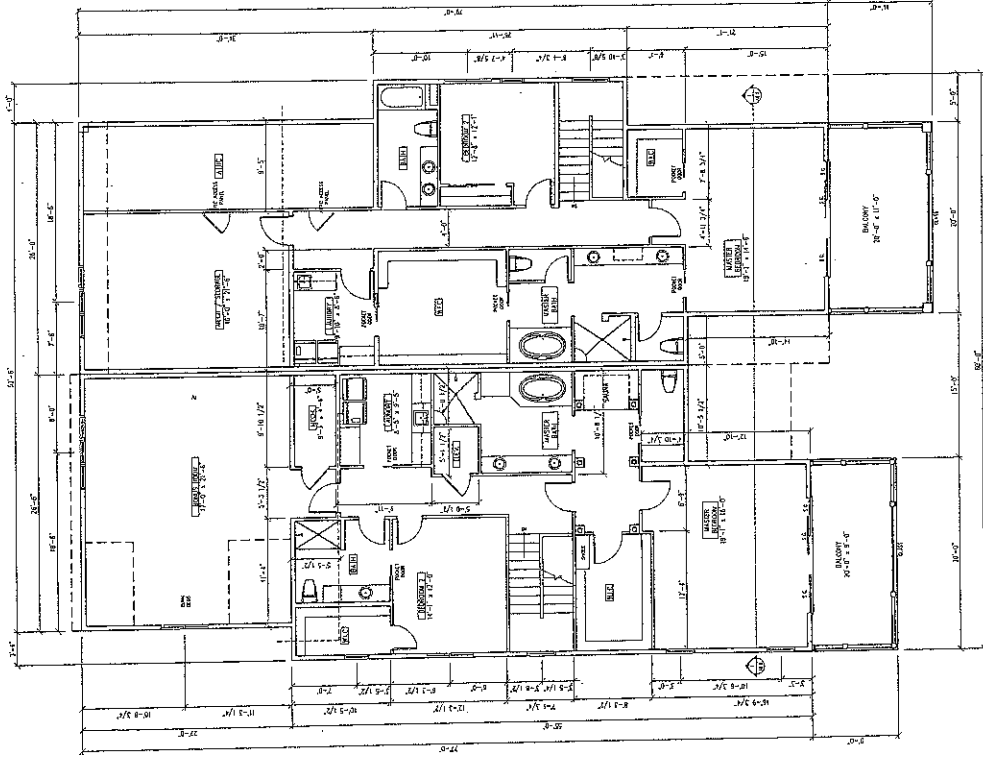
FRAME & SMETANA, PA
 Consulting Engineers
 100 North 6th Street, Coeur D'Alene, Idaho, 83814
 Phone: (208) 765-5222 Fax: (208) 765-5223
 Email: info@framesmetana.com

Sheet
 3 of 6



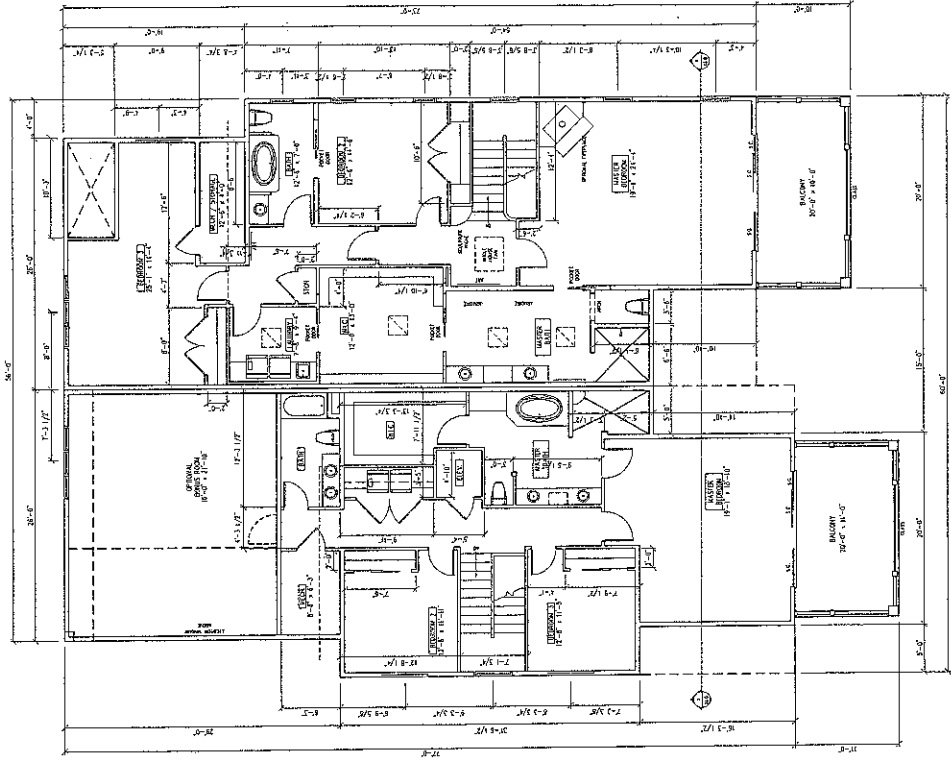
RUSSELL C. ROSSIGNER, P.L.S., R.S.P.P.

West Lakeshore Condominiums
LOTS 1, 2 AND PART OF THE VACATED ALLEY, BLOCK ONE, AND LOTS 1 & 2, BLOCK TWO, FINCH'S SUBDIVISION OF LOTS 31, 51, AND 52,
SHERMAN PARK ADDITION, IN SEC. 14, T. 50 N., R. 4 W., B.M., CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO



BUILDING 1
UNIT 717
UPPER FLOOR
2,005 SF
BALCONY:
180 SF.

UNIT 713
UPPER FLOOR
2,087 SF
BALCONY:
220 SF.



BUILDING 2
UNIT 709
UPPER FLOOR
2,038 SF
BALCONY:
218 SF.

UNIT 701
UPPER FLOOR
1,986 SF
BALCONY:
200 SF.



RUSSELL G. HONIGER, P.L.S. 1589

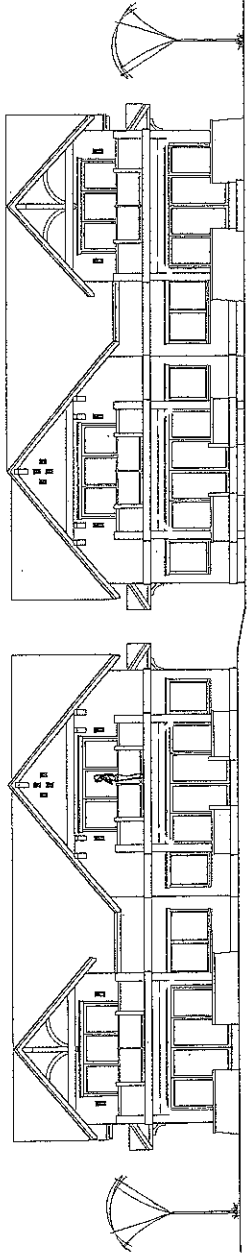
West Lakeshore Condominiums
UPPER FLOOR
SCALE: 1/8"=1'-0"
PAGE 01/13/14

FRAME & SMETANA, PA
Consulting Engineers
603 North 4th Street, Coeur d'Alene, Idaho, 83814
PH: (208) 765-6271 FAX: (208) 765-6275
www.frameandmetana.com

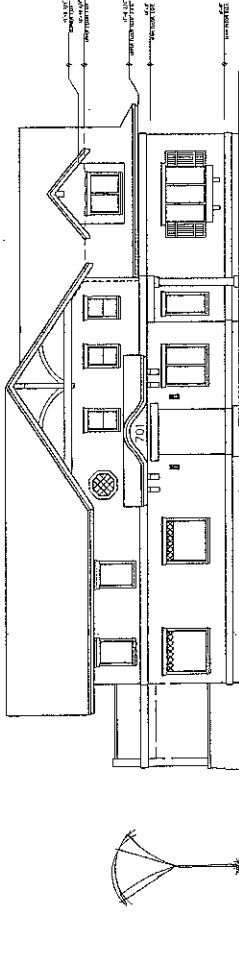
West Lakeshore Condominiums

LOTS 1, 2 AND PART OF THE VACATED ALLEY, BLOCK ONE, AND LOTS 1 & 2, BLOCK TWO, FINCH'S SUBDIVISION OF LOTS 32, 51, AND 54, SHERMAN PARK ADDITION, IN SEC. 14, T. 50 N., R. 4 W., B.M., CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

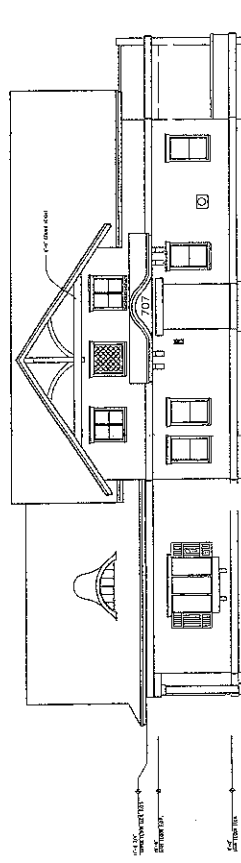
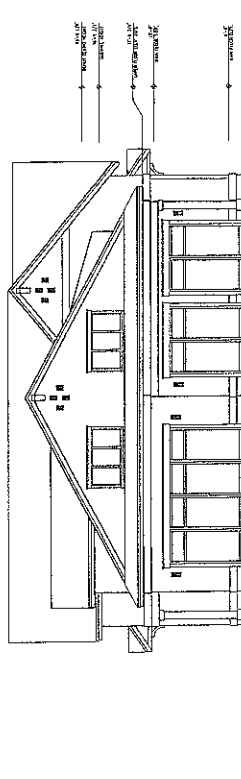
BOOK _____, PAGE _____
INST. No. _____



BUILDING 1



BUILDING 2



REBECCA H. HANSEN, P.L.S. #2518



West Lakeshore Condominiums
ELEVATION VIEWS
SCALE: 1/8" = 1'
DATE: 01/13/14

FRAME & SMETANA, PA
Consulting Engineers
401 South 4th Street, Coeur d'Alene, Idaho, 83814
PH: 208/765-2714 FAX: 208/765-5072 EMAIL: info@framesmetana.com

DESIGNER: DWJ
FILE: F205

PROJECT: 14-50N-1W
SHEET: 5 OF 8

West Lakeshore Condominiums

LOTS 1, 2 AND PART OF THE VACATED ALLEY, BLOCK ONE, AND LOTS 1 & 2, BLOCK TWO FINCH'S SUBDIVISION OF LOTS 32, 51, AND 52, SHERMAN PARK ADDITION, IN SEC. 14, T. 50 N., R. 4 W., B.M., CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK _____, PAGE _____ INST. No. _____

OWNER'S CERTIFICATE

BE IT KNOWN THAT RICK AND ROXANNE GUNTHER LIVING TRUST, AND RICHARD GUNTHER & ROXANNE GUNTHER, THE RECORD OWNERS OF THE REAL PROPERTY DESCRIBED IN THIS CERTIFICATE HAVE CAUSED THE SAME TO BE SURVEYED AND DIVIDED INTO CONDOMINIUM UNITS AS SHOWN HEREON TO BE KNOWN AS WEST LAKESHORE CONDOMINIUMS, BEING LOTS 1, 2, AND PART OF THE VACATED ALLEY, BLOCK ONE, AND LOTS 1 AND 2, BLOCK TWO OF THE FINCH'S SUBDIVISION OF LOTS 32, 51, AND 52, SHERMAN PARK ADDITION, IN SEC. 14, T. 50 N., R. 4 W., B.M., IN THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK ONE, SAID CORNER BEING THE TRUE POINT OF BEGINNING FOR THE DESCRIPTION; THENCE ALONG THE WEST BOUNDARY LINE OF SAID LOT 1, BLOCK ONE, EAST 51.16 FEET TO THE POINT OF BEGINNING; THENCE S 89°02'43" W. 20.00 FEET; THENCE S 89°02'43" W. 188.42 FEET TO THE TABLE TO THE NORTHEAST CORNER OF SAID LOT 1, BLOCK TWO; THENCE S 89°02'43" W. 20.00 FEET; THENCE S 89°02'43" W. 188.42 FEET TO THE NORTHWEST CORNER OF SAID LOT 2, BLOCK TWO; THENCE ALONG THE WEST BOUNDARY LINE OF SAID LOT 2, N 07°00'00" E. 30.33 FEET TO THE NORTHWEST CORNER OF SAID LOT 2, BLOCK TWO; THENCE LEAVING THE SAID WEST BOUNDARY LINE, N 10°00'00" E. 67.34 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2, BLOCK ONE; THENCE ALONG THE WEST BOUNDARY LINE OF SAID LOT 2, BLOCK ONE, S 89°02'43" W. 188.42 FEET TO THE POINT OF BEGINNING, CONTAINING APPROXIMATELY 0.17 GROSS ACRES, MORE OR LESS, LESS THE RIGHT OF WAY OF LAKESHORE DRIVE.

RESERVING EASEMENTS OF RECORD OR ANY OTHER SUCH EASEMENT AS MAY BE IN VIEW. SANITARY SEWER SERVICE TO EACH UNIT PLATTED HEREIN SHALL BE PROVIDED BY THE CITY OF COEUR D'ALENE. WATER SERVICE TO EACH UNIT PLATTED HEREIN SHALL BE PROVIDED BY THE CITY OF COEUR D'ALENE.

RICHARD G. GUNTHER, TRUSTEE RICK AND ROXANNE GUNTHER LIVING TRUST

RICHARD GUNTHER, HUSBAND ROXANNE GUNTHER, WIFE

STATE OF IDAHO, COUNTY OF KOOTENAI, SS

ON THIS DAY OF IN THIS YEAR, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO, PERSONALLY APPEARED RICHARD G. GUNTHER, ROXANNE J. GUNTHER, KNOWN OR IDENTIFIED TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AS TRUSTEES OF THE RICK AND ROXANNE GUNTHER LIVING TRUST, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC RESIDING AT MY COMMISSION EXPIRES:

STATE OF IDAHO, COUNTY OF KOOTENAI, SS

ON THIS DAY OF IN THE YEAR BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO, PERSONALLY APPEARED RICHARD GUNTHER AND ROXANNE GUNTHER, HUSBAND AND WIFE, KNOWN OR IDENTIFIED TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC RESIDING AT MY COMMISSION EXPIRES:

SURVEYOR'S CERTIFICATE

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

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



CITY COUNCIL APPROVAL

THIS PLAT APPROVED AND ACCEPTED BY THE CITY COUNCIL OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ON THE DAY OF 20

MAYOR CITY OF COEUR D'ALENE ENGINEER CITY OF COEUR D'ALENE

CLERK CITY OF COEUR D'ALENE

KOOTENAI COUNTY TREASURER

I HEREBY CERTIFY THIS DAY OF 20 THAT THE REQUIRED TAXES ON THE HEREIN DESCRIBED LAND HAVE BEEN PAID THRU

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 IN THIS DAILY RECORDED IN PLAT BOOK PAGE INST. # FEE \$

KOOTENAI COUNTY RECORDER

Form header for West Lakeshore Condominiums, including surveyor and recorder information, and F-RAME & S-METANA, PA Consulting Engineers logo.

Opening September
Prorated \$166.66

BEER, ME, PAHA APPLICATION inites March 1 an alit/

City of Coeur d' Alene
unicipai Services 710
Viullan Avenue Coeur d°
Alene, Idaho 83814
208.769.2229 Fax 769.2237

[Office Use Ontypimt Pd 166.66
Rec No 0733704
Date _____
Date to City Council: 9/2/14
Reg No. _____
License Na. _____

Date that you would like to begin alcohol service _____

Check the ONE box that applies

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

Business Name	The Cork and Tap	
Business Mailing Addeess	861 Stoneybrook Loop	
City, State, Zip	Post Falls, Idaho 83854	
Business Physidal Address	2034 Main Street	
City; \$tate. Zip •	CDA, ID 83814	
Business contact	Phone 208-777-7510	Fax:208-777-7510
	mdimico@gmail.com	
License Applicant	Michael Dimico	
If Corporation or Partnership, LLC etc, List all members/officers	Trisha Maddy, Michael Dimico	

GENERAL SERVICES COMMITTEE M E M O R A N D U M

DATE: AUGUST 19, 2014

FROM: RENATA MCLEOD, CITY CLERK

RE: APPROVAL OF CDBG AD HOC COMMITTEE GRANT AWARD
RECOMMENDATIONS FOR ACTION PLAN YEAR 2014 AND 2015

DECISION POINT:

To authorize the recommendations of the CDBG Ad Hoc Committee for the 2014 Annual Action Plan including the following:

- Community grant award recommendation to North Idaho Violence Prevention Center in the amount of \$10,203.00 that will be used for Shelter Renovations.
- Community grant award recommendation to The Children's Village in the amount of \$86,154.00 that will be used for The Miller House Expansion Project.
- Community grant award recommendation to Trinity Group Homes, Inc. in the amount of \$24,643.00 that will be used for Rehabilitation to LMI Rentals for Energy Conservation.

To authorize the recommendations of the CDBG Ad Hoc Committee for the 2015 Annual Action Plan including the following (dependent upon funding availability):

- Community grant award recommendation to The Shepherd's Table in the amount of an estimated \$121,000 that will be used for Property Acquisition.

HISTORY: On June 28, 2014, the City advertised the request for proposals for projects benefiting low to moderate people or neighborhoods, and/or promote job creation/economic development. Additionally, the notice was posted to the City webpage and emailed directly too many service organizations and interested parties. On July 11, 2014, a training/technical assistance workshop was held in the Old Council Chambers. This year's grant opportunities were open to Plan Year 2014 and Plan Year 2015 (in order to pre-plan the 2015 funding that will be included in the annual action plan rather than a substantial amendment). Nine applications were received for Plan Year 2014 funding and three applications were received for Plan Year 2015 funding. The committee members met on July 21, 2014 and August 19, 2014 to review and rate the applications. Based on the grant criteria the committee has made the following recommendation.

Plan Year 2014

- Community grant award recommendation to North Idaho Violence Prevention Center in the amount of \$10,203.00 that will be used for Shelter Renovations.
- Community grant award recommendation to The Children's Village in the amount of \$86,154.00 that will be used for The Miller House Expansion Project.
- Community grant award recommendation to Trinity Group Homes, Inc. in the amount of \$24,643.00 that will be used for Rehabilitation to LMI Rentals for Energy Conservation.

Plan Year 2015

- Community grant award recommendation to The Shepherd's Table in the amount of an estimated \$121,000 that will be used for Property Acquisition.

The 2014 Action Plan included \$121,000 allocated toward community grants. For Plan Year 2015 there is no real basis to assume the full allocation amount; therefore, staff estimated the same budget and cap, leaving potential for additional funds to be allocated during Plan Year 2015.

Three projects have been recommended to the City Council for approval and funding in Plan Year 2014 are more fully described below.

By specifically identifying projects to be awarded under Plan Year 2015, those projects will be noted in the Annual Action. More detailed information regarding these Plan Year 2015 projects will be presented at that time.

FINANCIAL: Plan Year 2014 will be amended to specifically include the community grant awards of \$10,203.00 to North Idaho Violence Prevention Center for Shelter Renovations, \$86,154.00 to The Children's Village for The Miller House Expansion, and \$24,643.00 to Trinity Group Homes, Inc. for Rehabilitation to LMI Rentals for Energy Conservation.

PERFORMANCE ANALYSIS: Authorizing this recommendation will allow these organizations to plan their programs and projects and allow staff to move forward with contract preparation.

DECISION POINT/RECOMMENDATION:

To authorize the recommendations of the CDBG Ad Hoc Committee for the 2014 Annual Action Plan including the following:

- Community grant award recommendation to North Idaho Violence Prevention Center in the amount of \$10,203.00 that will be used for Shelter Renovations.
- Community grant award recommendation to The Children's Village in the amount of \$86,154.00 that will be used for The Miller House Expansion Project.
- Community grant award recommendation to Trinity Group Homes, Inc. in the amount of \$24,643.00 that will be used for Rehabilitation to LMI Rentals for Energy Conservation.

To authorize the recommendations of the CDBG Ad Hoc Committee for the 2015 Annual Action Plan including the following (dependent upon funding availability):

- Community grant award recommendation to The Shepherd's Table in the amount of an estimated \$121,000 that will be used for Property Acquisition.

RESOLUTION NO. 14-036

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 S-2-14, APPROVAL OF SUBDIVISION AGREEMENT, SECURITY, AND FINAL PLAT FOR CIRCUIT AT SELTICE; APPROVING UPDATES TO THE CITY'S RECORDS RETENTION MANUAL; AND APPROVING AN AGREEMENT WITH ST. VINCENT DE PAUL FOR A COMMUNITY DEVELOPMENT BLOCK GRANT AWARD.

WHEREAS, it has been recommended that the City of Coeur d'Alene enter into the contract(s), agreement(s) or 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 S-2-14, Approval of Subdivision Agreement, Security, and Final Plat for Circuit at Seltice;
- B) Approving Updates to the City's Records Retention Manual;
- C) Approving an Agreement with St. Vincent De Paul for a community Development Block Grant Award;

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 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 2nd day of September, 2014.

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 ADAMS Voted _____

COUNCIL MEMBER GOOKIN Voted _____

COUNCIL MEMBER EDINGER Voted _____

_____ was absent. Motion _____.

**CITY COUNCIL
STAFF REPORT**

DATE: September 2, 2014
FROM: Christopher H. Bates, Engineering Project Manager 
SUBJECT: **Circuit on Seltice: Final Plat Approval, Subdivision Improvement Agreement and Security Approval**

DECISION POINT

Staff is requesting the following:

1. Approval of the final plat document, a thirty nine (39) lot residential development.
2. Approval of the Subdivision Improvement Agreement and security for the noted development.

HISTORY

- a. Applicant: Dennis E. Cunningham II
Active West, LLC
PO Box 3398
Coeur d'Alene, ID 83816-3398
- b. Location: North side of Seltice Way, +/- 200' east of Atlas Road.
- c. Previous Action:
 1. Preliminary plat approval, February 2014.

FINANCIAL ANALYSIS

The developer has furnished a bond in the amount of \$21,825.00 to cover the cost of outstanding infrastructure improvements that are required for final plat approval, and, an additional cash security of \$6,210.00 for roadway improvements along the Seltice Way frontage.

PERFORMANCE ANALYSIS

The developer has opted to bond for the outstanding improvements (curbing, asphalt paving, secondary access, hydroseeding, signage, striping and monumentation) in order to receive final plat approval. The agreement with the developer states that he will have the installations completed by September 2, 2015. The installation of the agreement and security enables the developer to receive final plat approval and sell platted lots, however, building permit issuance will not be allowed until the infrastructure installation has been completed.

DECISION POINT RECOMMENDATION

1. Approve the final plat document.
2. Approve the subdivision improvement agreement and furnished security.

CIRCUIT AT SELTICE

A PLANNED UNIT DEVELOPMENT
 LOCATED IN A PORTION OF THE SW 1/4 OF SECTION 3, TOWNSHIP 30 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN,
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO
 PAGE 2 OF 2

BOOK PAGE
 INSTRUMENT NO.

REFERENCES

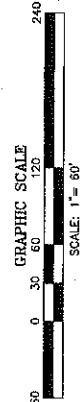
- R1) TD PLAN 554639 FOR US-10.
- R2) TD PLAN 111-P.G. 1508A PRL-10.
- R3) ITS PLAN 146-30-14605 FOR INDUSTRIAL-90.
- R4) SURVEY BY GARY A. FRAME, RLS 1817, RECORDED IN BOOK 2 OF SURVEYS AT PAGE 235, JANUARY 1981.
- R5) SURVEY BY JAMES O. LEFARD, RLS 1316, RECORDED IN BOOK 3 OF SURVEYS AT PAGE 107, AUGUST 1981.
- R6) SURVEY BY JAMES O. LEFARD, RLS 1316, RECORDED IN BOOK 3 OF SURVEYS AT PAGE 532, FEBRUARY 1983.
- R7) SURVEY BY GARY A. FRAME, RLS 1817, RECORDED IN BOOK 4 OF SURVEYS AT PAGE 177, JANUARY 1985.
- R8) SURVEY BY J.P. MONICO, RLS 4194, RECORDED IN BOOK 27 OF SURVEYS AT PAGE 292, AUGUST 2001.
- R9) SURVEY BY RUBEN G. HONGSKER, RLS 5229, RECORDED IN BOOK 24 OF SURVEYS AT PAGE 469, DECEMBER 2006.

NOTES

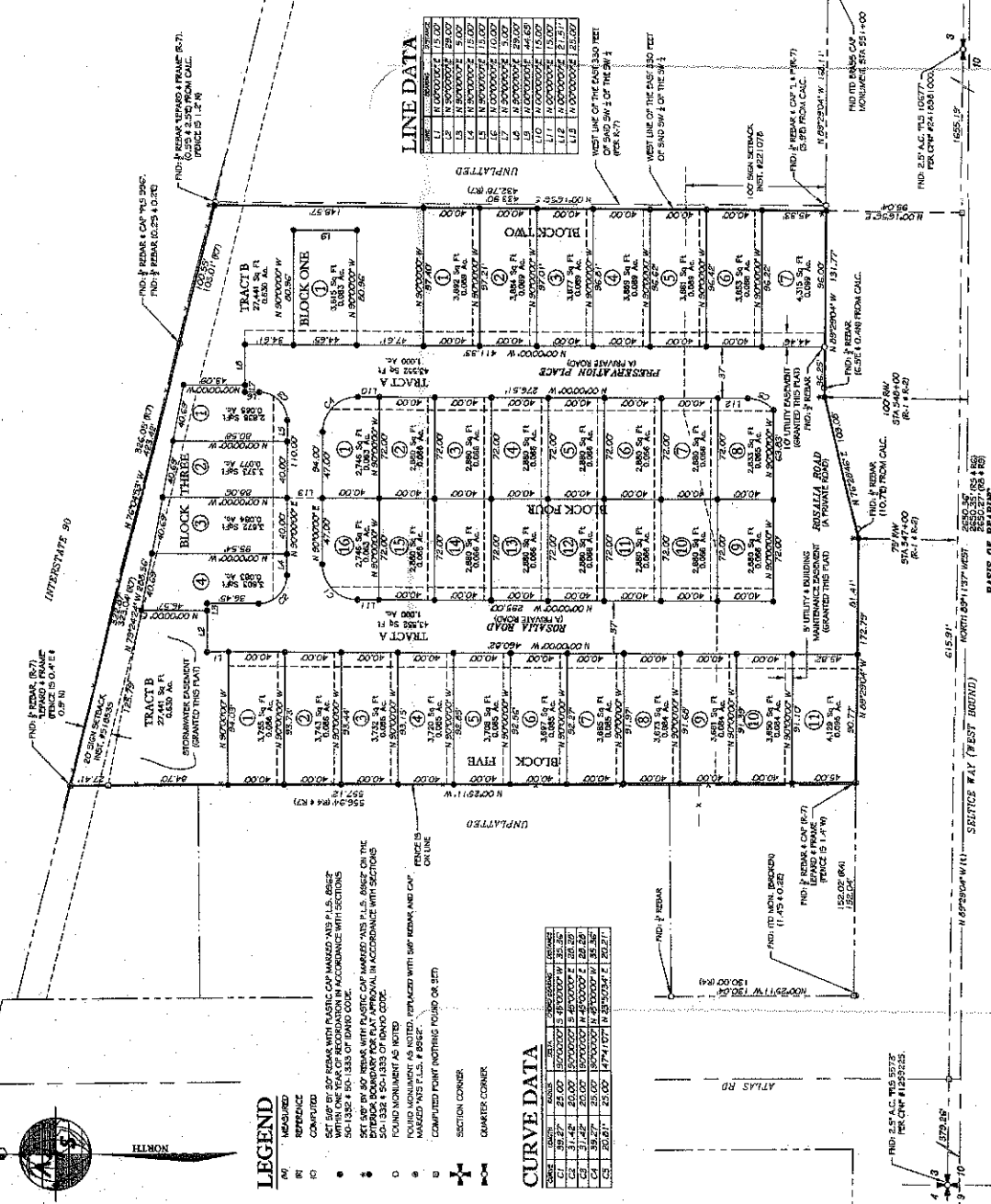
1. THE SURVEYOR WANTS TO BUY ALL PHYSICAL PARTS OF THIS SURVEY, OR ANY UNRECORDED INSTRUMENTS, SUCH AS BUILDINGS AND FENCES WHICH MAY BE SHOWN, ARE FOR INFORMATIONAL PURPOSES ONLY.
2. ANY RIGHT OF WAY DEDICATION AND/OR THE GRANTING OF RESIDUAL EASEMENT DEPICTED ON THIS PAGE ARE ENUNCIATED IN THE OWNERS CERTIFICATE, PAGE ONE OF THIS PLAN.
3. SURVEYS SEEM TO MATCH ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 3. I DO NOT AGREE WITH THE POSITION OF THE EAST 1/2 OF THIS QUARTER BEING TO MATCH THE WEST LINE OF THE CALCULATED POSITION. I VERIFIED SURVEY STATIONING ACCORDING TO R1 & R2 AND MATCH INTO MONUMENTS EAST AND WEST OF THE PROJECT. I SET THE NORTH BEARING RIGHT-OF-WAY BASED ON STATIONING.

BASIS OF BEARINGS

BASIS OF BEARINGS FOR THIS PLAN IS SIGHTED POINT WEST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 30 NORTH, RANGE 4 WEST, B.M. ACCORDING TO THE COEUR D'ALENE & SHELBY ADJUSTMENT, WITH CONTROL NETWORK, AND 021.000 WEST 200E (1982 ADJUSTMENT) WITH CONTROL NETWORK, AND 021.000 WEST 200E CALCULATED AT THE SOUTHWEST CORNER OF LAND SECTION 3.



ATS INC.
ADVANCED TECHNOLOGY SURVEYING & ENGINEERING
 P.O. BOX 347, HAYDEN, IDAHO, 83405
 PH: (208) 722-2748 • FAX: (208) 742-7701
 SCALE: 1"=60'
 CHECKED BY: MWM
 DATE: 04-09-2014
 DRAWN BY: MWM
 DATE: 03-18-2014
 DWG: PLAN
 MOD: 15-089



LINE DATA

LINE NO.	BEARING	DISTANCE	AREA
1	N 89°00'00" W	110.00	110.00
2	N 89°00'00" W	110.00	110.00
3	N 89°00'00" W	110.00	110.00
4	N 89°00'00" W	110.00	110.00
5	N 89°00'00" W	110.00	110.00
6	N 89°00'00" W	110.00	110.00
7	N 89°00'00" W	110.00	110.00
8	N 89°00'00" W	110.00	110.00
9	N 89°00'00" W	110.00	110.00
10	N 89°00'00" W	110.00	110.00
11	N 89°00'00" W	110.00	110.00
12	N 89°00'00" W	110.00	110.00
13	N 89°00'00" W	110.00	110.00
14	N 89°00'00" W	110.00	110.00
15	N 89°00'00" W	110.00	110.00
16	N 89°00'00" W	110.00	110.00
17	N 89°00'00" W	110.00	110.00
18	N 89°00'00" W	110.00	110.00
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23	N 89°00'00" W	110.00	110.00
24	N 89°00'00" W	110.00	110.00
25	N 89°00'00" W	110.00	110.00
26	N 89°00'00" W	110.00	110.00
27	N 89°00'00" W	110.00	110.00
28	N 89°00'00" W	110.00	110.00
29	N 89°00'00" W	110.00	110.00
30	N 89°00'00" W	110.00	110.00

CURVE DATA

STATION	BEARING	DISTANCE	AREA
1	N 89°00'00" W	110.00	110.00
2	N 89°00'00" W	110.00	110.00
3	N 89°00'00" W	110.00	110.00
4	N 89°00'00" W	110.00	110.00
5	N 89°00'00" W	110.00	110.00
6	N 89°00'00" W	110.00	110.00
7	N 89°00'00" W	110.00	110.00
8	N 89°00'00" W	110.00	110.00
9	N 89°00'00" W	110.00	110.00
10	N 89°00'00" W	110.00	110.00
11	N 89°00'00" W	110.00	110.00
12	N 89°00'00" W	110.00	110.00
13	N 89°00'00" W	110.00	110.00
14	N 89°00'00" W	110.00	110.00
15	N 89°00'00" W	110.00	110.00
16	N 89°00'00" W	110.00	110.00
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23	N 89°00'00" W	110.00	110.00
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30	N 89°00'00" W	110.00	110.00

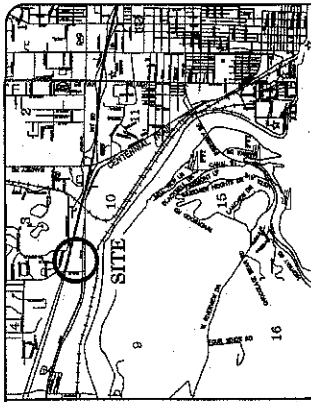
LEGEND

- AW: MONUMENT
- RE: REFERENCE
- CO: CORNER
- : SET BY SURVEYOR WITH PLASTIC CAP MARKED WITH P.L.S. BESET WITH ONE YEAR OF RECORDED IN ACCORDANCE WITH SECTIONS 501-1332 & 501-1333 OF IDAHO CODE.
- : CENTER POINT FOR PLAT APPROVAL IN ACCORDANCE WITH SECTIONS 501-1332 & 501-1333 OF IDAHO CODE.
- : FOUND MONUMENT AS NOTED
- : FOUND MONUMENT AS NOTED, REPLACED WITH SURVEYOR MARK AND CAP OR LINE
- : SECTION CORNER
- : QUARTER CORNER

PROJ. BY: JAMES O. LEFARD
 DATE: 04-09-2014
 PLAN: 554639

CIRCUIT AT SELTICE

A PLANNED UNIT DEVELOPMENT
 LOCATED IN A PORTION OF THE SW 1/4 OF SECTION 3, TOWNSHIP 50 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN,
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO
 PAGE 1 OF 2



VICINITY MAP
 NO SCALE

OWNERS CERTIFICATE

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

THESE COVENANTS, CONDITIONS, RESTRICTIONS, RIGHTS-OF-WAY COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD TOGETHER WITH AND SUBJECT TO EASEMENTS, RIGHTS-OF-WAY COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD AND IN VIEW, BE (EVER) KNOWN THAT:

THE LAND HEREIN DESCRIBED AS A TRACT AS IS DESCRIBED AS A PRIVATE ROAD AND RESERVATION TO BE USED, OWNED, AND MAINTAINED BY THE FRANCHISE OWNERS ASSOCIATION IN ACCORDANCE WITH THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR GREAT HOME OWNERS ASSOCIATION, THE TRACT CANNOT BE USED FOR ANY OTHER PURPOSES THAN THOSE INTENDED BY THE FRANCHISE OWNERS ASSOCIATION.

THE FRANCHISE GRANT IS TO BE OWNED BY THE FRANCHISE OWNERS ASSOCIATION AND MAINTAINED IN ACCORDANCE WITH THE MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR GREAT HOME OWNERS ASSOCIATION.

THE FRANCHISE GRANT IS TO BE OWNED BY THE FRANCHISE OWNERS ASSOCIATION AND MAINTAINED IN ACCORDANCE WITH THE MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR GREAT HOME OWNERS ASSOCIATION.

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NOTARY PUBLIC CERTIFICATE

STATE OF _____)
 COUNTY OF _____)
 ON THIS _____ DAY OF _____, 2014,
 before me, _____, a Notary Public in and for said County and State, personally appeared _____, known to me or identified to me or provided to me or provided to me by the manager or a member of the LIMITED LIABILITY COMPANY THAT EXECUTED THE INSTRUMENT OR THE PERSON WHO EXECUTED THE INSTRUMENT OR A MEMBER OF SAID LIMITED LIABILITY COMPANY AND ACKNOWLEDGED TO ME THAT SAID LIMITED LIABILITY COMPANY DESIRED TO BE THE SAME.

COUNTY RECORDER

THIS MAP WAS RECORDED IN THE OFFICE OF THE KOOTENAI COUNTY, IDAHO, RECORDER AT THE REQUEST OF ADVANCED TECHNOLOGY SURVEYING & ENGINEERING, INC.
 THIS _____ DAY OF _____, 2014, AT _____ O'CLOCK _____ M.
 AS INSTRUMENT NUMBER _____ AND DAILY RECORDED _____
 IN BOOK _____ OF PLATS, AT PAGES _____
 KOOTENAI COUNTY RECORDER
 BY: _____ FEE: _____

COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE TAXES DUE FOR THE PROPERTY DESCRIBED IN THE OWNERS CERTIFICATE AND DEDICATION HAVE BEEN PAID THROUGH _____ DAY OF _____, 2014.

KOOTENAI COUNTY, TREASURER

COUNTY SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE EXAMINED THE INSTRUMENT THAT CREATED THE PLAT COMPARISONS OF THE RECORDS OF THE RECORDS OF THE STATE GOVERNMENT TO PLATS AND SURVEYS HAVE BEEN MET.

DATED THIS _____ DAY OF _____, 2014.

KOOTENAI COUNTY, SURVEYOR

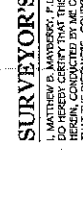


CITY COUNCIL APPROVAL

THIS PLAT IS HEREBY ACCEPTED AND APPROVED BY THE CITY COUNCIL OF COEUR D'ALENE, IDAHO, ON THE _____ DAY OF _____, 2014.

CITY OF COEUR D'ALENE, IDAHO
 COEUR D'ALENE CITY CLERK

CITY OF COEUR D'ALENE, ENGINEER



SURVEYOR'S CERTIFICATE

I, MATTHEW B. MATVEYEV, P.L.S. #8662, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO DO HEREBY CERTIFY THAT THIS PLAT IS IN ACCORDANCE WITH THE REQUIREMENTS OF IDAHO CODE SECTION 50-1-103, IDAHO CODE AND SURVEYS THAT THE DISTANCES, COURSES AND ANGLES ARE SHOWN THEREON CORRECTLY AND THAT ALL MONUMENTS HAVE BEEN SET IN ACCORDANCE WITH SECTION 50-1-103, IDAHO CODE AND SURVEYS.

SCALE: N/A
 CHECKED BY: MPM
 DATE: 08-19-2014
 DRAWN BY: MPM
 DATE: 08-19-2014
 DWG: PLAT
 PROJ: 13-046

ADVANCED TECHNOLOGY & SURVEYING & ENGINEERING INC.
 P.O. BOX 3467, HAYDEN IDAHO 83401
 TEL: (208)-772-2748 • FAX: (208)-762-7731



AGREEMENT TO PERFORM SUBDIVISION WORK
Circuit on Seltice

THIS AGREEMENT made this _____ day of September, 2014, between Active West, LLC, whose address is PO Box 3398, Coeur d'Alene, ID, 83816-3398, with Dennis E. Cunningham II, Member, hereinafter referred to as the "Developer," and, the City of Coeur d'Alene, a municipal corporation and political subdivision of the state of Idaho, whose address is City Hall, 710 E. Mullan Avenue, Coeur d'Alene, ID 83814-3956, hereinafter referred to as the "City,"

WHEREAS, the City has approved, subject to completion of the required improvements, the Circuit on Seltice subdivision, a thirty nine (39) lot residential development in Coeur d'Alene, situated in the southwest quarter of Section 3, Township 50 North, Range 4 West, B.M., Kootenai County, Idaho, and, has agreed that the final plat may be recorded; NOW, THEREFORE,

IT IS AGREED AS FOLLOWS:

The Developer agrees to complete the following public improvements: concrete curb installation and asphalt multi-use trail construction along the Seltice Way frontage, secondary fire department access point, hydroseeding, signage, striping and monumentation, as required under Title 16 of the Coeur d'Alene Municipal Code, on or before the 2nd day of September, 2015. Said improvements are more particularly described on the submitted estimate dated August 21, 2014 attached as Exhibit "A", and, shown on the civil engineering drawings titled "The Circuit @ Seltice", dated April 9, 2014, signed and stamped by Jerry A. Sinclair, PE #5097, whose address is Advanced Technology Surveying and Engineering, Inc., PO Box 3457, Hayden, ID 83835, on file in the City of Coeur d'Alene Engineering Department's office and incorporated herein by reference.

The Developer, prior to recording the plat, shall deliver to the City, bonded security in the amount Twenty One Thousand Eight Hundred Twenty Five and 00/100 Dollars (\$21,825.00), and, a separate cash security in the amount of Six Thousand Two Hundred Ten and 00/100 Dollars (\$6,210.00), which is the cost required for securing the obligation of the Developer to complete the subdivision improvements referred to herein. The security shall be held until the completion and acceptance of the required installations shown on the approved plans. Should the Developer noted herein fail to complete the improvements within the time herein provided, the City may utilize the funds to complete or have the improvements completed. In the event the City completes the improvements as a result of the Developer's default, the Developer shall be responsible for any costs that exceed the installed security for the public improvements noted herein.

The Parties further agree that the City has utilized substantial staff time to prepare the agreement that will benefit the Developer's. The Parties further agree the City should be reimbursed a reasonable fee for its costs to prepare such agreement. The Parties further agree that such fee should be in the amount of Twenty Five and No/100 Dollars (\$25.00).

IN WITNESS WHEREOF, the parties have set their hands and seals the day and year first above written.

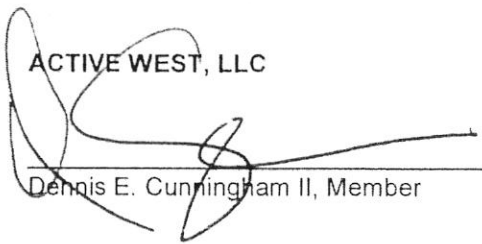
CITY OF COEUR D'ALENE

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

ACTIVE WEST, LLC



Dennis E. Cunningham II, Member

Agreement: Resolution #14- 036



Advanced Technology Surveying & Engineering

P.O. Box 3457 Hayden, Idaho 83835
PH. (208) 772-2745 Fax. (208) 762-7731

EXHIBIT "A"

ENGINEERS COST ESTIMATE

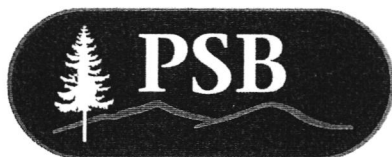
CIRCUIT AT SELTICE

(REMAINING IMPROVEMENTS)

August 21st, 2014

<u>DESCRIPTION</u>	<u>TOTAL</u>
Signs and Striping	2,500.00
Hydroseed	1,050.00
Path Construction: Subgrade Complete, asphalt and base install	4,000.00
Grass Crete	5,000.00
Monuments (Interior)	2,000.00
TOTAL ESTIMATE FOR LOC FROM BANK	\$14,550.00 x 1.5= \$21,825.00
<u>DESCRIPTION</u>	<u>TOTAL</u>
Seltice curbing	4,140.00
TOTAL ESTIMATE FOR CASH BOND	\$4,140.00 x 1.5= \$ 6,210.00

PROFESSIONAL ENGINEER
REGISTERED
5097
STATE OF IDAHO
ERRY A. SINGLET
8-21-14



**Panhandle
STATE BANK**

IRREVOCABLE STANDBY LETTER OF CREDIT

BENEFICIARY: City of Coeur d' Alene 710 E. Mullan Avenue Coeur d' Alene, ID 83814	APPLICANT: Active West, LLC 424 Sherman Avenue #205 Coeur d' Alene, ID 83814
--	---

Date: August 26, 2014

RE: Seltice & Atlas, Coeur d' Alene

Letter of Credit Number: 604-854

Expiration date: August 26, 2015

At: Panhandle State Bank, Credit Administration 200 W. Neider Avenue,
Coeur d' Alene, ID 83815, on or before 5:00 p.m. on expiry date

Amount: \$21,825.00

NOT EXCEEDING: TWENTY ONE THOUSAND EIGHT HUNDRED TWENTY FIVE DOLLARS AND ZERO CENTS

We hereby issue our Irrevocable Standby Letter of Credit in lieu of performance bond.

We undertake to the Beneficiary to honor the Beneficiary's demand for payment of an amount available under this Letter of Credit upon presentation of the following documents (collectively the "**Demand for Payment**"):

1. Beneficiary's signed statement certifying that Active West, LLC is in default in its obligation to the beneficiary for breach of contract, breach of warranty, or failure to cure a deficiency to City of Coeur d' Alene, and is in violation of the Agreement between the Beneficiary and Active West, LLC
2. The Original of this Letter of Credit and any amendments.
3. A draft at sight drawn on Panhandle State Bank "**Bank**", duly endorsed on its reverse side thereof by the beneficiary, specifically referencing this Letter of Credit.

**200 W. Neider Ave. P.O. Box 2559 Coeur d'Alene, ID 83814
Phone # 208-415-5723 Fax # 208-666-6160**



**Panhandle
STATE BANK**

SPECIAL CONDITIONS:

1. All banking charges other than those of the issuing bank are for the account of the beneficiary.
2. Partial drawings are permitted under this Letter of Credit. The aggregate amount of this Letter of Credit, less the aggregate amount of all partial drawings previously paid to the Beneficiary at such time.
3. This credit cannot be modified or revoked without the consent of both the Bank and the beneficiary hereto.

Drafts drawn under this credit must bear the clause: "Drawn under Panhandle State Bank Credit Administration, and Irrevocable Letter of Credit No604-854, Dated August 26, 2014, signed by the beneficiary with payment instructions as provided, the original Letter of Credit for endorsement. Except when the amount of the drawing fully utilizes this Letter of Credit, we undertake to return the original Letter of Credit to you with the amount of the payment endorsed thereon within a reasonable period of time not to exceed then (10) business days after the draft funds have been wire transferred to the beneficiary.

Beneficiary shall have no recourse against Bank for any amount paid under this Letter of Credit once Bank has honored any draft or other document which complies with this Letter of Credit, and which on its face appears otherwise in order but which is signed, issued, or presented by a party or under the name of a party purporting to act for Beneficiary, purporting to claim through Beneficiary, or posing as representation as to the correctness of the amount demanded and Bank shall not be liable to Beneficiary, or any other person, for any amount paid or disbursed for any reason whatsoever, including, without limitation, any nonapplication or misapplication by Beneficiary of the proceeds of such payment. By presenting upon Bank or a confirming bank, Beneficiary certifies that Beneficiary has not and will not present upon the other, unless and until Beneficiary meets with dishonor. Beneficiary promises to return to Bank any funds received by Beneficiary in excess of the Letter of Credit's maximum drawing amount.

Pursuant to U.S. Law, we are prohibited from issuing, transferring, accepting or paying letters of credit to any party or entity identified by the Office of Foreign Assets Control, U.S. Department of Treasury or subject to the denial of export privileges by the U.S. Department of Commerce.

**200 W. Neider Ave. P.O. Box 2559 Coeur d'Alene, ID 83814
Phone # 208-415-5723 Fax # 208-666-6160**



**Panhandle
STATE BANK**

This Letter of Credit is subject to and governed by the International Chamber of Commerce Uniform Customs and Practice for Commercial Documentary Credits (2007 Revision) (UCP No. 600) or any updates thereto.

We hereby engage with you that draft(s) drawn and/or documents presented under and in compliance with the terms of the Irrevocable Standby Letter of Credit will be duly honored upon presentation to us.

Panhandle State Bank
Member FDIC

By:

Angela D. Erickson
Vice President, Commercial Loan Officer

200 W. Neider Ave. P.O. Box 2559 Coeur d'Alene, ID 83814
Phone # 208-415-5723 Fax # 208-666-6160

**GENERAL SERVICES COMMITTEE
M E M O R A N D U M**

DATE: AUGUST 13, 2014

FROM: RENATA MCLEOD, CITY CLERK/MUNICIPAL SERVICES DIRECTOR

RE: APPROVAL OF AMENDMENTS TO THE RECORDS RETENTION MANUAL,
AND RETENTION SCHEDULE.

DECISION POINT:

- Approval of amendments to the Records Retention Manual and retention schedule.

HISTORY: On December 5, 2006, the City adopted Resolution No. 06-075, approving a records retention manual as required by Idaho Code 50-907(5). Upon review of the manual, the following changes/updates were noted:

- Updated list of Designated Records Managers
- Clarification of "Transitory Records: definition and new definition of "Exempt Records"
- Updated Department Filing Systems for the City Clerk/Municipal Services, Engineering, Fire, Legal, Recreation, and Water Departments
- Updated department Retention Schedules for Engineering, Legal, Library, Police, and Water

A copy of the updated portion of the manual are attached for your information, all other portions of the manual will remain the same.

FINANCIAL: There is no financial impact to this amendment.

DECISION POINT/RECOMMENDATION:

- To approve the proposed amendments to the Records Retention Manual and Retention Schedule.

The following are the designated municipal records custodians:

~~Renata McLeod~~ ~~Susan K. Weathers, CMC~~
Official City Municipal Records Manager

Department Records Custodian	Department
Victoria Bruno <u>Amy Ferguson</u>	Administration
Linda Wilson	Building
Chris Bates	Engineering
Sheri Carroll <u>Chrisdee Imthurn</u>	Finance
Jamie McDaniel	Fire
Melissa Tosi	Human Resources
Juanita Knight	Legal
Bette Ammon	Library
Alison Palmer	Municipal Services
Candice Bergin <u>Chenoe Dahlberg</u>	Parks and Cemetery
Shana Stuhlmiller	Planning
Connie Carter <u>Becky Mumford</u>	Police
Paula Austin	Recreation
Diana Booth <u>Suzanne Sims</u>	Streets Maintenance
Sandee Riggs <u>Torri Green</u>	Wastewater
Diane Melchiorre	Water
Warren Wilson, Deputy City Attorney	Legal Counsel

ELECTRONIC SIGNATURE

The acceptance of, or method of authenticating, a document through use of a password or other electronic method.

ERASE

The process of permanently removing, overwriting, or obliterating information from an erasable storage medium.

ESSENTIAL RECORD

See VITAL RECORD and IMPORTANT RECORD

EVIDENTIAL VALUE

The value of those records of an organization that are necessary to provide legal, authentic, and adequate documentation of its structure and functioning.

EXEMPT RECORDS

The City of Coeur d'Alene abides by I.C. §9-335, I.C. §§ 9-340A through 9-340H regarding City records that are exempt from disclosure. However, all other information relating to an employee or applicant, such as home address and phone numbers shall not be disclosed to the public without the written consent of the employee, applicant, or authorized representative.

-F-

FACSIMILE (FAX)

An electronic means of transferring an exact reproduction of an image using telephone lines. The image is scanned by the transmitter and reconstructed at the receiving station.

FILE

1. A collection of related records filed together usually in reverse chronological order.
2. The action of arranging documents into a predetermined sequence.
3. A cabinet housing file folders containing documents.
4. A named set of records stored or processed as a unit electronically.

TRANSITORY RECORD

Shall mean internal information records such as telephone messages, notes, appointment books, calendars /schedules, routing slips, used solely to disseminate information or similar administrative purposes and other records with very short-lived utility which may be destroyed when no longer needed for the conduct of city business. These shall be retained until they are no longer needed. Routine correspondence, documents, or records with short-term value. The retention period is limited to the interval required for completion of action covered by the communication.

TRANSMITTAL LIST

A document that lists the records being transferred from one area to another such as from active storage to inactive storage. The document may also transfer legal responsibility for the records as well as physical custody.

-U-

UNSCHEDULED RECORDS

Records for which no retention period has yet been determined.

-V-

VALUATION

The determination, based on fair market prices, of the monetary value of documents.

VAULT

A security storage area constructed of fire-resistant material and structurally independent from the building in which it is located.

VERTICAL FILE CABINET

Storage equipment that is deeper than it is wide. Files are arranged front to back.

**DEPARTMENT: CITY CLERK'S OFFICE
MUNICIPAL SERVICES DEPARTMENT CONT.**

Sign permits - filed in the black file cabinet in upstairs vault in numerical order.

Ordinance, Resolution & council minutes books – on shelf in upstairs vault.

Bid request for proposals are kept on the top shelf of the upstairs vault in folders, labeled by project and bid date.

Affidavits of publication - stored in boxes on floor of upstairs vault in date order and boxes labeled according to subject i.e. bid opening, public hearing etc.

Fingerprints - original requests & results stored downstairs at Kathy's desk.

ELECTRONIC FILES:-

Pigeonhole is the electronic method for maintaining files in the Municipal Services Department. The following subjects can be found in Pigeonhole:

Ordinances
Resolutions
Council Minutes
Planning Commission Minutes
General Services Minutes
Public Works Minutes
Cemetery Board
Park & Recreation
Sign Board
Traffic Safety
Urban Forestry
Deeds
Claims
Personnel Files
Agreements – old one

Clerks system – licensing, deeds, resolutions & ordinances

Fingerprints – electronic record that will state the date fingerprints cleared or not

DEPARTMENT: ENGINEERING

<u>DOCUMENT</u>	<u>MEDIA</u>	<u>LOCATION</u>
<u>Encroachment Permits</u>	<u>Electronic</u>	<u>Building Permit Program</u>
<u>Project Files</u>	<u>Paper</u>	<u>Filing Cabinet in Engineering</u>
<u>Record Drawings</u>	<u>Electronic</u>	<u>Server</u>
<u>Surveying Records</u>	<u>Paper</u>	<u>Hanging Files in Engineering</u>
<u>Vacation Files</u>	<u>Paper</u>	<u>Filing Cabinet in Engineering</u>

DEPARTMENT: FIRE

DOCUMENTS	MEDIA	PATH &/OR METHOD	PHYSICAL LOCATION
Accident Reviews	Electronic	H:\Accident Reports\Year\Unit, Driver, Date	Executive Assistant Office
Annual Reports	Electronic	F:\Fire\Annual Reports\Year	All Fire Department Computers
Apparatus Inventory	Electronic	H:\Apparatus & Equip\CDAFD Vehicle Inventory	Executive Assistant Computer
Budget Preparation	Electronic	H:\Budget\FY	Executive Assistant Computer
Burn Permits	Paper Based	Filed by Date - Most Recent First	Front Counter/Main Reception Entrance
Collective Labor Agreements	Electronic	H:\Union\Resolution # IAFF	Executive Assistant Computer
Contracts	Electronic	H:\MAA-MOU-Agreements-Contracts	Executive Assistant Computer
Department Journal	Electronic	FireServer\FireHouse Software\Department Journal	All Fire Department Computers
Dept Journal/Captains Log	Paper Based	Quartley Binders by Date, Time & Station (Pre-1999)	Admin Basement Storage Room
Employee Leave Requests	Paper Based	Filed by Month & Year with Time Sheets- Most Recent First	2-Drawer Filing Cabinet - Exec Asst Office
Entrance Exams	Electronic	H:\Entrance Exams\Month & Year	Executive Assistant Computer
Grant Management Files	Electronic	H:\Grants\Title & Year	Executive Assistant Computer
Grant Management Files	Paper Based	Filed Alphabetically by Title & Year	2-Drawer Filing Cabinet - Exec Asst Office
Hazardous Materials	Paper Based	Filed Alphabetically by Business Name	4-Drawer Vertical Filing Cabinet in FPB
Hydrant Records	Electronic	FireServer\FireHouse Software\Hydrant Management	All Fire Department Computers
Incident Logs	Paper Based	Yearly Binders by Incident #, Address, Date, Time (Pre-1999)	Admin Basement Storage Room
Incident Reports	Electronic	FireServer\FireHouse Software\NFIRS 5.0 Incident Reports	All Fire Department Computers
Incident Reports	Paper Based	Filed by Date - Boxed by Year (Pre-1999)	Admin Basement Storage Room
Investigation Files	Electronic	FireServer\FireHouse Software\Incident #\Date\Address	All Fire Department Computers
Investigation Files	Paper Based	Filed by Incident Address	Locked 4-Drawer Filing Cabinet in FPB
Invoices	Paper Based	Filed by Month & Year - Most Recent First	2-Drawer Filing Cabinet - Exec Asst Office
Liability Waivers	Paper Based	Scanned to F:\Fire\ Ride Along Waivers	All Fire Department Computers
Maintenance Records	Electronic	FireServer\FireHouse Software\Apparatus, Equip & Inventory	All Fire Department Computers
Map Books	Electronic	C:\arcgis (FSTA3-06-XP)	Station #3 Lt. Office Computer
Map Books	Electronic	F:\Fire\arcview data and G:\maps\cda\fire	All Fire Department Computers
Map Books	Paper Based	Bound Ledger Pages Filed by Address	All First Out Apparatus
Mutual Aid Agreements	Electronic	H:\Filed Alphabetically by Agency	Executive Assistant Computer
Occupancy Files	Electronic	FireServer\FireHouse Software\Occupancies & PrePlans	All Fire Department Computers
Occupancy Files	Paper Based	Filed by Address - Wall Shelves Filing System	Admin Basement Storage Room
Preplan Books	Electronic	F:\Fire\PrePlans\District\Business Name and/or Address	All Fire Department Computers
Preplan Books	Paper Based	Bound Ledger Pages Filed by Address and/or Business Name	All First Out Apparatus
Promotional Exams	Electronic	H:\Promotional Exams\Position	Executive Assistant Computer
Standard Operating Procedure	Electronic	F:\Fire\SOP Manual\Files by Number	All Fire Department Computers
Time Sheets	Paper Based	Filed by Month & Year - Most Recent First	2-Drawer Filing Cabinet - Exec Asst Office
Training Records & Reports	Electronic	FireServer\FireHouse Software\Training Classes or Programs	All Fire Department Computers
Training Records & Reports	Paper Based	Filed Alphabetically by Employee Name (Pre-1999)	Admin Basement Storage Room
Work Requests	Electronic	H:\Work Requests\Date	Executive Assistant Computer
Working & Quick Ref Files	Electronic	H:\Alphabetically by Topic or C:\My Documents	Executive Assistant Computer
Working & Quick Ref Files	Paper Based	Filed Alphabetically by Topic	2-Drawer Filing Cabinet - Exec Asst Office

Updated: 2013

Map cart containing miscellaneous maps

Files located in the Parks Department (former armory room):

Closed / inactive *General* files— filed alphabetically starting on 2nd shelf to the floor.

Closed / inactive *Lawsuit* files— filed alphabetically along top shelf and down the right side shelving.

LEGAL DEPARTMENT— RISK MANAGEMENT / CODE ENFORCEMENT / CLAIMS

<u>DOCUMENTS</u>	<u>DESCRIPTION</u>	<u>MEDIA</u>	<u>PATH & / Or METHOD</u>	<u>PHYSICAL LOCATON</u>
<u>BANKRUPTCY FILES</u>	Various notices of bankruptcy, discharge of debtor, bankruptcy court case notifications, etc. (utility accounts)	Electronic	F:\Legal-Civil\Filing Cabinet\General files\BANKRUPTCY	-
<u>BUDGET PREPARATIONS</u>	Working papers for budget development: History of expenses and personnel costs along with summaries of anticipated increases and other documentation used to justify or develop the annual budget request.	Electronic & Paper Based	F:\Legal-Civil\Office\Budget	Senior Legal Office
<u>BILLS TO COUNCIL</u>	Copies of invoices, spreadsheets for tracking bills, etc.	Electronic & Paper Based	F:\Legal-Civil\Office\Budget\Bills To Council	Senior Legal Office
<u>CITIFIT COMMITTEE</u>	Misc documents regarding the committee and events held by the committee	Electronic	F:\Legal-Civil\Office\Juanita\Citifit	-
<u>COEUR D'ALENE MUNICIPAL CODE BOOK</u>	Copy of Coeur d'Alene Municipal Code Book detailing municipal code sections within the city.	Paper Based	Three Ring Binder	Book Case
<u>COUNCIL PACKET</u>	Resolutions, Ordinances, Agreements, Staff Reports etc., in draft format. Packet Procedures, spreadsheets.	Electronic & Paper Based	F:\Legal-Civil\Office\Council Pkt	Senior Legal Office

<u>ELECTRONIC SPREADSHEETS / DATABASES</u>	Various records maintained in spreadsheets or databases on the City's computer system for reference/research purposes.	Electronic	F:\Legal-Civil\Filing Cabinet	-
<u>FORMS</u>	Misc documents created for continued use. I.e. Resolutions, Ordinances, Agreements, Easements, etc.	Electronic	F:\Legal-Civil\Office\Forms	-
DOCUMENTS	DESCRIPTION	MEDIA	PATH & / Or METHOD	PHYSICAL LOCATON
<u>GENERAL FILES</u>	Miscellaneous documents to include communication, memos, research, notes, maps, press articles, legal descriptions, photos, draft agreements, contracts, etc.	Electronic & Paper Based	F:\Legal-Civil\Filing Cabinet\General files	City & Deputy City Attorney's office: working paper files. Folders filed by subject name in no particular order. When files are no longer needed by the attorney, the file will be scanned to the server.
<u>GENERAL LEDGER/COURT FINES</u>	City Traffic Fine / Agency Reports	Electronic	F:\Legal-Civil\Office\General Ledger	-
<u>GENERAL SERVICES COMMITTEE</u>	Meeting Minutes	Electronic	F:\Legal-Civil\Filing Cabinet\Packet - General Services	-
<u>HEADS UP</u>	Document created for Heads Up to Mayor and Council	Electronic	F:\Legal-Civil\Office\Juanita\Heads Up	-
<u>INTERN RESEARCH FILES</u>	Misc. notes, research done by Legal Interns	Electronic	F:\Legal-Civil\Office\Intern Office Documents	-
<u>INVOICES</u>	Scanned vendor invoices paid for services rendered and/or goods received. Filed by month payment was made.	Electronic	F:\Legal-Civil\Office\Budget\Bills To Council	-
<u>LAWSUIT FILES</u>	Correspondence to include letters; memos; e-mails and faxes, etc.	Electronic	F:\Legal-Civil\Filing Cabinet\Lawsuits	City & Deputy City Attorney's office: working paper

	<p><u>Miscellaneous documents to include maps, press articles, legal descriptions, draft agreements, contracts, etc; research. Pleadings misc. pleadings from both parties to the lawsuit.</u></p> <p><u>Notes to include misc. hand written notes by attorneys.</u></p>			files. Folders filed by subject name in no particular order. When files are no longer needed by the attorney, the file will be scanned to the server.
<u>LEGAL LIBRARY IN STORAGE</u>	Various books, binders, pamphlets, etc.	Electronic & Paper Based	F:\Legal-Civil\Office\Legal Library in storage	Legal's Storage Room in Parks Department
<u>MEMO & LETTERS</u>	Misc memo's and letters drafted by the legal department staff	Electronic	F:\Legal-Civil\Office\Memo & Ltrs	-
DOCUMENTS	DESCRIPTION	MEDIA	PATH & / Or METHOD	PHYSICAL LOCATON
<u>OFFICE CREDIT CARD</u>	Scanned credit card statements and supporting documents. The card itself is kept in a paper file.	Electronic & Paper Based	F:\Legal-Civil\Office\Budget\Bills To Council\USBankCCStatements	Senior Legal Office
<u>OFFICE EQUIPMENT & OFFICE INFORMATION</u>	Misc documents on office equipment & office information	Electronic & Paper Based	F:\Legal-Civil\Office\Office Equipment F:\Legal-Civil\Office\Office Information	Senior Legal Office
<u>OPINION FILES</u>	Various legal opinion memo's prepared by Attorneys, AG's Office and Legal Interns	Electronic	F:\Legal-Civil\Filing Cabinet\Opinions	-
<u>ORDINANCES & RESOLUTIONS</u>	Scanned / Electronic Ordinances and Resolutions drafted by the Legal Dept. that are passed by a vote of the City Council & attested by the City Clerk. Ordinances establish city policy &/or law. Resolutions give council authorization for specific action by dept. or division.	Electronic	F:\Legal-Civil\Resolutions & Ordinances	-

<u>PED BIKE COMMITTEE</u>	Misc documents from creation to 2011 to include Bikeways Plan; Bike to Work; Budget; Emails; Forms; Letters & Memos, etc.	Electronic	F:\Legal-Civil\Ped Bike Committee	-
<u>PERSONNEL FILES</u>	Active and inactive employee files. May contain copies of resume, performance evaluations, PAFs, notices of award achievements &/or disciplinary actions, etc.	Electronic	F:\Legal-Civil\Filing Cabinet\Employee Files	-
<u>PHONE MESSAGES</u>	Transmitted via E-mail.	Electronic	-	-
<u>RESTITUTION CHECKS RECEIVED</u>	Scanned checks received for restitution	Electronic	F:\Legal-Civil\Office\General Ledger\Restitution	-
<u>TRAVEL & TRAINING ARRANGEMENTS</u>	Arrangements notes, flights, hotels, registrations, confirmations, etc.	Electronic & Paper Based	F:\Legal-Civil\Filing Cabinet\Travel and Training	Senior Legal Office
<u>VARIOUS MAPS</u>	Various maps for various projects. Maps are obtained from other departments or entities	Paper Based	-	City & Deputy City Attorney's office
<u>YEARLY DUES/SUBSCRIPTION & BOOKS</u>	Scanned usage agreements; subscription notices; updates for legal books; etc.	Electronic	F:\Legal-Civil\Filing Cabinet\Memberships and Subscriptions	-

CLAIMS / CODE ENFORCEMENT / RISK MANAGEMENT

<u>DOCUMENTS</u>	<u>DESCRIPTION</u>	<u>MEDIA</u>	<u>PATH & / Or METHOD</u>	<u>PHYSICAL LOCATON</u>
<u>ANIMAL CONTROL</u>	Documents on Animal Control Advisory Board. Documents on Dangerous Dog issues. Other Misc document regarding Animal Control Issues	Electronic	F:\Legal-Civil\Filing Cabinet\Animal Control	-
			F:\Legal-Civil\Office\Animal Control	-
<u>CLAIMS</u>	Claims filed; Memos, letters, research, photo's, misc.	Electronic	F:\Legal-Civil\Filing Cabinet\Claims - Resolved	-
			F:\Legal-Civil\Office\Claims	-

<u>CODE ENFORCEMENT</u>	<u>Case files of city code violations. Correspondence with owners, site inspections, photographs, enforcement actions and hearings</u>	<u>Electronic</u>	<u>F:\Legal-Civil\Filing Cabinet\Code Enforcement - Resolved</u>	
			<u>F:\Legal-Civil\Office\Code Enforcement</u>	
<u>RISK MANAGEMENT</u>	<u>Letters, Emails, Insurance Info, Training, Risk Reduction Team, Agenda, Newsletters, Research, etc.</u>	<u>Electronic</u>	<u>F:\Legal-Civil\Office\Risk Management</u>	
<u>PARKING COMMISSION</u>	<u>Commission Liaison, Agenda's, Minutes, Correspondence, Forms, Ticket Appeals, Member Information, etc</u>	<u>Electronic</u>	<u>F:\Legal-Civil\Office\Judy\Parking Commission</u>	

LEGAL DEPARTMENT - CRIMINAL DIVISION

Updated: October 2013

Working criminal case files consist of police reports, record history, work product notes, certified driver's packets, officer certifications, intoxilyzer logs and cards, photographs and CD/DVD recordings, pleadings, correspondence, court notice of hearings, evaluations, treatment progress, judgments, restitution documentation and orders and briefs.

Cabinets located in filing room

Tan 4 drawer cabinet: Working criminal case files – pending (awaiting court date) filed alphabetically that contain original certified packets and/or media only [case evidence].

Tan 4 drawer cabinet: Appeal files – filed alphabetically

Cabinets located in basement

Black 2 drawer cabinet: Brief bank – filed under topic of appeal

Media Storage

Tan 4 drawer bottom drawer of pending files – Expando folder containing media for closed criminal cases awaiting appeal period to run before return of evidence to victim or destruction.

Reception Area

Public Records Request (held for 6 months)

Sr. Legal Assistant Office

Black 2 drawer cabinet:

Certified copies of Municipal Codes
Vehicle Maintenance

Black 2 drawer cabinet:

Calibration Decibel Meter Certification
Certified Intoxilyzer logs
Certified Nursing Licenses
Forensics Vitae
Police Vehicle Information
Radar/Laser Information
Sims Calibration
Taser Certification

Electronic Filing (f:legalcriminal/filing cabinet)

BeeIII Calibration
Calibration Decibel Meter Certification
Calibration Speedometer
Case Review
City Newsletter
Code Violations
Correspondence files:
Correspondence
Attorney General
County Prosecutor
Court
Idaho Prosecutors Association
Judges
Miscellaneous
Police Department
Public Defender
Sheriff's Office
Treatment Providers

Electronic Filing (f:legalcriminal/filing cabinet) cont:

Domestic Violence Courts
Fire Code Violations
Forensic Lab
Global Testing Lab
Interns
Intox. Packets:
Supporting Documents for Intox.
Certificate of Analysis
Lifeloc and Manuel
Long-term Stability of Ethanol Solutions

ISP Curriculum Vitae
Nursing Licenses
Office:
Flex Time Info.
Copy Machine
Fax
Intern
Mail Run Vehicle
Old Office Procedures
Westlaw letters and memos
Officer Files
Officer Schedules
Parking Ticket Fail to Pay
Police policies
Post Certification Issues
Prior Officer Certifications
Public Records Requests
Alive @ 25 Workbook
CJIS Information Letters
DUI Detection and SFST's
Firearm Rights, Disabilities and Restoration
Operation Life Saver
WA Asbtract Key

DEPARTMENT: RECREATION

RECREATION DEPARTMENT FILING SYSTEM

<u>DOCUMENTS</u>	<u>MEDIA</u>	<u>METHOD</u>	<u>PHYSICAL LOCATION</u>
-	-	-	-
<u>Game Schedules</u>	<u>Paper Based</u>	<u>Filed by leagues alphabetically</u>	<u>Storage room in recreation office</u> <u>stored in boxes</u>
-	-	-	-
<u>Individual Player Registration forms</u>	<u>Paper Based</u>	<u>Filed by grades & divisions alphabetically</u>	<u>Storage room in recreation office</u> <u>stored in boxes</u>
-	-	-	-
<u>Manager/Coach List</u>	<u>Paper Based</u>	<u>Filed by divisions & grades</u>	<u>Storage room in recreation office</u> <u>stored in boxes</u>
-	-	-	-
<u>Team Player Roster</u>	<u>Paper Based</u>	<u>Filed by division & grades</u>	<u>Storage room in recreation office</u> <u>stored in boxes</u>
-	-	-	-
<u>Time Sheets</u>	<u>Paper Based</u>	<u>Filed by Month & Year- Most recent first</u>	<u>Storage room in recreation office</u> <u>stored in boxes</u>
-	-	-	-

DEPARTMENT: WATER DEPARTMENT

TITLE	DEFINITION	FILING
ACCOUNTS PAYABLE PROOF LIST	This is a list summarizing a portion of the department's bills to council for the current month	By date In binder Admin. Asst.
ANNUAL WORK ORDER BINDERS	These are a condensed version of the work order files- they contain portable vital information	Assigned Number by Yr In Binders Inspection/Foreman
BAC-T TESTS	Bac-T water test reports	By date In binder Draftsman
BAT FILES	These files consist of a backflow tester's certification and equipment certification	Alpha File Cabinet Cross Connection
BILLING SUMMARIES	These records contain information we use to complete pump reports, specifically # of accounts, gallons sold, total billed	By Month File Admin Asst
BUDGETS	Copies of annual budgets	By Year Self-Binder Supt/Asst Supt/Admin Asst
<u>BULK WATER FILES</u>	<u>Files documenting usage, correspondence, & billing for customer bulk water hydrant usage</u>	<u>By Date</u> <u>In Binders</u> <u>Admin Asst</u>
CERTIFICATION FILES	Contains copies of employee's certification cards, renewal invoices and test documentation; used to keep employee's annual certifications up-to-date	Alpha File Cabinet Admin Asst
CHEMICAL ANALYSES	Water chemical analysis test reports	By Date In Binder Draftsman
CL2 RESIDUAL TESTS	Daily chlorine residual tests	By Date In Binder Pump Operators
COMMERCIAL PERMIT COPIES	Annual binder of commercial permit copies with appropriate notes & follow-ups attached	By Date By Year In Binder Lobby
COMPREHENSIVE MATER PLANS	Copies of department comprehensive master plans	By Year Self Binder Supt
<u>CONSERVATION CREDIT FILES</u>	<u>Documentation of customer submitted requirements for conservation credits</u>	<u>By Date</u> <u>In Binder</u> <u>Admin Asst</u>
CONTRACTS	Working copies of contracts	By Date By Project File Cabinet Supt/Asst Supt

**City of Coeur d'Alene
RECORDS RETENTION SCHEDULE**

DEPARTMENT	TITLE	DEFINITION	RECORD TYPE	TOTAL MOS.	VITAL RECORDS	COMMENTS
CCBs - STANDING - PLANNING COMMISSION	DOCUMENT FILES	Contains agenda, packet information, Findings and Order, notes from meeting	Semi-Permanent	60	No	File located in Planning
CCBs - STANDING - PLANNING COMMISSION	MINUTES	Official minutes of the Planning Commission	Permanent	Permanent	No	File located in Planning
CCBs - STANDING - RECREATION AND PARKS COMMISSION	DOCUMENT FILES	Contains agenda, packet information, staff reports, correspondence, notes from meeting	Semi-Permanent	60	No	File located in Parks
CCBs - STANDING - RECREATION AND PARKS COMMISSION	MINUTES	Official minutes of the Parks & Recreation Commission	Permanent	Permanent	No	File located in Parks
CCBs - STANDING - SIGN BOARD	DOCUMENT FILES	Contains agenda, packet information, staff reports, correspondence, notes from meetings	Semi-Permanent	60	No	File located in Municipal Services
CCBs - standing - sign board	MINUTES	Official minutes of the Sign Board	Permanent	Permanent	No	File located in Municipal Services
CCBs - STANDING - URBAN FORESTRY COMMITTEE	DOCUMENT FILES	Contains agenda, packet information, Findings and Order, staff reports, memos, notes from meetings	Semi-Permanent	60	No	File located in Parks
CCBs - STANDING - URBAN FORESTRY COMMITTEE	MINUTES	Official minutes of the Urban Forestry Committee	Permanent	Permanent	No	File located in Parks
CCBs - STANDING - YOUTH ADVISORY COUNCIL	DOCUMENT FILES	Contains agenda, packet information, memos, correspondence and notes from meeting	Semi-Permanent	60	nO	File located in Administration
CCBs - STANDING - YOUTH ADVISORY COUNCIL	MINUTES	Official minutes of the Youth Advisory Council	Permanent	Permanent	No	File located in Administration
ENGINEERING	ENCROACHMENT PERMITS	Electronic database of permits for temporary work in public right-of-way including street cuts, driveways, sidewalks, franchise utility work and various other right-of-way encroachments	Temporary	24	No	File within the building permit program
ENGINEERING	PLATS	Recorded plats and records of surveys, correspondence, applications, notes	Semi-Permanent	60	No	Originals of similar plats are maintained at the County
ENGINEERING	PROJECT FILES	Contracts, bid specs, pay requests, change orders, correspondence, notes	Temporary	24	No	Contract original is kept with City Clerk, payment request originals with Finance

City of Coeur d'Alene
RECORDS RETENTION SCHEDULE

DEPARTMENT	TITLE	DEFINITION	RECORD TYPE	TOTAL MOS.	VITAL RECORDS	COMMENTS
ENGINEERING	RECORD DRAWINGS	Record drawings for construction of streets, water, sewer, curbing, stormwater facilities, traffic signals, striping, signage and generally any facility built within the public right-of-way	Permanent	Permanent	No	Kept electronically
ENGINEERING	SUBDIVISION FILES	Staff reports, correspondence, staff notes	Temporary	24	No	Originals are transferred to planning Department files upon completion.
ENGINEERING	SUBDIVISION INSPECTION FILES	Documentation of inspections made, findings and follow-up notes of inspections	Temporary	24	No	
ENGINEERING	SURVEYING RECORDS	City Boundary, City Bench marks, City survey projects, WPA maps	Permanent	Permanent	No	
ENGINEERING	TRAFFIC SIGNAL LOGS	Phasing diagrams and signal timings	Semi-Permanent	60	No	
ENGINEERING	TRAFFIC STUDIES	Traffic counts and intersection analysis	Temporary	24	No	
ENGINEERING	VACATION FILE	This file contains records of vacation of rights-of-way including the application, correspondence, staff reports and public mailing information	Semi-Permanent	60	No	Ordinances vacating this property are on file in the Office of the City Clerk
FINANCE	ACCOUNTS PAYABLE CHECK REGISTER	Monthly list of cleared payment vouchers (request for payment) by voucher number within each fund and payable account. Shows vendor names and voucher amounts.	Temporary	24	No	
FINANCE	AUDIT REPORTS	Annual financial or fund audits of revenue, expenditures & changes in financial position. Files may include correspondence, official responses and exceptions to audit findings.	Permanent		Yes	
FINANCE	BANK CHECKING ACCOUNT RECORDS MISC	Bank statements, deposit slips, canceled checks & related documentation developed or maintained for management of miscellaneous bank accounts. Records of current expense or payroll checking accounts are separated into more specific record series: cancelled checks, bank statements, etc.	Temporary	120	No	
FINANCE	BANK IMPORT	Hard copy of daily activity entered by US Bank, also saved in a PDF file	Copy	N/A	No	
FINANCE	BANK STATEMENTS	Monthly account statements generated by the bank for the City's long or short term indebtedness. This record series is used to group misc. files when insufficient volume prevents transfer under a more specific record title. May group revenue anticipation notes, bonds and reg. warrants.	Temporary	120	No	

City of Coeur d'Alene
RECORDS RETENTION SCHEDULE

DEPARTMENT	TITLE	DEFINITION	RECORD TYPE	TOTAL MOS.	VITAL RECORDS	COMMENTS
HUMAN RESOURCES	GRIEVANCES	Formal or informal complaints and appeals for arbitration. May involve personnel matters, investigations or interpretation of collective bargaining agreements.	Formal - Semi-Permanent Informal - Temporary	60 36	No	Retention period begins at conclusion of process or resolution of grievance.
HUMAN RESOURCES	HRA VEBA RECORDS	Report documenting semi-monthly contribution made by employer into employee's account.	Copy	N/A	No	
HUMAN RESOURCES	JOB CLASS SPECIFICATIONS	Job titles with descriptions of job and duties required. Minimum qualifications and examples of work performed and data on Fair Labor Standards classifications.	Temporary	24	No	Retention period begins upon replacement with new plan.
HUMAN RESOURCES	RE-EMPLOYMENT RECRUITMENT FILES	Medical exams for fitness for duty for firefighter applicants.	Semi-Permanent	60	No	
HUMAN RESOURCES	RANDOM PRE-EMPLOYMENT DRUG TESTING INFORMATION	Pre-employment qualification and randomly required throughout employment by safety sensitive positions.	Temporary	24	No	
HUMAN RESOURCES	RECRUITMENT FILES	Job announcements, advertising information, completed job applications, scoring, rating and test validation procedures with records of interviews and copies of exams and supplementary examinations. Filed per department by position.	Temporary	24	No	
HUMAN RESOURCES	STATE INSURANCE FUND REPORTS	Quarterly and annual reports on computer printout showing number of losses, injury, source, cause and amount of reserve for losses based on estimated amount of claims.	Temporary	24	No	
HUMAN RESOURCES	TRAINING RECORDS AND REPORTS	Records related to job training: classes, conferences, seminars, etc.	Temporary	24	No	
HUMAN RESOURCES	WAGE SCHEDULES	Minimum and maximum wage ranges by grade and class.	Temporary	24	No	
HUMAN RESOURCES	WORKERS COMPENSATION	Compensation claims with documentation for work related accidents and injuries. Files are arranged annually.	Temporary	24	No	
LEGAL - CIVIL DIVISION	BANKRUPTCY FILES	Various notices of bankruptcy discharge of debtor, bankruptcy court case notifications, etc. (utility accounts)	Temporary	24	No	<u>Electronic File</u> : Retention period being upon notice of closure of bankruptcy

City of Coeur d'Alene

RECORDS RETENTION SCHEDULE

DEPARTMENT	TITLE	DEFINITION	RECORD TYPE	TOTAL MOS.	VITAL RECORDS	COMMENTS
LEGAL - CIVIL DIVISION	BUDGET PREPARATIONS	Working papers for budget development: History of expenses and personnel costs along with summaries of anticipated increases and other documentation used to justify or develop the annual budget request.	Temporary	24	No	<u>Electronic File: & three ring binder</u>
LEGAL - CIVIL DIVISION	COEUR D'ALENE MUNICIPAL CODE BOOK	Copy of Coeur d'Alene Municipal Code Book detailing municipal code sections within the city.	Copy	N/A	No	Official Copy in the Office of the City Clerk.
LEGAL - CIVIL DIVISION	ELECTRONIC SPREADSHEETS / DATABASES	Various records maintained in spreadsheets or databases on the City's computer system for reference/research purposes.	Temporary	24		
LEGAL - CIVIL DIVISION	GENERAL MATTERS FILES	Miscellaneous documents to include communication, memos, research, notes, maps, press articles, legal descriptions, draft agreements, contracts, etc.;	Temporary	24	No	<u>Electronic File</u>
LEGAL - CIVIL DIVISION	GENERAL LEDGER/COURT FINES	City Traffic Fine/Agency Reports	Copy	N/A	No	<u>Electronic File: Original-maintained by the Finance-Department</u>
LEGAL - CIVIL DIVISION	GENERAL SERVICES COMMITTEE	<u>Meeting Minutes</u>	Permanent	Permanent		<u>Electronic File</u>
LEGAL - CIVIL DIVISION	INTERN RESEARCH FILES	Misc. notes, research done by Legal Interns	Temporary	24	No	<u>Electronic File</u>
LEGAL - CIVIL DIVISION	INVOICES	Copies of vendor invoices paid for services rendered and/or goods received. Filed by month payment was made.	Copy	N/A	No	<u>Electronic File: Original invoices sent to Finance to be entered into A/P system. Convenience copies kept by dept.</u>
LEGAL - CIVIL DIVISION	LAWSUIT FILES	Correspondence to include letters; memos; emails and faxes. Miscellaneous documents to include maps, press articles, legal descriptions, draft agreements, contracts, etc.; research. Pleadings - misc. pleadings from both parties to the lawsuit. Notes to include misc. handwritten notes by attorneys.	Semi-Permanent	60	No	<u>Electronic File: Retention period begins at close of case.</u>
LEGAL - CIVIL DIVISION	LEGAL LIBRARY IN STORAGE	<u>Various books, binder, pamphlets, etc.</u>	Copy	N/A	No	<u>Legal Office Storage Room in Parks Department</u>
LEGAL - CIVIL DIVISION	OFFICE CREDIT CARD	Copies of credit card statements and the card itself.	Copy	N/A	No	<u>Electronic File</u>
LEGAL - CIVIL DIVISION	OFFICE EQUIPMENT & MISC. OFFICE INFORMATION	Misc. documents on office equipment & office information	Temporary	As Needed	No	<u>Electronic File & Senior Legal's Office</u>

City of Coeur d'Alene
RECORDS RETENTION SCHEDULE

DEPARTMENT	TITLE	DEFINITION	RECORD TYPE	TOTAL MOS.	VITAL RECORDS	COMMENTS
LEGAL - CIVIL DIVISION	OPINION FILES	Various legal opinion memo's prepared by attorneys, AG's Office, and legal interns.	Semi-Permanent	60	No	<u>Electronic File: Opinions kept indefinitely for future reference.</u>
LEGAL - CIVIL DIVISION	ORDINANCES & RESOLUTIONS	Copies of Ordinances and Resolutions that are passed by a vote of the City Council & attested	Copy	N/A	No	<u>Electronic File: Originals in City Clerks' office.</u>
LEGAL - CIVIL DIVISION	PEDESTRIAN AND BICYCLE COMMITTEE	Misc. documents to 2011 to include <u>bikeways plan, bike to work, budget, emails, forms, letter and memos, etc.</u>	Temporary	As Needed	No	<u>Electronic File</u>
LEGAL - CIVIL DIVISION	PERSONNEL FILES	Active and inactive employee files. May contain copies of resume, performance evaluations, PAFs, notices of award achievements &/or disciplinary actions, etc.	Copy	N/A	No	<u>Electronic File: Human Resources Dept maintains the official permanent file. Working file kept in department.</u>
LEGAL - CIVIL DIVISION	PHONE MESSAGES	Transmitted via E-mail	Temporary	24	No	<u>Electronic File</u>
LEGAL - CIVIL DIVISION	RESTITUTION CHECKS RECEIVED	Copy of checks received for restitution	Copy	N/A	No	<u>Electronic File</u>
LEGAL - CIVIL DIVISION	TIME SHEETS	Copies of Department time reports submitted semi-monthly to Finance for inputting employee hours worked, overtime, sick leave, vacation leave, etc. into the payroll system.	Copy	N/A	No	<u>Original submitted to Payroll. Convenience copy retained by department.</u>
LEGAL - CIVIL DIVISION	TRAVEL & TRAINING ARRANGEMENTS	Notes, flights, hotels, registrations. Copy of confirmations.	Temporary	24	No	<u>Electronic File</u>
LEGAL - CIVIL DIVISION	VARIOUS MAPS	Various maps for various projects. Maps are obtained from other departments or entities.	Copy	N/A	No	<u>Copies and Electronic File</u>
LEGAL - CIVIL DIVISION	WORK STUDY TIME SHEET	Legal Intern Work Study time sheets submitted to Gonzaga for reimbursement.	Temporary	24	No	<u>Original mailed to Gonzaga University</u>
LEGAL - CIVIL DIVISION	YEARLY DUES/SUBSCRIPTION & BOOKS	Copy of usage agreements; subscription notices; updates for legal books, etc.	Temporary	24	No	<u>Electronic File</u>
LEGAL - CRIMINAL DIVISION	ATTORNEY NOTES	Attorney notes regarding work product of criminal case files.	Temporary	24	No	
LEGAL - CRIMINAL DIVISION	AUDIO/VIDEO RECORDINGS	Audio tapes, including cassette tapes, CD's, micro-cassette and video recordings including VHS, DVD's and CD's of traffic stops, surveillance, interviews, telephone conversations.	Temporary	24	No	Originals are returned to police dept. or party.

City of Coeur d'Alene
RECORDS RETENTION SCHEDULE

DEPARTMENT	TITLE	DEFINITION	RECORD TYPE	TOTAL MOS.	VITAL RECORDS	COMMENTS
LEGAL - CRIMINAL DIVISION	BRIEF BANK	Briefs are written statements setting out one's argument for use in litigation. The brief bank consists of various briefs written pertaining to various appeal issues.	Temporary	24	No	Court maintains original. (Currently briefs are kept indefinitely for future reference)
LEGAL - CRIMINAL DIVISION	CODE ENFORCEMENT CASE FILES	Case files of city code violations. Correspondence with owners, site inspections, photographs, enforcement actions and hearings.	Semi-Permanent	60	No	
LEGAL - CRIMINAL DIVISION	COEUR D'ALENE MUNICIPAL CODE BOOK	Copy of Coeur d'Alene Municipal Code Book detailing municipal code sections within the city.	Temporary	24	No	(Updated as needed)
LEGAL - CRIMINAL DIVISION	COMPLAINT REFERENCE BOOK	Reference book used as a guide for various complaint forms.	Temporary	24	No	
LEGAL - CRIMINAL DIVISION	CORRESPONDENCE (SPECIFIC)	Correspondence to/from various agencies regarding prosecution management/protocol/procedures that are not related to a specific criminal case file.)	Semi-Permanent	60	No	
LEGAL - CRIMINAL DIVISION	CORRESPONDENCE/ LETTERS & MEMORANDUMS	Correspondence to and from defendants, victims, defense attorneys, other agencies, witnesses in the form of letters, memorandums and written notes and impact statements and notification of rights forms from victims.	Temporary	24	No	This record is temporary as it is within a temporary file.
LEGAL - CRIMINAL DIVISION	COUNCIL MINUTES	Copies of Official summary Minutes of City Council meetings.	Copy	N/A	No	Municipal Services maintains original copies.
LEGAL - CRIMINAL DIVISION	COURT CALENDAR	Printed court calendar detailing various court dockets and appointments.	Temporary	24	No	
LEGAL - CRIMINAL DIVISION	CRIMINAL CASE FILE	Criminal case files consist of incidents regarding misdemeanor or infractions that occurred within the city limits. The file consists of reports, record history, work product notes, pleadings, correspondence, judgments, etc.	Temporary	24	No	Once a disposition is entered, the case is closed and held until the probation period ends. If an appeal is filed in a case, the case is then kept until the appeal is closed (Currently appeal files are kept indefinitely for future reference) - Electronic Files
LEGAL - CRIMINAL DIVISION	INTERN LIMITED LICENSE INFORMATION	Copy of intern limited license issued by Supreme Court, and application and correspondence regarding designated supervising attorney.	Temporary	24	No	Electronic File
LEGAL - CRIMINAL DIVISION	INVOICES, BILLS, RECEIPTS	Invoices, bills, etc. forwarded to our civil dept. for bills to council/budget.	Copy	N/A	No	Finance maintains originals
LEGAL - CRIMINAL DIVISION	JURY INSTRUCTION BOOK	Idaho Criminal Jury Instruction reference book regarding preparation of various jury instructions.	Temporary	24	No	

City of Coeur d'Alene
RECORDS RETENTION SCHEDULE

DEPARTMENT	TITLE	DEFINITION	RECORD TYPE	TOTAL MOS.	VITAL RECORDS	COMMENTS
LEGAL - CRIMINAL DIVISION	MINUTES	Criminal Justice meeting minutes detailing agenda items discussed.	Copy	N/A	No	Electronic File
LEGAL - CRIMINAL DIVISION	NCIC RECORD CHECKS AND PACKETS	NCIC record checks, driver's abstracts, certified suspension packets detailing defendant criminal and traffic history, and certified packets from court consisting of judgments, citations, and statement of rights.	Copy	N/A	No	Each agency maintains original, i.e. police departments, transportation dept., state, and/or court. See Criminal Case File; electronic file in segregated server
LEGAL - CRIMINAL DIVISION	OFFICER CERTIFICATIONS AND TRAININGS	Copies of officer certifications, and training records, such as P.O.S.T. (Peace Officer Standards Training) certificates, intoxilyzer cards and drug recognition training documentation.	Copy	N/A	No	Police Dept. maintains original (in VIPER).
LEGAL - CRIMINAL DIVISION	ORDINANCES & RESOLUTIONS	Copies of Ordinances and Resolutions are passed by a vote of the City Council & attested by the City Clerk. Filed by ordinance or resolution number. Ordinances establish city policy &/or law. Resolutions give council authorization for specific action by dept. or division. City Ordinances and Resolutions are scanned into the City's imaging system.	Copy	N/A	No	Originals maintained by Municipal Services Department.
LEGAL - CRIMINAL DIVISION	PHOTOGRAPHS	Copies and/or original photographs from police department or victim/witnesses/defendants and copies of booking photos.	Temporary	24	No	Electronic File. Original photos are returned to parties or police department once file is closed. Police Department maintains case file originals from digital cameras from which we only have copies.
LEGAL - CRIMINAL DIVISION	PLEADINGS	A pleading is legal allegations of the parties in a formal written document filed with the court. Ex. Motions, orders, request, response and supplemental discovery and production, interrogatories, appeals, complaints. Examples of documents filed with the court: notices of hearing, subpoenas, restitution estimates, bills, summons, warrants, return of service and copy of court minutes.	Temporary	24	No	Electronic File. Court maintains originals. All misdemeanor cases are held if an appeal exists.
LEGAL - CRIMINAL DIVISION	REPORTS	Police reports and arrest reports including citations, p/c affidavit, booking sheet, supplemental reports, investigative narratives and complaint request forms detailing the incident and victim statements, lab reports, intoxilyzer logs, and certifications.	Temporary	24	No	Police Department maintains original. Idaho State Police maintains original lab reports.

City of Coeur d'Alene
RECORDS RETENTION SCHEDULE

DEPARTMENT	TITLE	DEFINITION	RECORD TYPE	TOTAL MOS.	VITAL RECORDS	COMMENTS
LEGAL DEPARTMENT - RISK MANAGEMENT, CODE ENFORCEMENT, CLAIMS	ANIMAL CONTROL	Documents on Animal Control Advisory Board. Documents on Dangerous Dog issues; other misc. documents regarding animal control issues	Temporary	24	No	
LEGAL DEPARTMENT - RISK MANAGEMENT, CODE ENFORCEMENT, CLAIMS	CLAIMS	Claims filed; Memos, letters, research, photo's, misc.	Semi-Permanent	60	No	Electronic Files: Original Notice of Claim document is kept by the City Clerk.
LEGAL DEPARTMENT - RISK MANAGEMENT, CODE ENFORCEMENT, CLAIMS	CODE ENFORCEMENT CASE FILES	Case files of city code violations. Correspondence with owners, site inspections, photographs, enforcement actions and hearings.	Temporary	24	No	Electronic Files
LEGAL DEPARTMENT - RISK MANAGEMENT, CODE ENFORCEMENT, CLAIMS	PARKING COMMISSION	Commission Liaison: Agenda's, minutes, correspondence, forms, ticket appeals, member information, etc.	Temporary	24	No	Electronic Files
LEGAL DEPARTMENT - RISK MANAGEMENT, CODE ENFORCEMENT, CLAIMS	RISK MANAGEMENT	Letters, emails, insurance info., training, risk reduction team agendas, newsletters, research, etc.	Temporary	24	No	Electronic File: Original insurance document is kept by the Finance Department
LIBRARY	ANNUAL REPORTS	Summary of department activity for the preceding year. Includes circulation statistics, materials added and deleted, program attendance, number of library patrons, etc.	Semi-Permanent	60	No	Submitted annual to state library.

**City of Coeur d'Alene
RECORDS RETENTION SCHEDULE**

DEPARTMENT	TITLE	DEFINITION	RECORD TYPE	TOTAL MOS.	VITAL RECORDS	COMMENTS
LIBRARY	BUDGET PREPARATION	Working documents for budget preparation. Includes history of expenses and personnel figures along with anticipated increases. May include future years as tired in to long range strategic plan.	Temporary	24		Maintained & updated as needed. Copy sent to finance and submitted to Library Board for approval.
LIBRARY	CIRCULATION RECORDS	Records of all library materials checked out. Computerized database includes title, barcode number, due date, patron name, and library card number.	Semi-Permanent	60	No	Deleted from system upon return of item unless item is late or damaged.
LIBRARY	CIRCULATION STATISTICAL REPORTS	Monthly statistical reports on numbers of types of library materials checked out, number of patrons in library, patron cards, etc.	Semi-Permanent	60	No	Distributed monthly to Library Board. See Annual Report.
LIBRARY	HOLDINGS & ACQUISITION RECORDS	Automated catalog used by patrons to find materials in the library collection. Information includes call number, author, title, publisher, subject, and other pertinent information.	Semi-Permanent	120	No	Changes regularly as items are added and withdrawn.
LIBRARY	INTERLIBRARY LOAN RECORDS	Records documenting the temporary transfer of library materials between libraries: standardized forms, correspondence, billings, working copies of studies & reports.	Temporary	24	No	Kept until request completed or canceled.
LIBRARY	INVOICES	Copies of vendor invoices paid for services rendered and/or goods received. Filed by month payment was made.	Copy	N/A	No	Original invoices sent to Finance to be entered into A/P system. Convenience copies kept by dept. for approximately 2 years.
LIBRARY	KEY ASSIGNMENTS	List of keys issued to each employee	Semi-Permanent	60	No	
LIBRARY	LIBRARY BOARD MINUTES	Meeting Minutes of the Library Board	Permanent	Permanent	No	bound copies kept
LIBRARY	LIBRARY CARD APPLICATIONS	Borrower's card applications and agreements acknowledging willingness to comply with library rules and regulations. After data from form is entered onto Library computer, form is shredded. Official record is the electronic data file.	Temporary	24	No	*Susan & Warren - this was the policy on the Boise document. And this is our current practice as well.
LIBRARY	PATRON COMMENTS	Comments and letters regarding library services	Temporary	24	No	
LIBRARY	POSTAGE REPORT	Monthly report of postage used and billed to department's budgets	Copy	N/A	No	
LIBRARY	PROJECT FILES	Files contain plans, documents, photographs, etc. for a particular project.	Semi-Permanent	60	No	
LIBRARY	STAFF EVALUATIONS	Copies of Library employees evaluations	Copies	N/A	No	

**City of Coeur d'Alene
RECORDS RETENTION SCHEDULE**

DEPARTMENT	TITLE	DEFINITION	RECORD TYPE	TOTAL MOS.	VITAL RECORDS	COMMENTS
POLICE	ADULT CRIME REPORTS (incident reports, criminal case files)	Police reports of violations of law or behavior problems up to and including arrests (which could include copies of citations, copies of P/C affidavit, booking sheet, copies of supplemental reports, copies of investigative narratives and complaint reports detailing the incident and victim statements, lab reports, copies of intoxilyzer logs, and certifications) criminal investigations, civil disturbances, citations for disregard of policies and procedures, etc.	<u>Semi-Permanent:</u> <u>except death reports and outstanding missing persons reports shall be permanent</u>			PERM (All deaths, sex crimes, explosive, domestic violence, arrests, kidnapping, theft of firearm if not recovered, missing persons if still missing, all felony convictions)
POLICE	ASSET SEIZURE/FORFEITURE FILES	Files contain financial information & are categorized as open or closed.	After disposition, same as adult crime reports		No	
POLICE	AUCTION RECORDS	Sale of abandoned or unclaimed property. Records consist of (1) Consignment sheet (2) copy of check or proceed of sale, (3) receipt of deposit from city Finance office (4) Affidavit of Publication	Temporary	24	No	
POLICE	AUDIO/VIDEO RECORDINGS	Digital DVD's and CD's of traffic stops, surveillance, interviews & telephone conversations	Same as Adult Crime Reports			
POLICE	AUDIT RECORDS	Copies of ILET audits done by Boise.	Copy		No	
POLICE	BANK CHECKING ACCOUNT RECORDS	Bank statements, deposit slips, canceled checks, receipts, invoices & related documentation developed or maintained. (Reserve academy and Honor guard)	Temporary	24	No	
POLICE	BRIEFING SHEETS AND LOGS	Activities occurring during the preceding shifts. Used to update officers and other staff coming onto duty. May include announcements, orders, policy changes as well as incidents, complaints, "be on the lookout for," etc. USUALLY COPIES	Copy		No	
POLICE	BUY ACCOUNTS	COPIES Log of seizures, includes who, what, where.	Copy		No	Original information at Prosecutor's Office
POLICE	CASH RECEIVING PROOFS	COPIES of fingerprinting & Traffic School Balance Sheet.	Copy		No	Original balance sheet to Finance
POLICE	COLLECTIVE LABOR AGREEMENTS	Copies labor contracts between City and employee bargaining groups outlining wages, rates of pay, working conditions, and all other terms & conditions of employment	Copy		No	Original with City Clerk

City of Coeur d'Alene

RECORDS RETENTION SCHEDULE

DEPARTMENT	TITLE	DEFINITION	RECORD TYPE	TOTAL MOS.	VITAL RECORDS	COMMENTS
WATER	BULK WATER FILES	Files documenting usage, correspondence, & billing for customer bulk water hydrant usage.	Temporary	24	No	
WATER	CERTIFICATION FILES	Contains copies of employee's certification cards, renewal invoices and test documentation; used to keep employee's annual certifications up-to-date	Copy		No	
WATER	CHEMICAL ANALYSES	Water chemical analysis test reports	Semi-Permanent	120	No	DEQ requires these be kept for 10 years
WATER	CL2 RESIDUAL TESTS	Daily chlorine residual tests	Temporary	24	No	Per DEQ, keep for one year
WATER	COMMERCIAL PERMIT COPIES	Annual binder of commercial permit copies with appropriate notes & follow-ups attached	Temporary	24	No	
WATER	COMPREHENSIVE MASTER PLANS	Copies of department comprehensive master plans	Copy		No	New comp plans done to replace previous ones (approximately every decade)
WATER	CONSERVATION CREDIT FILE	Documentation of customer submitted requirements for conservation credits	Temporary	24	No	
WATER	CONTRACTS	Working copies of contracts	Copy		No	Originals kept by City Clerk
WATER	CROSS CONNECTION FILES	These files contain backflow assembly test results, correspondence and any other cross connection information for each identified property.	Temporary	24	No	Re-testing is done annually
WATER	DEEDS & EASEMENTS	Copies of applicable deeds and easements	Copy		No	Originals kept by?
WATER	DEPARTMENT ISSUED INVOICES	Copies of invoices issued by the Water Department (e.g. cap fees, hydrant repairs, etc.)	Temporary	24	No	
WATER	DEPARTMENT WORK ORDER FILES	These files consist of all documentation on Water Department projects including cost summary sheet, correspondence and as-builts	Semi-Permanent	9999	Yes	Plan to scan these into the system
WATER	DEQ APPROVALS	File of DEQ project approvals	Semi-Permanent	60	No	
WATER	DRT MEETING INFORMATION	DRT meeting agendas, pertinent information & notes on these weekly meetings	Temporary	24	No	
WATER	EMERGENCY RESPONSE PLAN	Emergency contacts and procedures	Semi-Permanent	60	No	EPA required; updated regularly
WATER	EMPLOYEE FILE	Active & inactive employee files including copies of performance valuations, PAF's, and notices of awards, achievements, and/or disciplinary actions.	Copy		No	HR maintains the original and permanent files; working file for department use only.
WATER	HYDRANT CARDS	Official documentation of all City fire hydrants including location and other pertinent information.	Semi-Permanent	9999	No	

**GENERAL SERVICES COMMITTEE
M E M O R A N D U M**

DATE: AUGUST 20, 2014

FROM: RENATA MCLEOD, MUNICIPAL SERVICES DIRECTOR

RE: APPROVAL OF AN AGREEMENT WITH ST. VINCENT DE PAUL FOR COSTS ASSOCIATED WITH THE EXPANSION TO THE COMMUNITY DINING HALL FACILITY THROUGH A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG).

DECISION POINT:

- To authorize an Agreement with St. Vincent De Paul for costs associated with the expansion of their community dining hall facility through the use of CDBG funding totaling \$36,000.00.

HISTORY:

The City of Coeur d'Alene conducted a competitive RFP process for the CDBG Plan Year 2013 community grant dollars. The process included the submittal of a grant application, review by the Ad Hoc Committee (September 17, 2013) and recommendations of the Ad Hoc Committee authorized at the October 1, 2013 City Council meeting, and further approved at the public hearing held November 19, 2013 for the substantial amendment to the 2013 Action Plan. This particular award was delayed due to some discussions regarding the building permit requirements and potential HUD requirements. HUD has authorized the use of CDBG funds for permit costs associated with the expansion of the dining hall that will benefit homeless and low to moderate income citizens. This grant will pay for costs associated with City Capitalization Fees and design and architectural costs up to \$36,000. Therefore, staff recommends approval of the agreement with St. Vincent De Paul for the Plan Year 2013 grant award in the amount of \$36,000.00.

FINANCIAL: \$36,000.00 has been budgeted in the CDBG Action Plan for this grant to St. Vincent de Paul.

PERFORMANCE ANALYSIS: Authorizing this agreement will allow the St. Vincent de Paul to move forward with the expansion of the community dining hall facility.

DECISION POINT/RECOMMENDATION:

- To authorize an Agreement with St. Vincent De Paul for costs associated with the expansion of their community dining hall facility through the use of CDBG funding totaling \$36,000.00.

AGREEMENT FOR CDBG GRANT FUNDS FOR

St. Vincent de Paul North Idaho

This Agreement is entered into between the CITY OF COEUR D'ALENE, a municipal corporation, whose mailing address is 710 E Mullan Avenue, Coeur d'Alene, Idaho 83814-3958, hereinafter referred to as the "CITY" and St. Vincent de Paul North Idaho, an Idaho non-profit corporation, whose mailing address is: 201 E Harrison Avenue, Coeur d'Alene, Idaho 83814-3240, hereinafter referred to as "St. Vincent de Paul."

The key contact for St. Vincent de Paul is Jeff Conroy, Executive Director.

The key contact for the CITY is Sherri Wastweet, Grant Administrator, Panhandle Area Council, Inc.

1. Activities Under This Agreement. The CITY has received from the U.S. Department of Housing and Urban Development ("HUD"), a grant from the Community Development Block Grant Program, identified as Grant No. B-13-MC-16-0007 (the "CDBG Grant"). From this CDBG Grant the CITY is awarding \$36,000.00 (thirty six thousand dollars) to St. Vincent de Paul to expand the Community Dining Hall facility located in Coeur d'Alene. The project is more fully described in Attachment A "Scope of Work."

2. Grant Amount and Matching Obligations. The maximum amount of the CDBG grant funds awarded to St. Vincent de Paul under this Grant Agreement is \$36,000.00 (thirty six thousand dollars), referred to herein as the "grant funds." St. Vincent de Paul will provide the management resources, staff and office supplies needed for the project.

3. Budget. St. Vincent de Paul shall adhere to the Budget outlined in Attachment B attached hereto, unless otherwise amended in writing by St. Vincent de Paul and the CITY. In the event costs exceed these grant funds, St. Vincent de Paul shall be responsible for finding any and all additional funds. The CITY shall not be responsible to provide additional funds to pay any costs in excess of \$36,000.00 (thirty six thousand dollars).

4. Program Income. Any income generated from the use of these funds is "program income" and is considered the same as grant funds and is thereby subject to this contract and all the federal regulations. St. Vincent de Paul is allowed to retain and use program income for the same purposes as covered by this contract. Program income shall be expended before any additional grant funds are requested unless authorized differently in the Scope of Work. Neither the City nor St. Vincent de Paul anticipates any program income to be generated through this project.

5. Payments. As the project progresses St. Vincent de Paul will provide the CITY, through the City's Grant Administrator, Panhandle Area Council (PAC) 11100 N Airport Drive, Hayden, ID 83835-9798 with monthly reports of expenditures and program progress. All reporting shall be supported by appropriate documentation such as receipts, billings, invoices, timesheets or other similar documents.

St. Vincent de Paul will submit monthly, a detailed, itemized invoice to PAC for review. The invoice shall be numbered and dated, it shall state the Project, name and address to which payment shall be made, the activities completed, dates of completion, location of activities and shall have attached copies of all receipts including payments to subcontractors and any additional information required by the grant funding agency.

PAC will verify the information, process the request and submit the invoice to the CITY for payment. Progress payments shall be made within thirty (30) days after submittal and acceptance by the City.

6. Insurance. St. Vincent de Paul warrants that it has obtained, and will maintain at its expense for the duration of this Contract, Statutory Workmen's Compensation coverage on all employees, including employees of subcontractors, during the term of this agreement as required by Idaho Code Section 72-101 through 72-806. Should St. Vincent de Paul fail to maintain such insurance during the entire term hereof, they shall indemnify the City against any loss resulting to the City from such failure either by way of compensation or additional premium liability.

St. Vincent de Paul shall maintain comprehensive general liability insurance, naming the City, its entities, and its representatives as additional insured in the amount of at least five hundred thousand dollars (\$500,000) for property damage or personal injury, death or loss as a result of any one occurrence or accident regardless of the number of persons injured or the number of claimants, it being the intention that the minimum limits shall be those provided for under Chapter 9, Title 6, Section 24 of the Idaho Code.

Prior to work under this agreement, St. Vincent de Paul shall furnish to the City certificates of the insurance coverage required herein, which certificates must be approved by the City Attorney. Insurance provider shall provide Consultant thirty (30) day's notice prior to cancellation of the policy for any reason, in which case St. Vincent de Paul shall promptly notify the City.

7. Grant Program Requirements. This Agreement and the project is governed by the provisions of Title I of the Housing and Community Development Act of 1974 as amended, Public Law 93-383 and the implementing regulations at 24 CFR Part 570. St. Vincent de Paul shall not take any action or do anything inconsistent with the purposes and intent of the CDBG program. St. Vincent de Paul shall comply with all state and local and federal laws and regulations that pertain to the program and the CDBG grant program and funds.

8. Environmental. St. Vincent de Paul shall comply with any HUD environmental regulations and with the Water Pollution Control Act, Clean Air Act, National Historic Preservation Act, Flood Disaster Protection Act, Lead Based Paint Regulations, and shall comply with all inspection, reporting, monitoring, and requirements of environmental regulations.

9. Real Property Acquisition, Relocation and Disposal. The City has not authorized property acquisition under this contract.

10. Procurement Standards and Methods. The St. Vincent de Paul shall use procurement and purchasing standards that are in compliance with state law. Generally, procurement of items or services costing less than \$25,000 may use the informal Small Purchase process. Small Purchase process requires three written bids/quotes. Larger purchases should follow formal bidding processes including

proper bonding and guarantees. Panhandle Area Council can provide technical assistance for procurement.

To the greatest extent possible, St. Vincent de Paul will select services or contractors that reside or have their business locations in the City of Coeur d'Alene. This will meet the Section 3 requirements of the CDBG program. St. Vincent de Paul will make efforts to award subcontractor agreements to Minority and Women-owned business (MBE/WBE). St. Vincent de Paul will document efforts to negotiate contracts with MBE/WBE firms.

11. Termination of Grant Agreement. The CITY may at any time terminate this agreement for cause or convenience. If terminated for the convenience of the CITY, the CITY shall pay for any work completed up the date of the termination. If the CITY terminates this agreement for cause, the CITY will not make any payments for work completed in violation of this agreement. If for any reason the Grant Agreement is terminated, St. Vincent de Paul agrees and acknowledges that the CITY shall bear no liability or responsibility of any kind or for any reason to St. Vincent de Paul for any of the funds received, to be received, or anticipated to be received pursuant to this Agreement.

12. Financial and Progress Reports. In the performance of this Agreement, St. Vincent de Paul shall keep books, records and accounts of all of St. Vincent de Paul's activities related to the provisions of this Agreement. On a monthly basis, and at project completion, St. Vincent de Paul shall submit to PAC a financial report that details costs incurred by line item as described in the project budget, Attachment B. Said report shall be submitted to PAC upon completion of the project funded under this Agreement. St. Vincent de Paul acknowledges that the CITY is required to submit to HUD interim performance reports, and therefore St. Vincent de Paul agrees to submit to PAC, monthly performance reports in the format provided by PAC and to provide any and all information which the CITY may need or request in preparing the CITY's interim performance reports to HUD. A detailed written final report with documentation of the activities carried out and benefits generated, including income and demographic documentation, shall be submitted to PAC at the conclusion of the project.

13. Record Keeping. St. Vincent de Paul shall keep sufficient records, files, accounting records and documentation to track expenditures and accounting processes and shall be in accordance with general accounting practices useable for auditing. It shall keep records sufficient to document purchases are in accordance with procurement policies and track assets.

14. Client Data. Client information collected under this contract is private and the use or disclosure such information is prohibited when not directly related responsibilities and requirements under this agreement unless written consent is first obtained from the client.

15. Amendments to this Grant Agreement. St. Vincent de Paul understands and agrees that no change shall be made to the nature or purpose of the project and this agreement and that no changes shall be made in the Scope of Work (Attachment A), the budget (Attachment B), or the design of the project without the prior written consent of the CITY. Either party may initiate an amendment. From time to time the CITY may at its discretion amend the contract to reflect changes in the program requirements, regulations or law.

16. Subcontracts. St. Vincent de Paul shall seek CITY approval prior to entering into any subcontracts under this Agreement. St Vincent de Paul shall notify PAC to request approval by the CITY. These subcontracts shall contain all the requirements of this agreement. Amendments to subcontracts shall have both the CITY's and St. Vincent de Paul's approval before they are effective amendments. All contracts and subcontracts must comply with all applicable state and federal laws and regulations.

17. Audit and Monitoring. St. Vincent de Paul acknowledges that the CITY is required pursuant to the Grant Agreement to provide HUD an annual financial audit in accordance with OMB Circular A-128 and the Single Audit Act of 1984. To assist the CITY in preparing the required annual financial audits and all other reporting requirements of the CITY, St. Vincent de Paul shall provide through the last fiscal year in which grant funds are expended any and all information necessary to or requested by the CITY in preparation of any annual audit or other reporting requirement. The CITY, PAC and HUD may monitor and make periodic inspections and evaluations of the project and all of St. Vincent de Paul's books and records shall be available to the CITY and to HUD during regular working hours. These books and records shall be maintained for at least four (4) years following the project closeout. The CITY, Representatives of the Secretary of Housing and Urban Development (HUD), the inspector general or the general accounting office shall have access to all books, accounts, reports, files, and other papers, things or property belonging to or in use pertaining to the administration of the grant funds pursuant to this Agreement.

18. Recognition. The CITY and St. Vincent de Paul agrees that appropriate information shall be given to recipients of CDBG Entitlement Program grant funding that shall give credit to HUD and the CITY for helping underwrite the program with CDBG funding. St. Vincent de Paul agrees to give appropriate credit to others that contribute time and materials to the program.

19. Severability. The provisions of this Agreement are severable. In the event any provision shall be determined to be void or unenforceable for any reason, such determination shall not affect the enforceability of the remaining provisions.

20. Relationship of Contracting Parties. This Agreement does not establish an employer- employee relationship between the parties. St. Vincent de Paul shall indemnify the CITY and it's representatives and shall hold it harmless against any and all suits, actions, claims, or losses of any kind, nature, and description, including costs, expenses, and attorney fees, that may be incurred by reason of any act or omission, neglect or misconduct of St. Vincent de Paul that may arise out of or which are in any way related to this Agreement.

St. Vincent de Paul shall at all times remain an independent contractor with all respects to the CITY and shall maintain (as needed or required by 24 CFR 84.31) for itself and its employees; insurance, workman's Comp, unemployment insurance, FICA and tax filings.

21. Closeout. St. Vincent de Paul's obligation to the CITY under this agreement shall not end until all payments have been made, disposition of assets made and approved, determination of custodianship of records, required reporting completed, and the project National Objective of assisting LMI persons has been met.

22. Labor Standards. St. Vincent de Paul agrees to comply with the federal labor standards including Davis Bacon in all construction contracts over \$2,000.

23. Copy Rights. If this contract results in any copyrightable materials or inventions, The CITY reserves the right to royalty-free, non-exclusive and irrevocable license to reproduce, publish or otherwise use and to authorize others to use the work or materials for governmental purposes.

24. Religious and Lobbying Activities. St. Vincent de Paul certifies that no federal funds have been paid or will be paid to any person for the purpose of influencing any official, employee of any agency or Member of Congress in the connection of awarding any federally funded contract or agreement. If other funds have been or will be so used, the St. Vincent de Paul certifies it has followed the proper procedures and submitted the Disclosure Form to Report Lobbying.

St. Vincent de Paul certifies that no funds provide by this agreement shall be used or used by personnel employed in the activities funded under this agreement for political activities, lobbying, political patronage or nepotism.

St. Vincent de Paul further agrees that funds provided under this agreement will not be used for religious activities such as worship, religious instruction or proselytizing.

25. Anti Discrimination. St. Vincent de Paul shall not discriminate in the provision of its services, hiring practices or procurement on any of the following basis; Race, Color, National Origin, Family Status, Sex, Handicapping Condition, or Religion. St. Vincent de Paul agrees to comply with Idaho Code and with Title VI of the Civil Rights Act of 1964 as amended, Title VIII of the Civil Rights Act of 1968 as amended, Section 104 (b) and Section 109 of Title I of the Housing and Community Development Act of 1974 as amended, Section 504 of the Rehabilitation Act of 1973 and the American with Disabilities Act of 1990, The Age discrimination Act of 1975, Executive Order 11063, and Executive Order 11246 as amended by Executive Orders 11375, 11478, 12107 and 12086.

Being in agreement and in witness thereof we set our signature to this contract.

City of Coeur d’Alene

Dated: _____ *By:* _____

Steve Widmyer, Mayor
City of Coeur d’Alene, Idaho

St. Vincent de Paul North Idaho

Dated: _____ *By:* _____

Jeff Conroy, Executive Director
St. Vincent de Paul North Idaho

Attachment A
Grant Agreement between CITY of Coeur d'Alene and St. Vincent de Paul

Scope of services

Under the 2013 Community Development Block Grant St. Vincent de Paul North Idaho will expand the Community Dining Hall facility to serve a larger number of homeless and LMI individuals and families in need, with a free nutritious dinner meal five days a week. Another added service will be the new showers and washers and dryers that will be available for use by the area homeless and LMI. The enlarged building will also mean additional space to be used as a warming center for the unsheltered homeless during the colder winter months.

Summary of the project activities

St. Vincent de Paul North Idaho will construct a 1,460 SF expansion of the current building, this facility will more than double in size and the kitchen will be updated, electrical will be upgraded and increased, an industrial kitchen vent will be installed along with additional new venting, new vinyl, a new furnace, and new light fixtures. The scope of work also includes installation of 2 shower stalls and 2 coin or token operated washers and dryers. CDBG Community Opportunity Grant funds will **only** be used for A/E Fees and Sewer CAP Fees. St. Vincent de Paul will be responsible for all construction cost and any remaining A/E Fees.

Benefits:

The program will benefit homeless families who have incomes within HUD's LMI requirements, which is 80% or below Area Median Income (AMI). All program participants will meet HUD's LMI eligibility standards, with the target population being at 50% or below AMI. The National Objective for this project is Benefit to low-to-moderate income persons. Currently St. Vincent de Paul averages 1,200 meals a month in the current building located next to their three emergency shelters. By doubling the size of this building, updating the buildings infrastructure, and updating the current kitchen, they will be able to serve more meals (an anticipated 2,000 meals per month) to people in need. Also, during the cold winter months this facility will double as a warming center for the area's unsheltered homeless population. The warming center will provide a safe and warm location during the night hours to improve the safety and well-being of this population.

Schedule:

The Project shall commence upon execution of the Contract between St. Vincent de Paul North Idaho and the Coeur d'Alene, City Council and shall continue for twelve months. Project construction is planned to begin sometime in 2014, depending on weather conditions, and should take no more than 160 days to complete. At the completion of the project a final report is due on the number of beneficiaries served and the value of time and materials contributed to the project. Monthly reports on progress and expenditures shall be submitted to PAC.

Attachment B

Project Budget

Grant Agreement between CITY of Coeur d'Alene and St. Vincent de Paul

Budget Item	CDBG Funds	Leverage Funds	Total Project Costs
Sewer CAP Fees	\$29,963.00		\$29,963.00
Design/Architectural	\$6,037.00	\$25,000.00	\$31,037.00
Construction		\$140,000.00	\$140,000.00
Total	\$36,000.00	\$165,000.00	\$201,000.00

St. Vincent de Paul will submit monthly, a detailed, itemized invoice to PAC for review. The invoice shall be numbered and dated, it shall state the Project, name and address to which payment shall be made, the activities completed, dates of completion, location of activities and shall have attached copies of all receipts including payments to subs and any additional information required by the grant funding agency.

PAC will verify the information, process the request and submit the invoice to the CITY for payment. Progress payments shall be made within thirty (30) days after submittal and acceptance by the City.

In the event project costs exceed these grant funds, St. Vincent de Paul shall be responsible for finding any and all additional funds. The CITY shall not be responsible to provide additional funds to pay any costs in excess of \$36,000.00 (thirty six thousand dollars).

ANNOUNCEMENTS

Memo to Council

DATE: August 25, 2014

RE: Appointments to Boards/Commissions/Committees

The following re-appointment is presented for your consideration for the September 2nd Council Meeting:

DAVE PATZER

LAKE CITY DEVELOPMENT CORPORATION

A data sheet for Mr. Patzer could not be located in the file. I have requested that he fill one out and return it to me.

Sincerely,

Amy Ferguson
Executive Assistant

cc: Renata McLeod, Municipal Services Director
Tony Berns, LCDC Executive Director

OTHER COMMITTEE MINUTES
(Requiring Council Action)

August 25, 2014
GENERAL SERVICES COMMITTEE
MINUTES
12:00 p.m., Library Community Room

COMMITTEE MEMBERS

Council Member Ron Edinger, Chairperson
Council Member Steve Adams
Council Member Amy Evans

CITIZENS

Shannon McMillan, Idaho State Representative
James McMillan, Attorney at Law

STAFF

Renata McLeod, City Clerk
Troy Tymesen, Finance Director
Steve Anthony, Recreation Director
Bill Greenwood, Parks Superintendent
Mike Gridley, City Attorney
Juanita Knight, Senior Legal Assistant

Item 1. Community Development Grant Award Recommendations.
(Consent Calendar)

Renata McLeod, City Clerk, said this is an item we don't get to do every day, giving grants out. This is an unusual thing for a city to be able to do. Because we are direct recipients of the Community Development Block Grant funds from HUD, we have that capability. This year the Ad Hoc Committee consisted of Anita Parisot, Vickie Isaacson, and TJ Barnhart. Those three folks volunteered a great amount of time to review the grant requests received. The system for grant review is based on a point system based on the need described, goals and outcomes, their plan and implementation and their capacity within their organization to actually meet all the HUD requirements and do the project they requested to be funded.

Sherry Wastweet, Grant Administrator from Panhandle Area Council, explained the recommendations by the Ad Hoc Committee as:

Plan Year 2014

- Community grant award recommendation to North Idaho Violence Prevention Center in the amount of \$10,203.00 that will be used for Shelter Renovations.
- Community grant award recommendation to The Children's Village in the amount of \$86,154.00 that will be used for The Miller House Expansion Project.
- Community grant award recommendation to Trinity Group Homes, Inc. in the amount of \$24,643.00 that will be used for Rehabilitation to LMI Rentals for Energy Conservation.

Plan Year 2015

- Community grant award recommendation to The Shepherd's Table in the amount of an estimated \$121,000 that will be used for Property Acquisition.

Mrs. McLeod said by Council authorizing this recommendation it will allow these organizations to plan their programs and projects and allow staff to move forward with contract preparation.

MOTION: by Councilmember Evans, seconded by Councilmember Adams, to recommend that Council authorize the recommendations of the CDBG Ad Hoc Committee for the 2013 Annual Action Plan as presented and recommendations of the CDBG Ad Hoc Committee for the 2015 Annual Action Plan as presented, dependent upon funding availability.

Item 2. Records Retention Manual Updates.
(Resolution No. 14-036)

Renata McLeod, City Clerk, is requesting approval of amendments to the Records Retention Manual, and Retention Schedule. Mrs. McLeod noted in her staff report that on December 5, 2006, the City adopted Resolution No. 06-075, approving records retention manual as required by Idaho Code 50-907(5). Upon review of the manual, the following changes / updates were noted:

- Updated list of Designated Records Managers
- Clarification of “Transitory Records: definition and new definition of “Exempt Records”
- Updated Department Filing Systems for the City Clerk/Municipal Services, Engineering, Fire, Legal, Recreation, and Water Departments
- Updated department Retention Schedules for Engineering, Legal, Library, Police, and Water

MOTION: by Councilmember Adams, seconded by Councilmember Evans, to recommend that Council adopt Resolution No. 14-036 approving the proposed amendments to the Records Retention Manual and Retention Schedule.

**Item 3. Approval of grant award agreement with St. Vincent De Paul.
(Resolution No. 14-036)**

Renata McLeod, City Clerk, is requesting Council authorize an Agreement with St. Vincent De Paul for costs associated with the expansion of their community dining hall facility through the use of CDBG funding totaling \$36,000.00. Mrs. McLeod noted in her staff report that the City conducted a competitive RFP process for the CDBG Plan Year 2013 community grant dollars. The process included the submittal of a grant application, review by the Ad Hoc Committee (September 17, 2013) and recommendations of the Ad Hoc Committee authorized at the October 1, 2013 City Council meeting, and further approved at the public hearing held November 19, 2013 for the substantial amendment to the 2013 Action Plan. This particular award was delayed due to some discussions regarding the building permit requirements and potential HUD requirements. HUD has authorized the use of CDBG funds for permit costs associated with the expansion of the dining hall that will benefit homeless and low to moderate income citizens. This grant will pay for costs associated with City Capitalization Fees and design and architectural costs up to \$36,000.

MOTION: by Councilmember Evans, seconded by Councilmember Adams, to recommend that Council adopt Resolution No. 14-036 authorizing an Agreement with St. Vincent De Paul for costs associated with the expansion of their community dining hall facility through the use of CDBG funding totaling \$36,000.00.

**Item 4. New Code Proposal for Parking Garage Rules of Conduct.
(Information Only)**

Troy Tymesen, Interim City Administrator, presented this item for Mr. Somerton, Chief Deputy Criminal City Attorney. Mr. Tymesen said the Legal Department and Police Department have been working on modifying and drafting a parking structures rules of conduct. The goal is to put some teeth into activities that are occurring in the McEuen parking structure. Staff believes this will add our community policing taking place down there and cover some things that were not in the code before.

The staff report submitted by Mr. Somerton explained that the McEuen Park parking structure opened for public use in the spring of 2014. Since that time it has provided shelter from the elements and screened from public view activities that are not conducive to its intended use as a vehicle parking facility. Since March 2014 there

have been over 100 police calls for service at the facility, many for disruptive behavior and actions within the parking structure. The common behaviors that generate these calls range from transients sleeping and camping in the structure, large groups of persons gathering as their activities are shielded by parking structure, careless driving and racing or speed/acceleration contests. The structure's associated facilities such as signs; fire suppression apparatus and other public property have been damaged and replacement costs exceed \$500.00 excluding labor. Adopting an ordinance that establishes both rules of conduct for the parking structure and makes other uses unlawful will allow the city enforcement personnel to ensure the parking structure is used as intended as a safe and clean parking facility.

MOTION: by Councilmember Evans, seconded by Councilmember Adams, directed staff to prepare an ordinance regulating conduct within and adjacent to the McEuen park parking structure to be considered for adoption by the full City Council.

Item 5. Acceptance of Donation from the Coeur d'Alene Softball Association and Coeur d'Alene National Tournament Committee for new roof at Memorial Field.
(Agenda Item)

Steve Anthony, Recreation Director, is recommending the City Council accept donations for the new roof at Memorial Field. Mr. Anthony said the Recreation Department pledged its support in raising \$10,000 towards the new roof at Memorial Field. The roof has not been replaced in over 45 years. Staff determined that this summer would be a the best time to do the work. Mr. Anthony further explained that Memorial Field is one of the few historical structures in Coeur d'Alene. In the early 20th Century it was the focal point of recreation activities in Coeur d'Alene. The City Council had determined that the preservation of Memorial Field is a high priority. The roof was completed in early July of this year.

Councilmember Edinger said they are always appreciative of people donating to the City and asked Mr. Anthony to personally thank them.

MOTION: by Councilmember Adams, seconded by Councilmember Evans, to recommend that Council accept the donations from Coeur d'Alene Softball Association for \$5,000 and Coeur d'Alene National Tournament Committee for \$5,000.

Item 6. Approval of the Person Field Master Plan.
(Resolution No. 14-037)

Bill Greenwood, Interim Parks Director, said the Parks and Recreation Commission recommends the approval of the person Field Master Plan with phased implementation as funds are available. In his staff report Mr. Greenwood noted that with the acquisition of Persons Field the City Council directed staff to meet with the neighborhood around Persons to see what might be done to upgrade the field. We had the first meeting on November 20, 2013. We then proceeded to develop a conceptual design capturing the results of several meetings. In February Scott Cranston and I met again with the neighborhood and Junior Tackle to present this Conceptual Plan. Everyone was in full support of the plan that was presented that evening and they asked that we make this a Master Plan for the future with phased implementation. The funds to implement this phased plan would come from Park Capital Improvement, possible grant opportunity, donations and some work to be done in-house. One item that was requested by the neighborhood was a playground. We accepted a playground donation this spring and it will be installed this September. The next phase 1 would be an irrigation system for \$72,500. A budget request has been submitted for Fiscal 2014-15 and would be installed in the spring of 2015. Phase 2 could be new restroom which cost has not yet been determined. Phase 3 is to improve parking at the site.

Councilmember Adams said he thought he'd heard there may be additional parking off the alley way. Mr. Greenwood said he had not heard that. Councilmember Edinger said at the neighborhood meetings that was never brought up. However, they did discuss leaving the alley clear because it is small and it is utilized by emergency vehicles as well as garbage pickup.

Mr. Greenwood added that Coeur d'Alene Jr. Tackle use the southern portion of the field house for their program. They are working towards constructing a building near the existing field house for storage of their equipment.

MOTION: by Councilmember Evans, seconded by Councilmember Adams, to recommend Council adopt Resolution No. 14-037 approving the Person Field Master Plan with phased implementation as funds are available.

Item 7. Amendment to Municipal Code 9.52.040; Illegal Possession of Weapons at Parades or Public Assemblies.
(Agenda Item)

Mike Gridley, City Attorney, reported in his staff report that MC 9.52.040 prohibits the possession of weapons, including firearms, within 1000 feet of a parade or public assembly. This law was passed because of a history in Coeur d'Alene of extremist groups threatening public safety and intimidating citizens at parades and public assemblies. Mr. Gridley noted that Councilman Adams has requested that this ordinance be amended to comply with Idaho Code 18-3302J to allow firearms at parades and public assemblies. Additionally, Councilman Adams has requested that the discharge of a firearm in self-defense be included as an exception to the prohibition of the discharge of firearms within the city limits under MC 9.52.020. Amending the ordinance as proposed by Councilman Adams would have minimal cost. If the current ordinance is not amended but is challenged in court there would be some legal costs incurred in defending the ordinance. The wording of Idaho Code 18-3302J appears to limit a city's ability to regulate the possession of firearms. However, Idaho Code 50-308 grants cities the power to prevent and restrain disturbances and disorderly assemblies. Because of this conflict between the two statutes it is unclear which one controls. The city may choose to follow IC-18-3302J by amending its ordinance or it may choose to follow IC-50-308 and leave the ordinance unchanged. Ultimately it would be for a court to determine which section of Idaho Code prevails, or to clarify the apparent conflict. The current ordinance has never been challenged. The proposed amendment allowing for a person discharging a firearm in the lawful defense of person or persons or property would comply with IC-18-3302J.

Councilmember Adams said he spoke with Mr. James McMillan, Attorney at Law, who said that Idaho Code 50-308 was amended in 2013 to remove language concerning carrying concealed weapons. Mr. McMillan said the code previously read "*Cities shall have power: to prevent and restrain riots, routs, noises,, disturbances or disorderly assemblies; to regulate, prevent and punish for the carrying of concealed weapons; etc.*" In 2013 the statute was amended to remove the concealed weapons language and the statement of purpose for HB183 read "*To clean up the language in Title 18 Section 50-308 so this section will not contradict with current law. Title 18 Chapter 33 18-3302j.*" Mr. McMillan said it is possible that a court could interpret the remaining language with regard to open carry. The statute, according to the history on IC-50-308, was passed in 1967. IC-18-3302j was passed in 2008 (with some later amendments). Since 18-3302j was passed subsequently to 50-308, and since the more limited language regarding firearms in 50-308 was removed with the specific reason to remove the a conflict with 18-3302j, Mr. McMillan said it is his opinion that 3302j will control. It is unknown what how a judge would rule, but that is how he would argue it.

Councilmember Adams said that Representative Shannon McMillan was a member of the legislature at that time and voted on this. Rep. McMillan said that is correct. Councilmember Adams asked Rep. McMillan if she

recalls this bill coming through committee. Rep. McMillan said there are so many things going on, time after time, that she does not remember exactly which one this was when it came up in committee. Rep. McMillan went on to say that she agrees with Mr. McMillan's opinion. She added that just because he is her son, they don't always agree on things, but of this, she does. Councilmember Adams repeated that in her opinion, as a state law maker, that IC-18-3302j would supersede any other statute. Rep. McMillan said that is correct.

Councilmember Edinger said when this ordinance was passed it was done for a very good purpose. He thinks we still have that purpose. He said he has a hard time accepting what the legislature does sometimes. Especially the law recently passed allowing guns on campus. Councilmember Edinger said we've never been challenged on this ordinance, and if the city was challenged, who is to say if the city would win or lose. He feels firearms do not belong in a parade or assemblies. He feels the current ordinance is a good ordinance.

Councilmember Adams pointed out that when discussing this issue with Mr. Gridley, the City would not be repealing any part of the ordinance just amending the language to comply with state law. Additionally, he was given an article from a gentleman in Wisconsin who did challenge his county's ordinance that was in violation of Wisconsin state law and subsequently the county did change the language to their ordinance. Councilmember Adams believes the City should want to avoid the possibility of people voluntarily coming out and getting arrested and making show. Also, a gentleman from the second amendment alliance has told him that they are prepared to challenge our ordinance should the council choose not to amend it as proposed.

Councilmember Evans said it is extremely important to remember the history of Coeur d'Alene and what it was like several years ago. She has vivid memories of running down the road during an Arian or other extremist group parade while they were marching. The tactics of intimidate and public safety are an issue here. Looking back at that, she has great respect for the leaders before her time who established this ordinance with public safety first and foremost in their mind. With that being said, she is not in support of amending the current city ordinance.

Councilmember Adams asked that this item be forwarded to the full City Council for discussion.

DISCUSSION: This item will be forwarded, without recommendation, to the full City Council for discussion.

The meeting adjourned at 12:40 p.m.

Respectfully submitted,

Juanita Knight

Recording Secretary

**General Services Committee
Staff Report**

Date: August 25, 2014
From: Steve Anthony, Recreation Director
Subject: Acceptance of donations

Decision Point:

Does the General Services Committee want to recommend to the City Council the acceptance of donations for the new roof at Memorial Field?

History:

The Recreation Department pledged its support in raising \$10,000.00 towards the new roof at Memorial Field. The roof has not been replaced in over 45 years. Staff determined that this summer would be the best time to do the work.

Financial Analysis:

The following donations have been pledged: Coeur d'Alene Softball Association \$5000.00, Coeur d'Alene National Tournament Committee \$5000.00.

Performance Analysis & Quality of Life Analysis:

Memorial Field is one of the few historical structures in Coeur d'Alene. In the early 20th Century it was the focal point of recreation activities in Coeur d'Alene. The City Council has determined that the preservation of Memorial Field is a high priority. The roof was completed in early July.

Decision Point:

The Parks and Recreation Commission, along with department staff, have recommended to General Services that the City Council accept the donations for the new roof at Memorial Field.

**GENERAL SERVICES COMMITTEE
STAFF REPORT**

Date: August 25, 2014
From: Bill Greenwood, Interim Parks Director
SUBJECT: **PERSON FIELD MASTER PLAN** (*Action Required*)

DECISION POINT:

The Parks and Recreation Commission has recommended to General Services the approval of the Person Field Master Plan with phased implementation as funds are available.

HISTORY:

With the City of Coeur d Alene acquisition of Persons Field City Council directed staff to meet with the neighborhood around Persons to see what might be done to upgrade the field; we had the first meeting on November 20, 2013. We then proceeded to develop a conceptual design capturing the results of several meetings. In February Scott Cranston and I met again with the neighborhood and Junior Tackle to present this Conceptual Plan. Everyone was in full support of the plan that was presented that evening and they asked that we make this a Master Plan for the future with phased implementation.

FINANCIAL ANALYSIS:

The funds to implement this phased plan would come from Park Capital Improvement, possible grant opportunity, donations and some work to be done in-house.

PERFORMANCE ANALYSIS:

One item that was requested by the neighborhood was a playground. We accepted a playground donation this spring and it will be installed this September. The next phase 1 would be an irrigation system for \$72,500 a budget request has been submitted for Fiscal 2014-15 and would be installed in the spring of 2015. Phase 2 could be new restroom a new restroom cost is to be determined. Phase 3 is to improve parking at the site.

DECISION POINT/ RECOMMENDATION:

Recommend to City Council to approve the Person Field Master Plan with phased implementation as funds are available.

RESOLUTION NO. 14-037

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ADOPTING THE PERSON FIELD MASTER PLAN.

WHEREAS, the City Council deems it advisable to have a master plan for the redevelopment of Person's Field; and,

WHEREAS, the City has worked with members of the community to develop a plan for the redevelopment of Person's Field that meets with the community's needs; and,

WHEREAS, the City Council, as representatives of the public, recognize the public participation that has taken place and recognize the value that has come out of the process and desire to have continued participation from the community;

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and City Council of the City of Coeur d'Alene hereby adopt the Person Field Master Plan as a conceptual master planning document concerning the redevelopment of Person's Field, a copy of which is attached hereto as Exhibit "1" and by reference made a part hereof; and

BE IT FURTHER RESOLVED that if, and when, the City Council elects to pursue any suggestions contained in the Plan or modification thereof, that the City Council approval of those projects will be contingent upon the funding available to be dedicated to that project at that time.

DATE this 2nd day of September, 2014.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

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

ROLL CALL:

COUNCIL MEMBER ADAMS Voted _____

COUNCIL MEMBER GOOKIN Voted _____

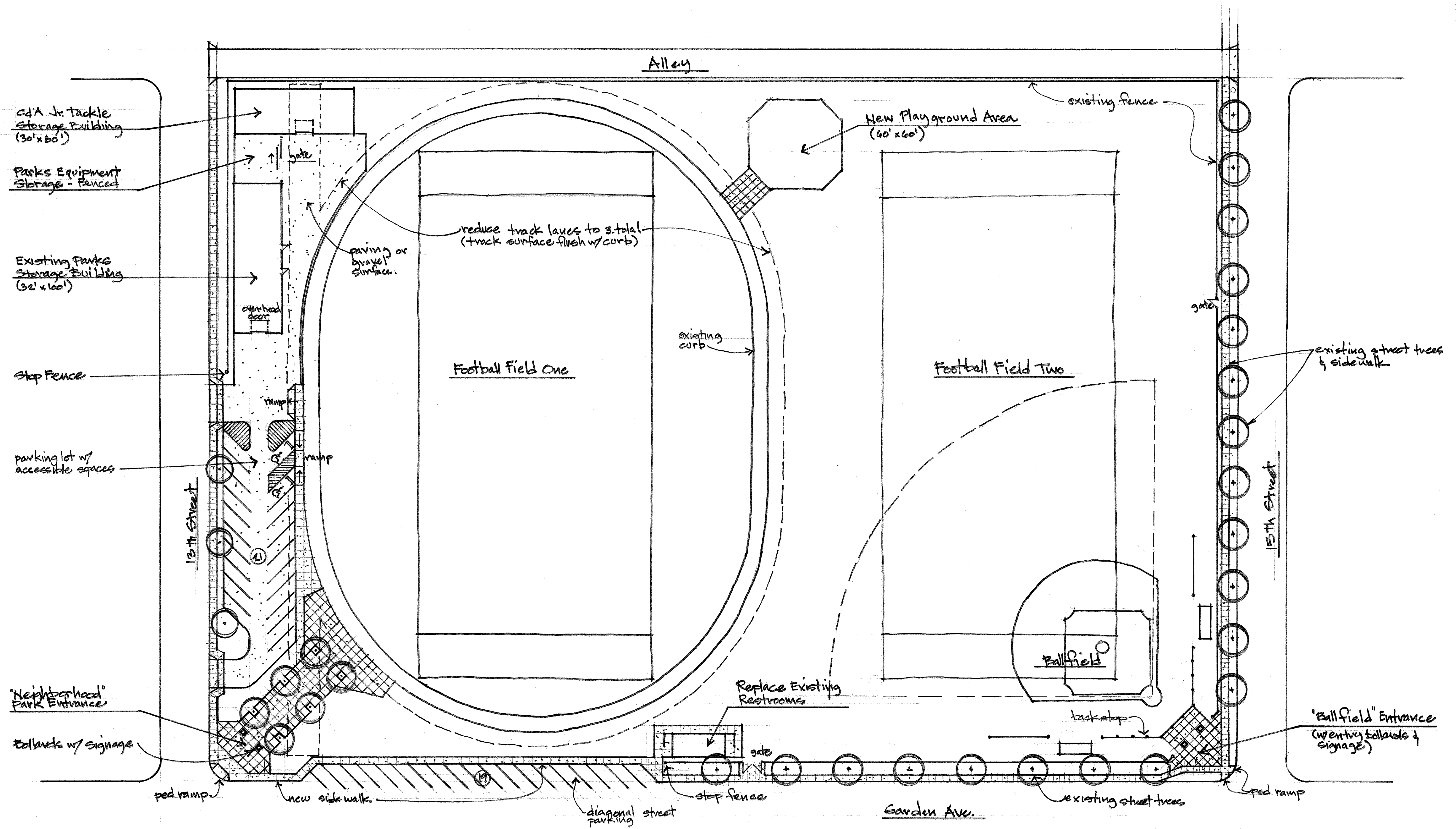
COUNCIL MEMBER EVANS Voted _____

COUNCIL MEMBER EDINGER Voted _____

COUNCIL MEMBER MILLER Voted _____

COUNCIL MEMBER MCEVERS Voted _____

_____ was absent. Motion _____.



PERSON FIELD CONCEPTUAL PLAN

1" = 30'-0"

**GENERAL SERVICES COMMITTEE
STAFF REPORT**

DATE: August 20, 2014
FROM: Mike Gridley – City Attorney
SUBJECT: Amending Municipal Code 9.52 to allow firearms at parades and public assemblies and to allow the discharge of a firearm in self-defense within the city limits

DECISION POINT:

Should the City Council amend Municipal Code 9.52 to allow firearms at parades and public assemblies and to allow the discharge of a firearm in self-defense within the city limits?

HISTORY:

MC 9.52.040 prohibits the possession of weapons, including firearms, within 1000 feet of a parade or public assembly. This law was passed because of a history in Coeur d'Alene of extremist groups threatening public safety and intimidating citizens at parades and public assemblies. Councilman Adams has requested that this ordinance be amended to comply with Idaho Code 18-3302J to allow firearms at parades and public assemblies. Additionally, Councilman Adams has requested that the discharge of a firearm in self-defense be included as an exception to the prohibition of the discharge of firearms within the city limits under MC 9.52.020.

FINANCIAL ANALYSIS:

Amending the ordinance as proposed by Councilman Adams would have minimal cost. If the current ordinance is not amended but is challenged in court there would be some legal costs incurred in defending the ordinance.

PERFORMANCE ANALYSIS:

The wording of Idaho Code 18-3302J appears to limit a city's ability to regulate the possession of firearms. However, Idaho Code 50-308 grants cities the power to prevent and restrain disturbances and disorderly assemblies. Because of this conflict between the two statutes it is unclear which one controls. The city may choose to follow IC-18-3302J by amending its ordinance or it may choose to follow IC-50-308 and leave the ordinance unchanged. Ultimately it would be for a court to determine which section of Idaho Code prevails, or to clarify the apparent conflict. The current ordinance has never been challenged.

The proposed amendment allowing for a person discharging a firearm in the lawful defense of person or persons or property would comply with IC-18-3302J.

DECISION POINT/RECOMMENDATION:

City council may choose to amend MC 9.52 as requested by Councilman Adams.

TITLE 18
CRIMES AND PUNISHMENTS
CHAPTER 33

FIREARMS, EXPLOSIVES AND OTHER DEADLY WEAPONS

18-3302J. PREEMPTION OF FIREARMS REGULATION. (1) The legislature finds that uniform laws regulating firearms are necessary to protect the individual citizen's right to bear arms guaranteed by amendment 2 of the United States Constitution and section 11, article I of the constitution of the state of Idaho. It is the legislature's intent to wholly occupy the field of firearms regulation within this state.

(2) Except as expressly authorized by state statute, no county, city, agency, board or any other political subdivision of this state may adopt or enforce any law, rule, regulation, or ordinance which regulates in any manner the sale, acquisition, transfer, ownership, possession, transportation, carrying or storage of firearms or any element relating to firearms and components thereof, including ammunition.

(3) (excluded because it deals exclusively with counties)

(4) A city may adopt ordinances to regulate, restrict or prohibit the discharge of firearms within its boundaries. Ordinances adopted under this subsection may not apply to or affect:

(a) A person discharging a firearm in the lawful defense of person or persons or property; or

(b) A person lawfully discharging a firearm on a sport shooting range as defined in section [55-2604](#), Idaho Code.

(5) This section shall not be construed to affect:

(a) The authority of the department of fish and game to make rules or regulations concerning the management of any wildlife of this state, as set forth in section [36-104](#), Idaho Code; and

(b) The authority of counties and cities to regulate the location and construction of sport shooting ranges, subject to the limitations contained in [chapter 26, title 55](#), Idaho Code.

(6) The provisions of this section are hereby declared to be severable. And if any provision is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this section.

History:

[18-3302J, added 2008, ch. 304, sec. 2, p. 845; am. 2014, ch. 73, sec. 3, p. 189.]

TITLE 50
MUNICIPAL CORPORATIONS
CHAPTER 3
POWERS

50-308. MAINTENANCE OF PEACE -- LICENSING AND REGULATING AMUSEMENTS. Cities shall have power: to prevent and restrain riots, routs, noises, disturbances or disorderly assemblies; to arrest, regulate, punish, fine or set at work on the streets or elsewhere, vagrants or persons found without visible means of support or legitimate business; license and regulate theaters, halls, concerts, dances, theatrics, circuses, carnivals, exhibitions, amusements and other performances, where an admission fee may or may not be charged.

History:

[50-308, added 1967, ch. 429, sec. 32, p. 1249; am. 2013, ch. 223, sec. 1, p. 524.]

Chapter 9.52

WEAPONS PROHIBITED^{1,2}

9.52.010: DEFINITIONS:

9.52.020: DISCHARGE PROHIBITED:

9.52.030: EXCEPTIONS:

9.52.040: ILLEGAL POSSESSION OF WEAPONS AT PARADES OR PUBLIC ASSEMBLIES:

9.52.010: DEFINITIONS:

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

FIREARMS: Any instrument used in the propulsion of shot, shell or bullets, or other harmful objects by the action of gunpowder exploded within it, or by the action of compressed air within it, or by the power of springs and including what are commonly known as air rifles and BB guns.

LAW ENFORCEMENT OFFICER: Any court personnel, sheriff, constable, peace officer, state police officer, correctional, probation or parole official, prosecuting attorney, city attorney, attorney general, or their employees or agents, or any other person charged with the duty of enforcement of the criminal, traffic or penal laws of this state or any other law enforcement personnel or peace officer as defined in chapter 51, title 19, Idaho Code.

PARADE: Any dash, demonstration, march, marathon, meeting, motorcade, parade, procession, public assembly, race, rally, or like activity consisting of persons, animals, or vehicles or a combination thereof upon the streets within the city with an intent of attracting public attention that interferes with or has a tendency to interfere with the normal flow or regulation of traffic upon the streets. A "parade" for purposes of this chapter shall include the time period beginning two (2) hours prior to the beginning of the parade and shall conclude one hour after the end of the parade. For purposes of this chapter, "parade" shall not include a group of more than two (2) persons assembled together as part of an otherwise lawfully certified weapons education program.

PUBLIC ASSEMBLY: Any meeting, demonstration, rally or gathering of more than twenty five (25) persons for a common purpose as a result of prior planning that interferes with or has a tendency to interfere with the normal flow or regulation of pedestrian or vehicular traffic or occupies any street. A "public assembly" for purposes of this chapter shall include the time period beginning one hour prior to the beginning of the public assembly and shall conclude one hour after the end of the public assembly. For purposes of this chapter, "public assembly" shall not include a group of more than two (2) persons assembled together as part of an otherwise lawfully certified weapons education program.

WEAPON: Any pistol, rifle, shotgun or other firearms of any kind whether loaded or unloaded, air rifle, air pistol, explosive, blasting caps, knife, hatchet, ax, slingshot, blackjack, metal knuckles, mace, iron buckle, baseball bat, ax handle, chains, crowbar, hammer, stick,

pole, or other club or bludgeon or any other instrumentality, customarily used or intended for probable use as a dangerous weapon. (Ord. 3157 §3, 2003)

9.52.020: DISCHARGE PROHIBITED:

It is unlawful for any person to discharge, within the limits of the city, any "firearms", as defined in section [9.52.010](#) of this chapter, slingshots, zip guns, or bows and arrows, except that military honor guards when performing at recognized cemeteries may discharge blanks with permission of the parks and cemetery director or his/her designee. Furthermore, military honor guards performing at Veterans' Park on Memorial Day or Veterans Day may discharge blanks. Furthermore, city of Coeur d'Alene fire or police honor guards or military honor guards may discharge blanks at the Cherry Hill Fallen Heroes Plaza to honor a fallen firefighter or police officer. Any discharge of firearms at Cherry Hill Fallen Heroes Plaza would require a permit from the parks director. (Ord. 3378 §1, 2010)

9.52.030: EXCEPTIONS:

A. Shooting Galleries, Gun Clubs, Etc.; Permit Required: The mayor and city council may, upon application, grant permits to shooting galleries, gun clubs and other organizations to discharge guns, pistols, revolvers and bows and arrows within the city limits in localities satisfactory and under rules decided by the mayor and city council and such permits shall be in writing and issued by the city clerk under his signature and shall be subject to revocation at any time by the mayor and city council.

B. Law Enforcement: This chapter does not apply to those persons listed in section 18-3302(12)(a through c), Idaho Code, while acting in their official capacity. (Ord. 3157 §5, 2003)

9.52.040: ILLEGAL POSSESSION OF WEAPONS AT PARADES OR PUBLIC ASSEMBLIES:

A. Weapons: It shall be unlawful for any person to have in his possession or to have in any vehicle any weapon while participating in or attending a parade or public assembly.

B. Possession Unlawful: It shall be unlawful for any person to have in his possession or to have in any vehicle at a point within one thousand feet (1,000') of a parade or public assembly, or within one thousand feet (1,000') of the perimeter of a parade or public assembly from the beginning to the end of the route, in the case of a moving parade or public assembly any weapon. This section shall not apply to any person in possession of any weapon in his private dwelling or place of business. Any campers, mobile homes or trailers lawfully parked on private property within one thousand feet (1,000') of the parade or public assembly site shall also be excluded.

C. Exemptions: The following individuals, while acting lawfully and within authority, are exempted from the provisions of this section:

1. Law enforcement officers;
2. Officers and soldiers of the United States armed forces and the Idaho national guard;
3. United States reserve officer training corp cadets; and
4. Members of any United States military veterans' organizations that are national in scope, chartered by the United States congress and have a tradition of participating in parades and public assemblies. (Ord. 3157 §6, 2003)

Footnotes - Click any footnote link to go back to its reference.

[Footnote 1](#): IC §§18.3301 et seq., 50-308 and 50-343.

[Footnote 2](#): Prior ordinance history: Prior code §§6-8-1, 6-8-2, 6-8-3; Ord. 2338 §§1, 2, 1991; Ord. 2581 §1, 1994; Ord. 2914 §§1, 2, 1999; Ord. 2920 §1, 1999; Ord. 2981 §1, 2000; Ord. 3020 §1, 2001; Ord. 3066 §1, 2002.

OTHER BUSINESS

COUNCIL BILL NO. 14-1015
ORDINANCE NO. _____

AN ORDINANCE EXCLUDING FROM AND DECLARING THE SAME TO BE SEPARATE FROM THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTION 27, TOWNSHIP 51 NORTH, RANGE 4 WEST, BOISE MERIDIAN; BY DECLARING SUCH PROPERTY TO BE NO LONGER A PART OF THE CITY OF COEUR D'ALENE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING A SEVERABILITY CLAUSE.

WHEREAS, the Mayor and City Council find it to be in the best interests of the City of Coeur d'Alene and the citizens thereof that said property be excluded; NOW, THEREFORE,

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

SECTION 1. That the above described property, which property is fully described in Exhibit “1”, attached hereto and incorporated herein be and the same is hereby excluded and declared to be separate from and no longer a part of the City of Coeur d'Alene, Kootenai County, Idaho.

SECTION 2. That the Planning Director be and is hereby instructed to make such change and amendment on the three official zoning maps of the City of Coeur d'Alene and the three official comprehensive plan maps of the City of Coeur d'Alene to reflect said exclusion, and that said real property upon passage and publication of this ordinance shall be excluded and no longer a part of the city limits of the City of Coeur d'Alene, Kootenai County, Idaho.

SECTION 3. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4. Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to the effective date of this ordinance or be construed as a waiver of any license or penalty due under any such ordinance or in any manner affect the validity of any action heretofore taken by the City of Coeur d'Alene City Council or the validity of any such action to be taken upon matters pending before the City Council on the effective date of this ordinance.

SECTION 5. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein,

and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

SECTION 6. 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 September 2, 2014.

APPROVED, ADOPTED and SIGNED this 2nd day of September, 2014.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____
Exclusion of a 4.65 acre parcel located at 7635 N Ramsey Road

AN ORDINANCE EXCLUDING FROM AND DECLARING THE SAME TO BE SEPARATE FROM THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTION 27, TOWNSHIP 51 NORTH, RANGE 4 WEST, BOISE MERIDIAN; BY DECLARING SUCH PROPERTY TO BE NO LONGER A PART OF THE CITY OF COEUR D'ALENE; 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, Warren J. Wilson, am a Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, Exclusion of a 4.65 acre parcel located at 7635 N Ramsey Road, 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 2nd day of September, 2014.

Warren J. Wilson, Chief Deputy City Attorney



Advanced Technology Surveying & Engineering

EXHIBIT A LEGAL DESCRIPTION FOR DE-ANNEXATION

CITY OF COEUR D'ALENE ORDINANCE # _____

THE WEST HALF OF TRACT 329 OF THE AMENDED PLAT OF HAYDEN LAKE IRRIGATED TRACTS, AS RECORDED WITH KOOTENAI COUNTY IN BOOK "C" OF PLATS AT PAGE 67, BEING A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 51 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO; MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 27 (PER CP#F INST. NO. 2145300000) FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION 27 (PER CP#F INST. NO. 2132224000) BEARS SOUTH $01^{\circ}11'45''$ WEST, 2648.82 FEET; THENCE, SOUTH $01^{\circ}11'45''$ WEST, 1324.38 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE, NORTH $88^{\circ}11'44''$ WEST, 1306.05 FEET TO THE SOUTHWEST CORNER THEREOF AS MARKED BY A $5/8$ " REBAR "PLS 5573"; THENCE, NORTH $01^{\circ}08'32''$ EAST, 20.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 329 AND THE TRUE *POINT-OF-BEGINNING* FOR THIS DESCRIBED TRACT OF LAND;

THENCE, ALONG THE EXISTING CITY OF COEUR D'ALENE LIMIT BOUNDARY NORTH $01^{\circ}08'32''$ EAST, 642.06 FEET TO THE NORTHWEST CORNER OF SAID TRACT, MARKED BY A $1/2$ " REBAR "PLS 772";

THENCE, CONTINUING ALONG THE EXISTING CITY OF COEUR D'ALENE LIMIT BOUNDARY SOUTH $88^{\circ}12'05''$ EAST, 326.67 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF SAID TRACT 329;

THENCE, LEAVING SAID CITY LIMIT BOUNDARY SOUTH $01^{\circ}09'21''$ WEST, 642.09 FEET TO THE SOUTHEAST CORNER OF SAID WEST HALF OF TRACT 329;

THENCE, NORTH $88^{\circ}11'44''$ WEST, 326.52 FEET, RETURNING TO THE *POINT-OF-BEGINNING* FOR THIS DESCRIBED TRACT OF LAND;

CONTAINING 209,684 S.F. (4.814 ACRES) MORE OR LESS;



Z:\Proj\14-000\14-055\survey\LEGAL DESCRIPTION\LEGAL DESCRIPTION FOR DE-ANNEX.doc

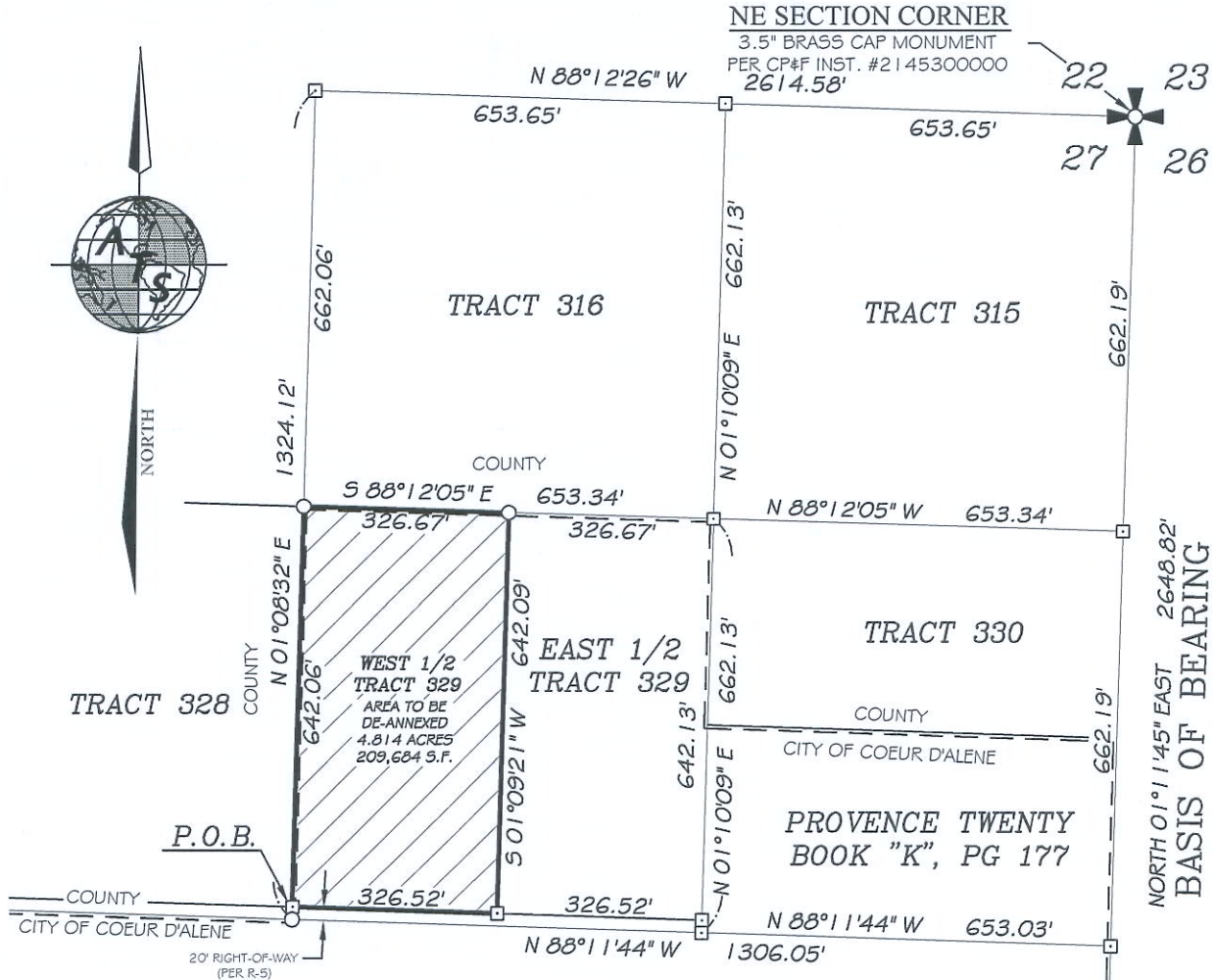
P.O. Box 3457, Hayden, Idaho 83835
PH. (208) 772-2745 Fax. (208) 762-7731

EXHIBIT B

FOR DE-ANNEXATION

NE 1/4 OF THE NE 1/4 OF SEC. 27, TOWNSHIP 51 NORTH, RANGE 4 WEST, B.M.,
KOOTENAI COUNTY, IDAHO

CITY OF COEUR D'ALENE ORDINANCE # _____

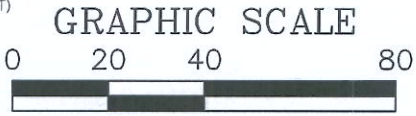


LEGEND

- (M) MEASURED
- (R) REFERENCE
- FOUND SURVEY MONUMENT
- COMPUTED POINT (NOTHING FOUND OR SET)
- ⊕ SECTION CORNER
- ⊗ QUARTER CORNER
- PROPERTY BOUNDARY
- EXISTING LOT LINES
- SECTION LINE
- EXISTING RIGHT-OF-WAY
- - - EXISTING CITY LIMITS OF COEUR D'ALENE
- ▨ AREA TO BE DE-ANNEXED

COEUR D'ALENE PLACE
BOOK "G", PAGE 210

EAST 1/4 CORNER
2.5" ZINC CAP MONUMENT
PER CP#F INST. #2132224000



ADVANCED TECHNOLOGY SURVEYING & ENGINEERING INC.

P.O. BOX 3457, HAYDEN IDAHO, 83835
 * PH. (208)-772-2745 * FAX (208)-762-7731 *

SCALE: 1"=300'
CHECKED BY: MM
DATE: 07-28-2014
DRAWN BY: MBM
DATE: 07-28-2014
DWG: EXHIBIT
PROJ: 14-055

Spokane River Advisory Committee
Memorandum

Date: August 27, 2014
From: Chet Gaede, Spokesperson
Subject: Request clarification on the status, administrative procedures, and goals of the ad hoc Spokane River Corridor Advisory Committee formed by Council on September 17, 2013.

DECISION POINT:

- To direct staff to provide staff support and cooperation to the ad hoc Spokane River Corridor Advisory Committee as a standalone committee that reports directly to Council.
- To direct staff to provide support to the ad hoc Spokane River Corridor Advisory Committee as a sub-committee of some other City Entity

HISTORY:

On Sep 17, 2013 Council formed an ad hoc (for this special purpose) Committee to give Council advice on community use and access to the Spokane River Corridor from Huetter Road to the BLM property in Riverstone. No formal steps were taken to create this committee until spring of 2014 when the City Administrator and Parks Director decided to house the Committee in the Natural Open Space Committee. Being a part of NOSC did provide administrative support and a clear “chain of command” but it also did not work for two reasons. The first was that the NOSC’s purpose is different than the Committee’s “special purpose”. Second, and most important, the NOSC reports to the Parks Commission whereas we are to advise City Council. That said, we felt it necessary to separate from the NOSC to work on our “special purpose”. On Aug 13 we scheduled a separate meeting for the Advisory Committee for Aug 15 and had a second meeting on Aug 19.

When investigating “how” we were to advise Council it became apparent that we were an anomaly. I believe Staff would prefer that we were “part” of a department in the same manner as a standing committee such as NOSC. We believe that the Committee is to advise Council and the scope of the Spokane River Corridor transcends all Departments, e.g., Seltice redesign is engineering, bike paths are parks, PUD’s are Land Use. Because of this mission and scope we believe the Committee should stand alone and receive administrative support from ????? City Administrator????

FINANCIAL ANALYSIS:

There is no discernible financial difference between these options.

DECISION POINT/RECOMMENDATION:

- To direct staff to provide administrative support and assistance for the ad hoc Spokane River Corridor Advisory Committee and that said Committee report directly to Council at Council meetings as necessary or as directed by Council.
- To direct the Planning Department to provide administrative support and assistance for the ad hoc Spokane River Corridor Advisory Committee and that said Committee report to Council via the General Services Committee.

STAFF REPORT

DATE: AUGUST 18, 2014
FROM: RENATA MCLEOD, CITY CLERK
SUBJECT: REQUEST TO AMEND MUNICIPAL CODE SECTIONS 4.25.030 AND 5.08.160 - ALLOWING OPEN CONTAINER OF ALCOHOL UPON THE SOCIALLY GEARED PEDAL BIKE IN THE PASSENGER AREA.

=====

DECISION POINT:

- To approve Council Bill 14-1016 amending Municipal Code 4.25.030 to allow for open container exceptions upon the pedal bike(s) and/or (Non-motorized vehicles) in the passenger area while operating within the City limits; and amending Municipal Code 5.08.160 to allow for the exception to the open container law on pedal bike(s) and/or non-motorized recreational vehicles through a city issued permit.
- To approve Resolution No. 14-039 approving a letter of Agreement with Mark Brown d/b/a Socially Geared CDA to permit open container upon the pedal bike recreational vehicle.

HISTORY:

In April 2013 the General Services Committee heard a request and authorized the Cycle Pub, currently named Socially Geared, to operate a pedal bike vehicle within the city limits. On June 20, 2014 the City received a request from Mark Brown, owner of Socially Geared CDA to amend the city’s open container law to allow beer and wine upon the pedal bike to be consumed in the passenger area. At the July 15, 2014 City Council meeting the City Council directed staff to amend the Municipal Code to allow for open container on city property by permit for recreational transit operations within the city limits. The proposed code amendments will specifically allow for such use and exception to the open container law.

The proposed letter of agreement sets forth the permit terms and standards for the operation of the recreational vehicle upon city streets, similar to the City of Boise’s permitting system. The Municipal Services Department is working to amend the municipal transportation codes that would include the regulations for taxi’s as well as recreational vehicles. This pilot project will provide a basis for the code related to recreational vehicles.

FINANCIAL ANALYSIS: There will be some minor codification cost associated with the code amendment, and a \$50.00 permit fee will be collected upon approval of the letter of agreement.

PERFORMANCE ANALYSIS: Approving the code amendment will allow Socially Geared CDA to move forward with providing services that will include open container upon the pedal bike.

DECISION POINT/RECOMMENDATION:

- To approve Council Bill 14-1016 amending Municipal Code 4.25.030 to allow for open container exceptions upon the pedal bike(s) and/or Non-motorized recreational vehicles in the passenger area while operating within the City limits; and amending Municipal Code 5.08.160 to allow for the exception to the open container law on pedal bike(s) and/or non-motorized recreational vehicles through a city issued permit.
- To approve Resolution No. 14-039 approving a letter of Agreement with Mark Brown d/b/a Socially Geared CDA to permit open container upon the pedal bike recreational vehicle.

ORDINANCE NO. _____
COUNCIL BILL NO. 14-1016

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTIONS 4.25.030, AND 5.08.160 TO PROVIDE EXCEPTIONS TO THE OPEN CONTAINER LAWS TO ALLOW FOR A CONSUMPTION UPON CITY RIGHT-OF-WAY WITHIN A PEDAL BIKE AND/OR NON-MOTORIZED VEHICLE WHEREIN PASSENGER AREAS ARE SEPARATE FROM THE DRIVER AREA, BY PERMIT ONLY; PROVIDING REPEAL OF CONFLICTING ORDINANCES; PROVIDING SEVERABILITY; PROVIDING THE PUBLICATION OF A SUMMARY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, after recommendation by the General Services Committee, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said amendments be adopted; NOW, THEREFORE,

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

SECTION 1. *That Coeur d'Alene Municipal Code Section 4.25.030 is amended to read as follows:*
4.25.030: BEER, WINE AND LIQUOR PROHIBITIONS ON PUBLIC PROPERTY:

A. No person shall possess any container, whether open or not, containing any beer, wine or other alcoholic beverage on any city owned, leased or maintained beach, natural area, park, playground or play field.

B. The provisions of this section do not prohibit the city from issuing permits for the possession and consumption of beer, wine or other alcoholic beverages at the following locations:

1. Riverstone Park gazebo and amphitheater;
2. Jewett House;
3. City Park;
4. McEuen Park

5. Upon city right-of-way on pedal bike(s) and/or ~~non-motorized recreational vehicles where passenger areas are separate from the driver areas.~~

SECTION 2. *That Coeur d'Alene Municipal Code Section 5.08.160 is amended to read as follows:*

5.08.160: BEER, WINE OR LIQUOR PROHIBITIONS WITHIN THE CITY; EXCEPTIONS:

A. No person shall consume any beer, wine or other alcoholic beverage or possess an open container of or containing any beer, wine or other alcoholic beverage on any public property, including public streets and alleys, within the city, or at any other place in the city, including any motor vehicle moving or stationary, with the following exceptions:

1. The premises of a private residence;

2. Premises licensed for the sale of on-site consumption of the particular type of alcoholic beverage involved;
3. A certified forensic laboratory when the alcoholic beverage is possessed for evidentiary purposes and/or for testing and research purposes;
4. A public law enforcement facility possessing alcoholic beverages for evidentiary purposes or for training purposes;
5. Within the indoor premises of a private business when served free of charge to customers or patrons of the business in conjunction with a specific event then taking place inside the business premises;
6. On a public sidewalk and/or other public right of way when such sidewalk or right of way is contiguous to a permitted outdoor eating facility, but only after issuance of and pursuant to the terms of a permit authorized by the city council. Criteria that must be met for a permit to issue shall be set forth by resolution of the city council.
7. On a public right of way when used on pedal bike(s) and/or non-motorized recreational vehicle in which the passenger areas are separate from the driver area, but only after issuance of and pursuant to the terms of a permit authorized by the city council. Criteria that must be met for a permit to issue shall be set forth by resolution of the city council.
78. Within the indoor premises of the Coeur d'Alene Public Library when served free of charge to patrons or event attendees in conjunction with a specific event hosted by the Coeur d'Alene Public Library Foundation, the Friends Of The Coeur d'Alene Public Library or other associated library organizations, pursuant to rules and policies adopted by the Coeur d'Alene library board of trustees for such events.
89. As otherwise permitted by this code.

SECTION 3. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4. Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to the effective date of this ordinance or be construed as a waiver of any license or penalty due under any such ordinance or in any manner affect the validity of any action heretofore taken by the City of Coeur d'Alene City Council or the validity of any such action to be taken upon matters pending before the City Council on the effective date of this ordinance.

SECTION 5. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

SECTION 6. 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 September 2, 2014.

APPROVED, ADOPTED and SIGNED this 2nd day of September, 2014.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____

Amending M.C. 4.25.030 and 5.08.160 to provide for exceptions to the open container laws.

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTIONS 4.25.030, AND 5.08.160 TO PROVIDE EXCEPTIONS TO THE OPEN CONTAINER LAWS TO ALLOW FOR A CONSUMPTION UPON CITY RIGHT-OF-WAY WITHIN A PEDAL BIKE AND/OR NON-MOTORIZED VEHICLE WHEREIN PASSENGER AREAS ARE SEPARATE FROM THE DRIVER AREA, BY PERMIT ONLY; PROVIDING REPEAL OF CONFLICTING ORDINANCES; PROVIDING SEVERABILITY. 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, Warren J. Wilson, am a Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, Amending M.C. 4.25.030 and 5.08.160 to provide for exceptions to the open container laws 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 2nd day of September, 2014.

Warren J. Wilson, Chief Deputy City Attorney

RESOLUTION NO. 14-038

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A LETTER OF AGREEMENT WITH MARK BROWN D/B/A SOCIALLY GEARED CDA FOR THE COMMERCIAL USE OF THE CITY STREETS FOR RECREATIONAL TRANSIT.

WHEREAS, it is recommended that the City of Coeur d'Alene enter into a Letter of Agreement, pursuant to terms and conditions set forth in an agreement, a copy of which is attached hereto as Exhibit "1" and by 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, by the Mayor and City Council of the City of Coeur d'Alene that the City enter into a Letter of Agreement for the Commercial Use of the City Streets For Recreational Transit, 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.

DATED this 2nd day of September, 2014.

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 ADAMS Voted _____



CITY OF COEUR D'ALENE

710 E. Mullan Avenue
Coeur d' Alene, Idaho 83814
(208)769-2300

LETTER OF AGREEMENT

September 2, 2014

Mark Brown d/b/a Socially Geared CDA
P.O. Box 2791
Hayden, ID 83835

Dear Mr. Brown:

This letter shall serve as an agreement for the commercial use of the city streets for recreational transit. The parties understand that the City of Coeur d'Alene is in the process of creating regulations for recreational transit services. In order to allow Socially Geared CDA to provide services throughout the remainder of 2014, this agreement shall serve as the permit terms in advance of adopted regulations.

Attached and incorporated herein as Exhibit A, is an application for a recreational transit permit, which includes Socially Geared CDA contact information. Mr. Brown agrees that in consideration of this agreement he will pay \$50.00, provide proof of Liability insurance in the minimum amount of \$500,000, provide the hours of operation, and a map of route(s).

This permit is valid only when Socially Geared CDA is in compliance with the following conditions.

1. Operation of the vehicle in a bicycle lane is prohibited
2. Operation of the vehicle in any City Park requires the written permission from the Parks Department.
3. Operation of the vehicle on the Centennial or Prairie Trail is prohibited
4. The operator may not provide or supply any alcohol to any patron. The patron must bring their own alcohol in a sealed container and may only consume while aboard the vehicle.
5. Compliance with all laws for all slow moving vehicles (signage, lighting, reflectors etc.) is required
6. Compliance with all laws including but not limited to those laws regarding the sale, service, possession, and consumption of alcohol is required.
7. This vehicle is limited to consumption of beer and wines as prescribed by the Bureau of Alcohol, Tobacco, and Firearms.

Due to unforeseen circumstances, the City reserves the right to add or modify the conditions at any times as deemed necessary to maintain peace, order, and safety within the City limits. Failure to comply with all conditions imposed upon issuance may result in the immediate suspension or revocation of this permit by the City Clerk or their designee or by any law enforcement Officer

Representative
City of Coeur d'Alene

Mark Brown
Owner, Socially Geared CDA



CITY OF COEUR D'ALENE

MUNICIPAL SERVICES DEPARTMENT

CITY HALL, 710 E. MULLAN
COEUR D'ALENE, IDAHO 83816-3964
208.769.2229 kathylew@cdaid.org

Amt Paid _____
Rec No. _____
Date issued _____
Lic No : _____ By _____

APPLICATION for a PEDAL BIKE RECREATIONAL TRANSIT OPERATOR PERMIT
Fee \$50.00 Expires 12/31 ANNUALLY - \$10.00 additional fee to add or remove vehicles

_____ Copy of Insurance attached \$500,000 for bodily or personal injury, death, or property damage, or loss as a result of any one occurrence, or accident, regardless of the number of persons injured or the number of claimants. The insurance policy shall inure to the benefit of any person who is injured or sustains damage to property proximately caused by the negligence of the licensee, his servants, or agents.

_____ Self Declaration form completed

Name of Company: _____ Bus Tel No. _____

Address: _____

Insurance Company _____

Insurance Agent _____ Phone _____

Name of Owner /Principals _____

Home Address: _____

Telephone No. _____ Cell: _____ e-mail: _____

Is your office located in a residence in the City of Coeur d'Alene Y or N

If yes, have you applied for and obtained a Home Occupation Certificate? _____

Number of Vehicles Total No. of Vehicles _____

Make & Model _____ Lic # _____ Vin# _____ Add Del Renew

Make & Model _____ Lic # _____ Vin# _____ Add Del Renew

Make & Model _____ Lic # _____ Vin # _____ Add Del Renew

I HEREBY CERTIFY THAT THERE HAVE BEEN NO CHANGES IN THE ABOVE NAMED BUSINESS DURING THE PAST LICENSED YEAR OTHER THAN INDICATED AND THAT ALL VEHICLES ARE COVERED BY THE REQUIRED INSURANCE AS PER THIS PERMIT.

Signature of Applicant _____ Date _____

Name Printed _____



CITY OF COEUR D'ALENE

MUNICIPAL SERVICES DEPARTMENT

CITY HALL, 710 E. MULLAN
COEUR D'ALENE, IDAHO 83816-3964
208.769.2229 kathylew@cdaid.org

Amt Paid _____
Rec No. _____
Date issued _____
Lic No : _____ By _____

Driver 1. Information:

Name: _____

Physical Address: _____

Mailing Address: _____

Date of Birth _____ Cell phone _____ email address _____

Have you received any driving citations within the past two years Y or N

If yes explain: _____

Driver 2. Information:

Name: _____

Physical Address: _____

Mailing Address: _____

Date of Birth _____ Cell phone _____ email address _____

Have you received any driving citations within the past two years Y or N

If yes explain: _____

Driver 3. Information:

Name: _____

Physical Address: _____

Mailing Address: _____

Date of Birth _____ Cell phone _____ email address _____

Have you received any driving citations within the past two years Y or N

If yes explain: _____



CITY OF COEUR D'ALENE

MUNICIPAL SERVICES DEPARTMENT

CITY HALL, 710 E. MULLAN
COEUR D'ALENE, IDAHO 83816-3964
208.769.2229 kathylew@cdaid.org

Amt Paid _____
Rec No. _____
Date issued _____
Lic No : _____ By _____

_____ Please supply a map of all routes showing all street names and anticipated time frames at each location or describe route in detail below including street names and include anticipated time frame at each location.

What are your hours of operation? _____

What days do you operate? _____

PUBLIC HEARINGS

Finance Department Staff Report

Date: August 28, 2014
From Vonnie Jensen, Deputy Finance Director
Subject: 2014-2015 Fiscal Year Financial Plan (Annual Appropriation)

Decision Point: To approve Council Bill No. 14-1017, the Annual Appropriation Ordinance for the fiscal year beginning October 1, 2014.

History: Each year Idaho code requires that the City Council approve an appropriations ordinance. The purpose of the ordinance is to establish a ceiling for expenditures and disclose the potential property tax revenue necessary to balance the budget. The financial plan or budget is the guide and detailed report for establishing these numbers.

Financial analysis: The financial plan is an estimate of revenues and expenditures (including interest and principal payments on debt) for the upcoming year. The expenditures are classified by department as well as by fund or service and the revenues are classified by source. Included in the budget are actual revenues and expenditures from the prior two fiscal years, budgeted revenues and expenditures for the current fiscal year, and proposed revenues and expenditures for the upcoming fiscal year. The revenues include a 0% increase in property tax revenue, no foregone property taxes and \$669,966 in new growth property taxes.

Decision Point: To approve Council Bill No. 14-1017, the Annual Appropriation Ordinance for the fiscal year beginning October 1, 2014.

ORDINANCE NO. 3493

AN ORDINANCE ENTITLED "THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014" APPROPRIATING THE SUM OF \$74,561,945 TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF COEUR D'ALENE FOR SAID YEAR; LEVYING A SUFFICIENT TAX UPON THE TAXABLE PROPERTY WITHIN SAID CITY FOR GENERAL REVENUE PURPOSES FOR WHICH SUCH APPROPRIATION IS MADE; LEVYING SPECIAL TAXES UPON THE TAXABLE PROPERTY WITH SAID CITY FOR SPECIAL REVENUE PURPOSES WITHIN THE LIMITS OF SAID CITY OF COEUR D'ALENE, IDAHO; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE HEREOF.

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

Section 1

That the sum of \$74,561,945 be and the same is hereby appropriated to defray the necessary expenses and liabilities of the City of Coeur d'Alene, Kootenai County, Idaho, for the fiscal year beginning October 1, 2014.

Section 2

That the objects and purposes for which such appropriations are made are as follows:

GENERAL FUND EXPENDITURES:	
Mayor and Council	\$ 237,027
Administration	294,883
Finance Department	735,745
Municipal Services	1,552,600
Human Resources	246,929
Legal Department	1,476,346
Planning Department	549,988
Building Maintenance	480,102
Police Department	11,216,460
Drug Task Force	25,710
ADA Sidewalks	265,657
COPS Grant	169,690
Fire Department	8,265,708
General Government	49,150
Engineering Services	1,287,825
Streets/Garage	2,515,577
Parks Department	1,869,944

Recreation Department	796,341
Building Inspection	842,057
TOTAL GENERAL FUND EXPENDITURES:	\$ 32,877,739
SPECIAL REVENUE FUND EXPENDITURES:	
Library Fund	\$ 1,387,111
Community Development Block Grant	359,966
Impact Fee Fund	194,956
Parks Capital Improvements	244,000
Annexation Fee Fund	117,000
Insurance / Risk Management	420,000
Cemetery Fund	284,190
Cemetery Perpetual Care Fund	97,500
Jewett House	67,089
Reforestation/Street Trees/Community Canopy	68,500
Arts Commission	6,750
Public Art Funds	210,600
TOTAL SPECIAL FUNDS:	\$ 3,457,662
ENTERPRISE FUND EXPENDITURES:	
Street Lighting Fund	\$ 535,600
Water Fund	8,325,955
Wastewater Fund	14,709,771
Water Cap Fee Fund	700,000
WWTP Cap Fees Fund	1,913,000
Sanitation Fund	3,560,334
City Parking Fund	220,839
Drainage Fund	1,179,109
TOTAL ENTERPRISE EXPENDITURES:	\$ 31,144,608
FIDUCIARY FUNDS:	\$ 2,575,420
STREET CAPITAL PROJECTS FUNDS:	3,257,500
DEBT SERVICE FUNDS:	1,249,015
GRAND TOTAL OF ALL EXPENDITURES:	\$ 74,561,944

Section 3

That a General Levy of \$17,029,716 on all taxable property within the City of Coeur d'Alene be and the same is hereby levied for general revenue purposes for the fiscal year commencing October 1, 2014.

Water Cap Fee Fund	700,000
WWTP Cap Fees Fund	1,913,000
Sanitation Fund	3,560,334
City Parking Fund	220,839
Drainage Fund	1,179,109
TOTAL ENTERPRISE EXPENDITURES:	<u>\$ 31,144,608</u>
FIDUCIARY FUNDS:	\$ 2,575,420
STREET CAPITAL PROJECTS FUNDS:	3,257,500
DEBT SERVICE FUNDS:	1,249,015
GRAND TOTAL OF ALL EXPENDITURES:	<u><u>\$ 74,561,944</u></u>

Public Comments
A-4-14, ZC-1-14
Lilac Glen

From: Janet E. Bourque [mailto:brightstargrants2@yahoo.com]
Sent: Tuesday, August 12, 2014 7:36 PM
To: STUHMILLER, SHANA
Subject: OPPOSE! THE LILAC GLEN PROJECT! (A-4-14 and ZC-1-14/
ANNEXATION, SUBDIVISION, ZONE CHANGE, PUD & SPECIAL USE PERMIT)

[√] We OPPOSE!

THE LILAC GLEN PROJECT! (A-4-14 and ZC-1-14/ ANNEXATION, SUBDIVISION,
ZONE CHANGE, PUD & SPECIAL USE PERMIT)

Fred and I lived at 810 Victorian Drive for 12 years and just recently moved across town.
We still live within the city limits of Coeur d Alene.

Part of this rezone effort encompasses a wetland that flows into Lake Coeur d Alene and
Lake Fernan. This property is not conducive to the type of building that would be
permitted in a zone change.

[√] We OPPOSE!

THE LILAC GLEN PROJECT! (A-4-14 and ZC-1-14/ ANNEXATION, SUBDIVISION,
ZONE CHANGE, PUD & SPECIAL USE PERMIT)

Janet and Fred Bourque,
3505 Bernoulli Loop
Coeur d Alene Idaho 83815

City of Coeur d'Alene

Coeur d'Alene
City Council

Time: 6:00 p.m.

Location:

Coeur d'Alene Public
Library Community
Room (lower level)

702 E. Front

When:
Tuesday
August 19, 2014

Where is the request located?

Annexation (A-4-14):

The annexation request properties are more specifically described as:
+/- 3.51 acres known as Foss Addition (As amended plus commensurate
portion of Lilac Ln.) and Tax #23111, #23233, & #23555 commonly known as
312-415 N. Lilac Lane, Coeur d'Alene, ID 83814. Located in Section 18,
Township 50 North, Range 3 West, Boise Meridian, Kootenai County, Idaho.

Commonly known as:

312-415 N. Lilac Lane, Coeur d'Alene, ID 83814. Located in Section
18, Township 50 North, Range 3 West, Boise Meridian, Kootenai
County, Idaho

Zone Change (ZC-1-14):

The zone change request is more specifically described as:
+/- 9.52 acre parcel at 2220 & 2310 Pennsylvania Avenue

Legally described as:

A portion of the Northwest Quarter of the Northwest Quarter of the
Southeast Quarter and Tax #4713 & #23274 in Section 18, Township 50
North, Range 3 West, Boise Meridian, Kootenai County, Idaho.

Please see additional information on back



Please cut here

- 1. If you would like to send in a comment, please use this portion of the notice and return to the Planning Department office before August 18, 2014 at 5:00pm
- &/or 2. Phone or visit our office (769-2240) with your concerns or questions.
- &/or 3. Fax your comments to (769-2284).
- &/or 4. Email your comments to shana@cdaid.org
- &/or 5. Come to the public hearing.

Attached
Comments

ITEMS A-4-14 & ZC-1-14

TO: CDA CITY COUNCIL

DATE: August 10, 2014

FROM: MARALEE FOSS
401 Lilac Lane, CDA Idaho

RE: LARRY FLUET PROPOSED DEVELOPMENT

I can not attend the meeting do to hip surgery on Aug.18.

However, I would like you to know that I highly approve this project; it is a lot smaller and more suitable to this area then the previous proposal. IT IS AN EXCELLENT FIT!!!

Opponents complain about change, traffic problems (that already exist), their view and deer kill. They don't even know what change is:

Our family lost half of our property when the freeway came in 1956. The house I was raised in would be under the middle of the East bound freeway lane.

CHANGE:

Lake Villa used to be the Sourdough and a pasture; later with a rifle range with bullets deflecting up hill.

The Lake Villa development caused roads to be on three sides of my mother's house. She had no choice!!! That day she sat down in her backyard and cried.

CHANGE: What great changes have drastically affected our opponents lives?

This is an opportunity for the City Council to approve annexation and this project. It would be another step towards improving the East end of Coeur d'Alene.

Hypothetical Question: If you lived in this development and had to drive to the freeway, which way would you go?

North to Pennsylvania Avenue, turn left on Penn., drive to 15th street, drive thru a school zone, and continue North on 15th street to the 15th street on ramp!

OR

Drive South on the future Lilac lane to Sherman Ave., turn right on Sherman, then turn right again directly on to the freeway on ramp?

From: Shelley Hurtado [<mailto:hurtado@roadrunner.com>]
Sent: Tuesday, August 12, 2014 11:01 AM
To: STUHMILLER, SHANA
Subject: ★★★LILAC GLEN PROJECT PUBLIC HEARING★★★
Importance: High

[✓] I OPPOSE!

THE LILAC GLEN PROJECT! (ANNEXATION, SUBDIVISION, ZONE CHANGE, PUD & SPECIAL USE PERMIT)

I am Shelley Hurtado and live at 2795 Fernan Hill Road, Coeur d' Alene.

I **strongly oppose** the request to Rezone the parcel at the corner of Pennsylvania and 23rd Street from R-3 to R-17.
This project clearly contradicts the City of Coeur d' Alene's current Comprehensive Plan!

The property in question is identified in the 2007 Comprehensive Plan as being located in the "Fernan Hill Bench & NE Hillside" areas.

These areas **as defined on pages 50-53 of the Comprehensive Plan** state:
"This location contains the highest elevations, steepest topography and sparsest population of any region in the Area of City Impact (ACI)."

"The area is sparsely developed with single-family dwellings on lots ranging in size from two acres to several hundred acres."

"**Development** of the area **should reflect careful consideration to ensure preservation of views and vistas.**"

YOUR 2007 Comprehensive Plan goes on to further describe the future ***or "tomorrow"*** characteristics of the Fernan Hill Bench and NE Hillside neighborhoods as being:

"**Overall density** in this area **WILL BE** approximately **ONE** dwelling unit per **FIVE** acres (1:5).

However, in any given development, higher densities up to **THREE** units per acre (3:1) are appropriate where site access is gained **WITHOUT SIGNIFICANT DISTURBANCE, TERRAIN IS RELATIVELY FLAT, and where DEVELOPMENT WILL NOT SIGNIFICANTLY IMPACT VIEWS AND VISTAS.**"

The terrain in this area is ***NOT CONDUCTIVE*** to this type of development.

Please note the attached Geotechnical Hazards Report prepared by STRATA GEOTECHNICAL ENGINEERING & MATERIALS TESTING on May 12, 2003. This report substantiates the fact that the property in question is located in the GTU 4 – BASSALT BEDROCK Terrain Unit.

Page 6 of 10 states:

“Cut slopes will expose stony soil that tends to slough. Basalt bedrock will probably require blasting for deep cuts.” This will be a major concern to the surrounding established neighborhoods as well as the Watershed Management Plan for the Fernan Lake Watershed area.

It is highly likely that the future stability of the hillside itself as well as the homes on that hillside will be put in a compromised position, in jeopardy and/or negatively impacted by building of this scope in the area being referenced for rezoning.

It is further noted:

“Provisions of infrastructure to this area will make development DIFFICULT because of a SIGNIFICANT INCREASE IN TOPOGRAPHICAL EXTREMES” and “POTENTIAL TRAFFIC ISSUES must be addressed prior to development as “downstream” neighborhoods WILL BE IMPACTED.”

Based on the **WORDS**, written in **YOUR** 2007 COMPREHENSIVE PLAN, it is very clear to me as well as the citizens of this community that the developers request to rezone from R3 to R17 should be **DENIED!**

This project undeniably violates the current and future visions for the area. This project WILL impact views and vistas, it WILL create traffic issues and it WILL be extremely difficult to develop due to the topographical extremes of the hillside and surrounding site.

The developer and his investors knew the property was zoned R-3 when they purchased it NOT R-17! I suggest they go back to their drawing board and rework things.

THREE NICELY DESIGNED HOMES PER ACRE which complement the surrounding Fernan Hillside and established neighborhoods, “YES”!

Not a HIGH DENSITY MULTI-UNIT PUD CRAMMED INTO ONE OF COEUR D’ ALENE’S MOST BEAUTIFUL HILLSIDES.

Thank you!

From: lemitt@gmail.com [mailto:lemitt@gmail.com]
Sent: Tuesday, August 12, 2014 10:41 PM
To: STUHMILLER, SHANA
Subject: To the Coeur d'Alene City Council re: THE LILAC GLEN PROJECT (A-4-14 and ZC-1-14/ ANNEXATION, SUBDIVISION, ZONE CHANGE, PUD & SPECIAL USE PERMIT)

The Planning Commission has apparently approved this. As I understand it, the next and final approval lies with you, our elected representatives, on the Coeur d'Alene City Council. I wish to lodge my opposition to this change and request that its approval be declined.

Who am I? Well, to be honest, I live nearly 3/4 of a mile farther up Fernan Hill Road, beyond where this should have any direct impact on me personally. But then, really, it will. I was not born in Coeur d'Alene or the Panhandle. Some years ago I *chose* to live in this town, from many I might have chosen, for its beauty, its charm, its friendliness, its sense of community, its feeling of safety, indeed its removal from so much of what makes so many of our cities today so unlivable. Excluding the darkest moments of winter, I have been forever pleased to have moved here and thankful for such a place in which I could live.

Yet here, as in California, we find this every-growing, incessant, city drumbeat toward "growth". And, as those from California can attest, towns reach a tipping point beyond which they irretrievably lose their character. It is difficult to tell where that point is until it has already been reached. I think we are close to that point right now. What are your plans for our town? Does our City Council envision a city of 100,000? 200,000? 500,000? And, of course, all the problems connected with such size? Why? For what earthly purpose?

This town has been playing around the edges of this for too long. We have highrises downtown permanently blocking the view of the lake for the rest of the residents--ironic in a town calling itself The Lake City. It never seems to end. A few years ago we were confronted with the possibility of a 20-, 30-, or was it 40-story building near Sherman and Coeur d'Alene, which, as I understand it, died only from lack of utility services. Does any of this improve our town's original atmosphere and charm? Obviously not! Its ultimate effect will be, as a fungus, to kill its host.

We are now confronted with this zone-change/subdivision/annexation/special-use/whatever-it-is permit. My question is very simple: Why are we even considering this? Why do this? Why? What is wrong with things as they are now? This property was undoubtedly originally zoned as it was for perfectly good reasons, by people of perfectly sound minds, sometime back. What has changed to justify amending the zoning and approving this now? Why play games in presently nice neighborhoods such as lower Fernan Hill Road and 23rd/ Pennsylvania? Why not just, for once, stop, sit back, think, leave well enough alone, and allow us to enjoy the town we have chosen to live in? Whoever now owns or chooses to purchase this property can make his improvements within the zoning constraints originally envisaged, just like the rest of us.

Lawrence E. (Larry) Mittelstadt
3354 E Fernan Hill Road
Coeur d'Alene 83814

Shana, letting you know that Gail and I oppose this project because of the impact to neighborhood and the access this will provide to back of our properties. In addition, there is no clear indication that this property can not be resold and rezoned for other purposes.

Ed Stevenson
Gail Stevenson

Thanks, Ed
Sent from my mobile office.

From: Sandra Winterer [mailto:sandralee430@yahoo.com]
Sent: Tuesday, August 12, 2014 10:02 PM
To: STUHMILLER, SHANA
Subject: Re: : ★★★LILAC GLEN PROJECT PUBLIC HEARING (A-4-14 and ZC-1-14) ★
★★

Neighbors:
Here is a forward of my opposition. Thanks for being pro- active!
Sandra Winterer

Sent from my iPad

On Aug 12, 2014, at 9:57 PM, Sandra Winterer <sandralee430@yahoo.com> wrote:
I am Sandra Winterer, home owner and resident at 912 N. Balcony Dr. since 2005 in Fernan Hills Estates neighborhood. I agree with my neighbor Shelley Hurtado in strongly opposing this development, siting all details presented in her email below. Another relevant reality is that I have driven up and down the hills of this neighborhood for the past 9 years, and am convinced these streets and narrow corners with cars parked on the street, forcing a one lane passage, is not conducive to dense development.

My cell: 208-691-2515.
I will also be present at the public hearing.
Sandra Winterer

From: Shelley Hurtado [mailto:hurtado@roadrunner.com]
Sent: Tuesday, August 12, 2014 11:01 AM
To: 'shana@cdaid.org'
Subject: ★★★ LILAC GLEN PROJECT PUBLIC HEARING (A-4-14 and ZC-1-14) ★★★
Importance: High

[√] I OPPOSE!

THE LILAC GLEN PROJECT! (A-4-14 and ZC-1-14/ ANNEXATION, SUBDIVISION, ZONE CHANGE, PUD & SPECIAL USE PERMIT)

I am Shelley Hurtado and live at 2795 Fernan Hill Road, Coeur d' Alene.

I strongly oppose the request to Rezone the parcel at the corner of Pennsylvania and 23rd Street from R-3 to R-17.

This project clearly contradicts the City of Coeur d' Alene's current Comprehensive Plan!

The property in question is identified in the 2007 Comprehensive Plan as being located in the "Fernan Hill Bench & NE Hillside" areas.

These areas as defined on pages 50-53 of the Comprehensive Plan state:

“This location contains the highest elevations, steepest topography and sparsest population of any region in the Area of City Impact (ACI).”

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“Overall density in this area WILL BE approximately ONE dwelling unit per FIVE acres (1:5).

However, in any given development, higher densities up to THREE units per acre (3:1) are appropriate where site access is gained WITHOUT SIGNIFICANT DISTURBANCE, TERRAIN IS RELATIVELY FLAT, and where DEVELOPMENT WILL NOT SIGNIFICANTLY IMPACT VIEWS AND VISTAS.”

The terrain in this area is NOT CONDUCTIVE to this type of development.

Please note the attached Geotechnical Hazards Report prepared by STRATA GEOTECHNICAL ENGINEERING & MATERIALS TESTING on May 12, 2003. This report substantiates the fact that the property in question is located in the GTU 4 – BASSALT BEDROCK Terrain Unit.

Page 6 of 10 states:

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It is highly likely that the future stability of the hillside itself as well as the homes on that hillside will be put in a compromised position, in jeopardy and/or negatively impacted by building of this scope in the area being referenced for rezoning.

It is further noted:

“Provisions of infrastructure to this area will make development DIFFICULT because of a SIGNIFICANT INCREASE IN TOPOGRAPHICAL EXTREMES” and “POTENTIAL TRAFFIC ISSUES must be addressed prior to development as “downstream” neighborhoods WILL BE IMPACTED.”

Based on the WORDS, written in YOUR 2007 COMPREHENSIVE PLAN, it is very clear to me as well as the citizens of this community that the developers request to rezone from R3 to R17 should be DENIED!

This project undeniably violates the current and future visions for the area. This project WILL impact views and vistas, it WILL create traffic issues and it WILL be extremely difficult to develop due to the topographical extremes of the hillside and surrounding site.

The developer and his investors knew the property was zoned R-3 when they purchased it NOT R-17! I suggest they go back to their drawing board and rework things.

THREE NICELY DESIGNED HOMES PER ACRE which complement the surrounding Fernan Hillside and established neighborhoods, "YES"!

Not a HIGH DENSITY MULTI-UNIT PUD CRAMMED INTO ONE OF COEUR D' ALENE'S MOST BEAUTIFUL HILLSIDES.

Thank you!

I OPPOSE

>

> As a property owner on Fernan Hill and long time resident of CDA we adamantly OPPOSE the proposed zone change, for all of the obvious and on record reasons. This will be the 2nd attempt in recent years to turn this hillside property into something that clearly contradicts the City of Coeur d' Alene's current Comprehensive Plan!

>

> Daryl/Brenda Elliff

> 2914 Fernan Hill Rd

>

THE LILAC GLEN PROJECT (A-4-14 AND ZC-1-14)

I, WERNER KREMPPELS AND MY WIFE C.J. KREMPPELS RESIDE AT 888 N. VICTORIAN DR. IN THE FERNAN HILLS ESTATES NEIGHBORHOOD. WE BOTH VEHEMENTLY OPPOSE THE ZONING CHANGE FROM R-3 TO R-17. WE'VE LIVED HERE FOR 18 YEARS AFTER MOVING FROM ANOTHER STATE JUST TO GET AWAY FROM OUR PREVIOUS HIGH DENSITY NEIGHBORHOOD, ALSO ON A HILLSIDE. THERE THE CONSTANT NOISE AND CRIME DROVE US AWAY. WE CHOSE THE LAKE CITY FOR ITS TRANQUILITY, THE VIEWS AND RELATIVE SAFETY. EVERY ONE OF OUR FRIENDS AND NEIGHBORS OPPOSE THE ZONING CHANGE AND THEY HAVE SUBJECTED ALL THEIR REASONS FOR DOING SO. WE CAN'T SIMPLY CAN'T IMAGINE THE EFFECT OF BEDROCK, WATERSHED AND NATURAL DRAINAGE DISTURBANCE. THE ADDED NOISE, TRAFFIC AND CRIME WILL ADD TO OUR FEELING OF "NOT SO SAFE ANYMORE". PLEASE PUT YOURSELVES IN OUR SHOES. OUR POLICE IS ALREADY OVERWHELMED WITH A RATIO OF ONE OFFICER TO APPROXIMATELY 1000 RESIDENTS. WE WILL BE PRESENT AT THE HEARING.

REGARDS, WERNER KREMPPELS - CELL 699-1241
CJ KREMPPELS

From: Anny Lemke [mailto:annylemke@yahoo.com]

Sent: Tuesday, August 12, 2014 4:23 PM

To: STUHMILLER, SHANA

Subject: The Lilac Glen Project

My husband and I are unable to attend the Aug 19 meeting but do wish to have our voices heard. We have lived on Fernan Hill since 1992. We oppose the Lilac Glen project with special emphasis on the zoning change to R17. This project will increase traffic in the area and cause a possible destruction of the hillside. There will be an increase in demand for police, fire and public transportation and a degradation property values. Please listen to those in the community most adversely effected by this proposal and vote no.

Thank You

Anny and Don Lemke

917 Veranda Dr

From: Dick Powell [mailto:gmanflyer@roadrunner.com]
Sent: Tuesday, August 12, 2014 4:49 PM
To: STUHMILLER, SHANA
Subject: LILAC GLEN PROJECT PUBLIC HEARING

I AM RICHARD POWELL, 2912 E. Fernan Hill Rd., Coeur d'Alene. I am opposed to the request to rezone the requested area from R-3 to R-17. I am no legal expert but it appears to me that an honest reading of the 2007 Comprehensive Plan, for growth in Coeur d'Alene, clearly shows the submitted request to be outside the boundaries set forth in the 2007 Comprehensive Plan. Further I do not believe the information submitted for the rezoning request is really what is finally going to be built at that location.

I think what we have going on here is the old switcharoo. The developer gets the City to change the zoning from R-3 to R-17 and then waits for awhile to let things settle down and then he will be able to submit a new and totally different plan that fits the R-17 zoning which the City will be hard pressed to change back to R-3. The developer will then build something totally different than originally submitted in his plan i.e. Rent Subsidy housing, Multiple story low income housing, etc.

This location is not suited for additional high level population or high density traffic as is being proposed. I would urge the planners to take a close look at the property, the 2007 Comprehensive Plan and any study which has been done reflecting what a development as is being proposed will do to Local school populations, the need for many more City services and the impact to overall property values in the surrounding area. Thank you for your consideration,
Richard Powell

CHARLES M. & DIANA J. DODSON
3769 FAIRWAY DRIVE
COEUR D'ALENE ID 83815

August 27, 2014

To the City Counsel
City of Coeur d'Alene
701 Mullan Avenue
Coeur d'Alene ID 83814

RE: Lilac Glen Project Public Hearing (A-4-14 and ZC-1-14)

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF COEUR D'ALENE

Dear Honorable Mayor Widmeyer and City Council:

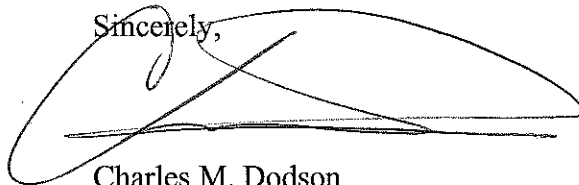
I have had the blessing of being a resident either in the City of Coeur d'Alene or close to the City of Coeur d'Alene for 58 of my 65 years. I have always called Coeur d'Alene my home, and I remember my first contact with the City of Coeur d'Alene then a sleepy little town of approximately 10,000 people.

I have embraced the growth of the City of Coeur d'Alene and have found the same for the most part to be orderly and in compliance with the various comprehensive plans that have been adopted from time to time since the Land Use Planning Act was adopted and the City has adopted comprehensive plans and zoning ordinances. I have had the opportunity to review the letter of Shelley Hurtado, and while I respect her ability to voice her opinion, I do not share that same opinion. Rather than launch into a lengthy diatribe as to why the project does not contradict the City's current comprehensive plan, nor its zoning ordinances, I will defer to your very well qualified and able planning staff as well as your able and qualified counsel. Those individuals and counsel can provide you a neutral outlook and analysis of whether or not the project fits within the City's Comprehensive Plan and current Zoning ordinances (noting particularly that if it did not I could not in my wildest imagine believe that the Planning Commission would forward it on to you with a do pass recommendation).

Needless to say I support the proposal, with specific knowledge of the studies that the City has had commissioned to determine how best to facilitate growth in an orderly manner and in compliance with the City's Comprehensive Plan and Zoning Ordinances. I also recognize the City is literally squeezed in by the lake to the south, the hillsides to the east, Dalton Gardens and the City of Hayden to the north, Post Falls and Huetter to the west, and there is very limited area where the City can grow in order to maintain its economic integrity. This project will facilitate that economic integrity and growth and be a benefit for all citizens of the City of Coeur d'Alene and those who avail themselves of the opportunity to visit this beautiful City.

I will not be present to speak but would request that this be entered into the record.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles M. Dodson". The signature is written in a cursive style with a large, sweeping loop at the end.

Charles M. Dodson

CMD/mab

**CITY COUNCIL
STAFF REPORT**

FROM: SEAN E. HOLM, PLANNER
DATE: SEPTEMBER 2, 2014
SUBJECT: ZC-1-14 - ZONE CHANGE REQUEST OF +/- 9.52 ACRES FROM R-3 TO R-8 AND R-17
A-4-14 – ZONING IN CONJUNCTION WITH ANNEXATION OF +/-3.51 ACRES FROM COUNTY AGRICULTURAL-SUBURBAN TO R-3 & R-8
LOCATION: +/- 13.03 ACRE PARCEL BETWEEN PENNSYLVANIA AVENUE, FERNAN HILL ROAD, LILAC LANE AND INTERSTATE-90

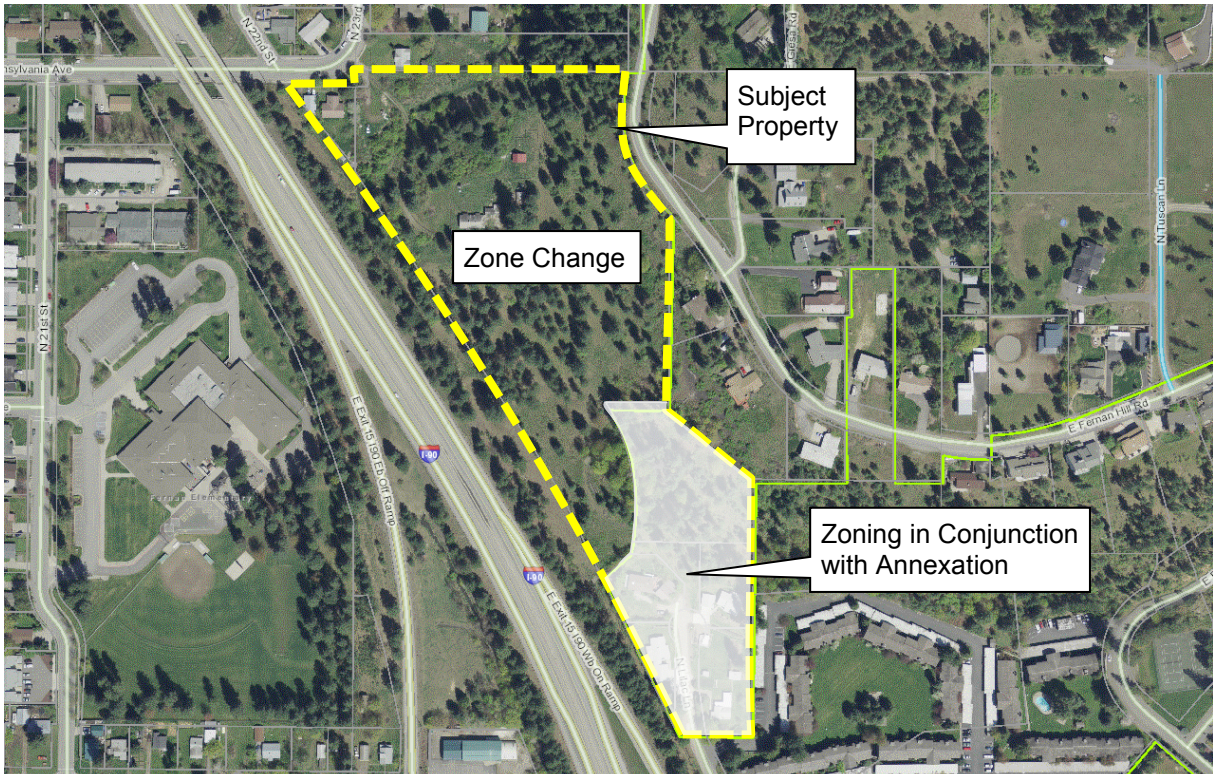
APPLICANT:

Owner: Larry Fluet Revocable Trust
722 N. Frosty Hill Pine Trail
Coeur d'Alene, ID 83814

DECISION POINT:

Larry Fluet Revocable Trust is requesting approval of a Zone Change from R-3 Hillside (Residential at 3 units/acre) to a mix of R-3, R-8, and R-17 (Residential at 3, 8, & 12 units/acre) zoning districts for property currently in city limits. In addition, the applicant is requesting approval of Zoning in Conjunction with Annexation from County Agricultural - Suburban to an R-3 (Residential at 3 units/acre) and R-8 (Residential at 8 units/acre) zoning district.

Area Map:



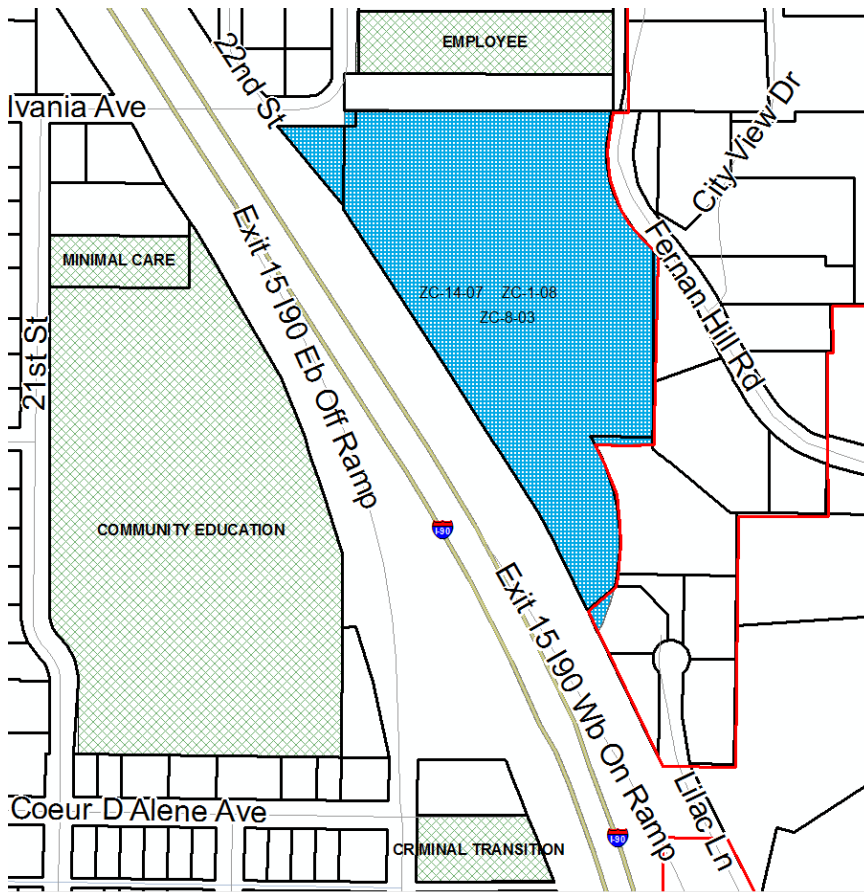
GENERAL INFORMATION:

Larry Fluet Revocable Trust is proposing to develop a +/-13.03 acre parcel bounded by I-90, Lake Villa Apartments, E Fernan Hill Rd., and where E. Pennsylvania Ave. meets N. 23rd Street. A southerly portion measuring +/-3.51 acres of the 13 acre parcel is currently in the County, but is contiguous to the City limits on three of the four sides. In conjunction with the annexation and zone change, the applicant received approval at the Planning Commission level for PUD and Subdivision to develop 2 assisted living lots (Special Use Permit), 7 duplex lots, and 6 single family lots with a new city street and associated city utilities. The applicant wishes to annex the 3.51 acre parcel into the City to consolidate the project site.

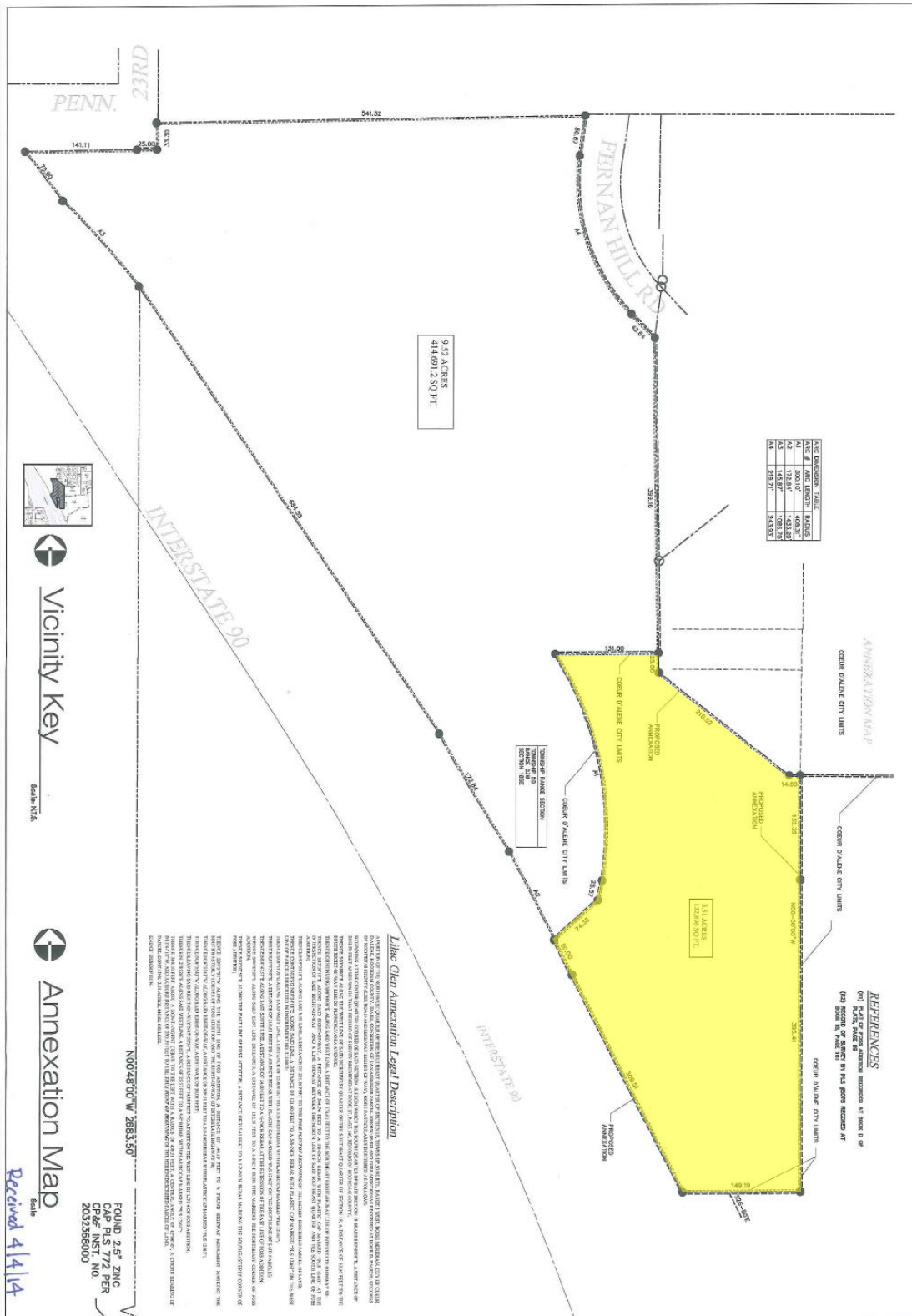
Planning Commission reviewed the annexation and zone change request on June 10th, 2014 and recommended approval to City Council by a 4 to 0 vote.

Prior Land Use Hearings:

- ZC-8-03 From R3 TO R-12 DENIED
- ZC-14-07 From R-3 to R8 WITHDRAWN
- ZC-1-08 From R-3 to R8 WITHDRAWN
- PUD-1-08 "Pennsylvania Highlands" WITHDRAWN



Annexation Map:



EX4.0 MILLERSTAUFFER ARCHITECTS
 Lilac Glen proposed Annexation Coeur d'Alene, Idaho
 Proposed Annexation 4-1-14
 601 FRONT AVE. STE. 201 // COEUR D'ALENE, ID 83814 // PH 208+664-1773

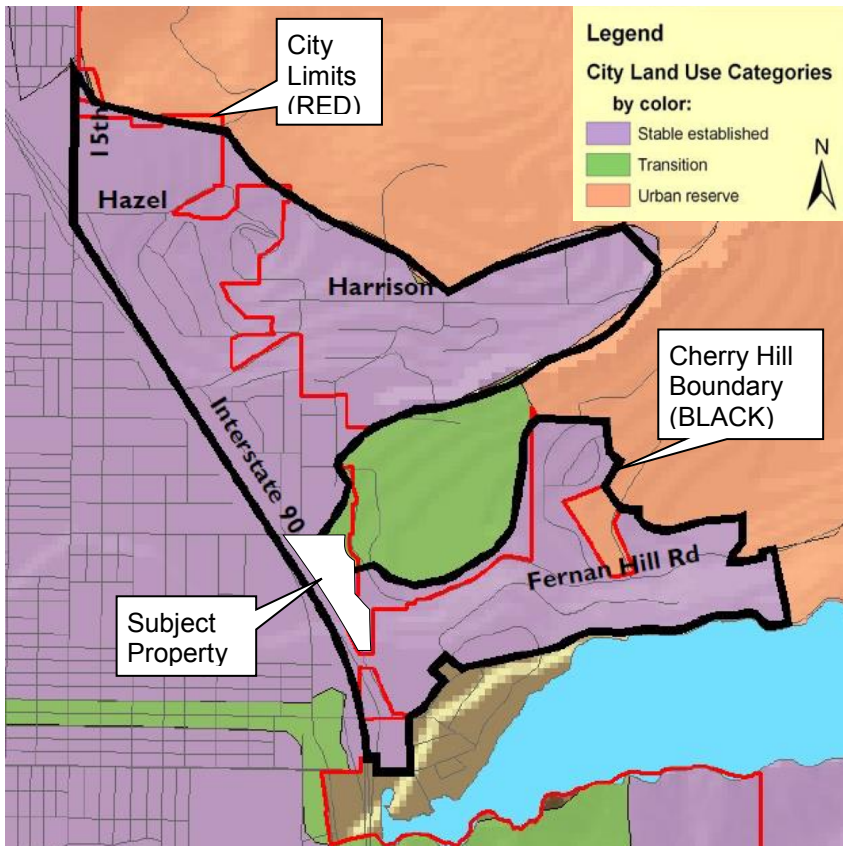
REQUIRED FINDINGS (For Annexation & Zone Change):

- A. **Finding #B8:** That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.

2007 COMPREHENSIVE PLAN: LAND USE CATEGORIES:

- The subject property is partially within the existing city limits
See Area Map/General Information Pg. 1 & 2
- The City Comprehensive Plan Map designates this area as:
Cherry Hill - Stable Established & Fernan Hill Bench - Transition:

Cherry Hill Comp Plan Map:



Stable Established:
These areas are where the character of neighborhoods has largely been established and, in general, should be maintained. The street network, the number of building lots, and general land use are not expected to change greatly within the planning period.

Cherry Hill Today:

This area is actually comprised of two hillsides, Cherry/Stanley Hill and Fernan Hill, as well as surrounding lands with less challenging slopes. Deer, elk, and bear frequent the area. These characteristics provide a very pleasant environment, but combined with clay soils, can provide development challenges.

The majority of this area is already inside city boundaries with the exception of the eastern part of the Cherry/Stanley Hill area.

Development in this area is typically single-family with densities ranging between one and three units per acre (1-3:1). Sewer is provided to all areas within city limits, but developments in unincorporated areas use septic tanks. Coeur d'Alene's Sewer Master Plan (www.cdaid.org) shows that sewer service can be provided to this area in the future.

Water is provided to most of the developed area by the city's water system, which was acquired by the city from the Idaho Water Company in the 1970s. A unique aspect of the water system in the Cherry/Stanley Hill area that has a major impact on the development of the area is that, although this area is served by the city water system, generally, new water hookups are not allowed unless the property is within city boundaries. The Coeur d'Alene Water Master Plan (www.cdaid.org) indicates that this area can be served with water, with the exception of those areas above elevation contour 2,240 feet (the maximum water service elevation for the city).

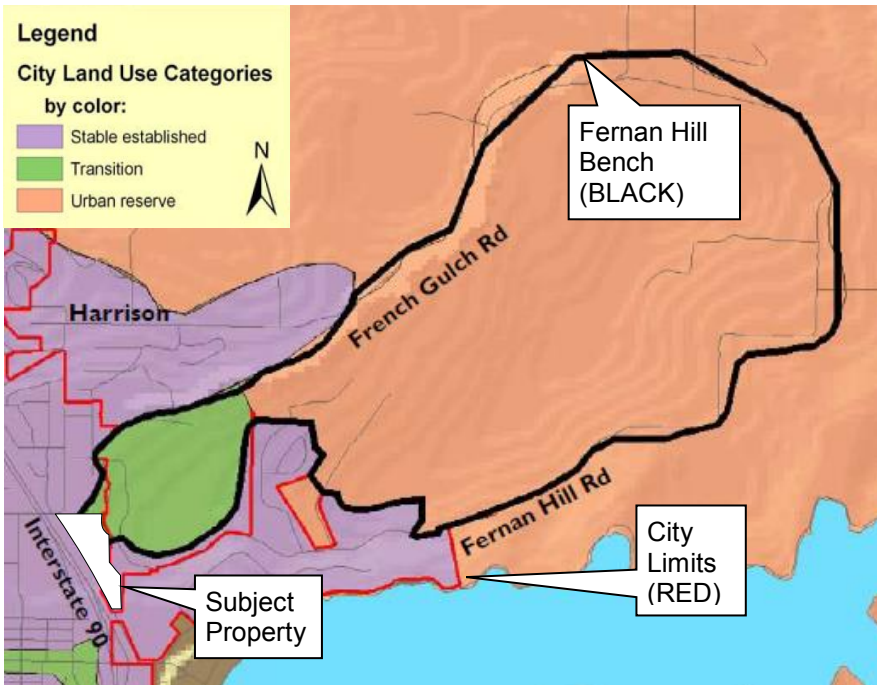
Cherry Hill Tomorrow

This area will continue to develop as a lower density single-family residential area with care taken to preserve natural vegetation, views, and open space on steeper slopes. Future development will present challenges in preserving open space and tree cover, and providing necessary infrastructure in the context of hillside development. As this area continues to develop, parcels not suitable for development should be preserved as open space through conservation easements, clustering, and acquisitions.

The characteristics of Cherry Hill neighborhoods will be:

- That overall density in this area will be approximately one dwelling unit per acre (1:1). However, in any given development, higher densities, up to three units per acre (3:1) are appropriate where site access is gained without significant disturbance, terrain is relatively flat, natural landforms permit development, and where development will not significantly impact views and vistas.
- Limited opportunity for future development.
- Developments within the Fernan Lake Watershed should reflect careful consideration of the impacts of the development on water quality in Fernan Lake.
- Clustering of smaller lots to preserve large connected open space areas as well as views and vistas are encouraged.
- Incentives will be provided to encourage clustering.

Fernan Hill Comp Plan Map:



Transition:
These areas are where the character of neighborhoods is in transition and should be developed with care. The street network, the number of building lots, and general land use are expected to change greatly within the planning period.

Land Use: Fernan Hill Bench

Fernan Hill Bench Today:

This area is generally located between French Gulch and Fernan Hill roads and extends east from Interstate 90 approaching the Area of City Impact (ACI) boundary. The area is sparsely developed with single-family dwellings on lots ranging in size from two acres to several hundred acres.

The Fernan Hill Bench consists of gently rolling terrain with adjacent, increasingly steep slopes. Coniferous forest dominates a majority of this area.

Fernan Hill Bench Tomorrow

Future development will require infrastructure and hillside development, and will present tree and open space preservation challenges. The area is generally envisioned to continue to develop as a lower density, single-family area with care taken to preserve the natural vegetation, views, and open space on steeper slopes.

The characteristics of Fernan Hill Bench neighborhoods will be:

- That overall density in this area will be approximately one dwelling unit per five acres (1:5). However, in any given development, higher densities up to three units per acre (3:1) are appropriate where site access is gained without significant disturbance, terrain is relatively flat, natural landforms permit development, and where development will not significantly impact views and vistas.
- As the area grows, parcels not suitable for development should be preserved for open space through conservation easements, clustering, acquisitions, etc.
- Provision of infrastructure to this area will make development difficult because of a significant increase in topographical extremes east of Fernan Hill Estates subdivision.
- Potential traffic issues must be addressed prior to development as “downstream” neighborhoods will be impacted.
- Clustering of smaller lots to preserve large connected open space areas as well as views and vistas are encouraged.
- Incentives will be provided to encourage clustering.

COMPREHENSIVE PLAN GOALS & OBJECTIVES:

- **Objective 1.02 - Water Quality:**
Protect the cleanliness and safety of the lakes, rivers, watersheds, and the aquifer.
- **Objective 1.05 - Vistas:**
Protect the key vistas and view corridors of the hillsides and waterfronts that make Coeur d’Alene unique.
- **Objective 1.06 - Urban Forests:**
Enforce minimal tree removal, substantial tree replacement, and suppress topping trees for new and existing development.
- **Objective 1.08 - Forests & Natural Habitats:**
Preserve native tree cover and natural vegetative cover as the city’s dominant characteristic.
- **Objective 1.10 - Hillside Protection:**
Protect the natural and topographic character, identity, and aesthetic quality of hillsides.
- **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 1.12 - Community Design:**
Support the enhancement of existing urbanized areas and discourage sprawl.
- **Objective 1.13 - Open Space:**
Encourage all participants to make open space a priority with every development and annexation.
- **Objective 1.14 - Efficiency:**
Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.
- **Objective 1.15 - Natural Terrain:**
Wherever possible, the natural terrain, drainage, and vegetation should be preserved with superior examples featured within parks and open spaces
- **Objective 1.16 - Connectivity:**
Promote bicycle and pedestrian connectivity and access between neighborhoods, open spaces, parks, and trail systems.
- **Objective 1.17 - Hazardous Areas:**
Areas susceptible to hazardous conditions (e.g. flooding, landslides, earthquakes, etc.) should be left in a natural state unless impacts are mitigated.
- **Objective 2.02 - Economic & Workforce Development:**
Plan suitable zones and mixed use areas, and support local workforce development and housing to meet the needs of business and industry.
- **Objective 2.05 - Pedestrian & Bicycle Environment:**
Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances
- **Objective 3.01 - Managed Growth:**
Provide for a diversity of suitable housing forms within existing neighborhoods to match the needs of a changing population
- **Objective 3.05 - Neighborhoods:**
Protect and preserve existing neighborhoods from incompatible land uses and developments.
- **Objective 3.14 - Recreation:**
Encourage city-sponsored and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities, hiking and biking pathways, open space, passive parks, and water access for people and boats.
- **Objective 3.08 - Housing:**
Design new housing areas to meet the city's need for quality neighborhoods for all income and family status categories.
- **Objective 3.10 - Affordable & Workforce Housing:**
Support efforts to preserve and provide affordable and workforce housing.
- **Objective 3.16 - Capital Improvements:**
Ensure infrastructure and essential services are available prior to approval for properties seeking development.

- **Objective 3.18 - Transportation:**
Provide accessible, safe and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation, requesting input from authoritative districts and neighboring communities when applicable.
- **Objective 4.02 - City Services:**
Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling and trash collection).
- **Objective 4.06 - Public Participation:**
Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision making process.

Evaluation: *City Council must determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

B. Finding #B9: That public facilities and utilities (are) (are not) available and adequate for the proposed use.

STORMWATER:

City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site.

Assessment:

The stormwater management plan, with swale location, sizing and justifications, is required to be a component of any infrastructure plan submittal for the subject property. All swale upkeep and maintenance will be the responsibility of the homeowners/property owners association for the subdivision. If there is no association, all stormwater maintenance will be the responsibility of the individual lot owners. City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site.

Due to the presence of the French Gulch floodway in a portion of the development, any stormwater containment facility must be designed to eliminate the possibility of captured stormwater mixing with the flows from the creek. Mixing of the separate drainages could result in untreated flows making a direct impact on the lake.

Although is it the developer's prerogative on the design of the stormwater treatment/containment facilities, the preference of the City would be for them to utilize a centralized swale area to facilitate ease of maintenance.

STREETS:

The proposed subdivision is bordered by Pennsylvania Avenue on the north and Sherman Avenue on the south.

Assessment:

The current right-of-way widths and existing constructed streets of both roadways meet City standards.

The subject property is proposing to have one main thoroughfare connecting Pennsylvania Avenue to the existing Lilac Lane, just north of Sherman Avenue, and, one cul-de-sac (+/- 150' deep).

Assessment:

The twenty eight foot (28') proposed interior street meets the newly designated City standard for "urban local street/secondary frontage with parking on one side". The proposed street has a maximum grade of 6.0% which meets City standards and has a meandering design that is intended to reduce vehicle speed. Any points along the roadway that have fire hydrants situated on them will be required to be signed "no parking" in order to maintain the twenty six foot (26') width that is required by the City Fire Department.

The proposed Lilac Lane roadway crosses over the French Gulch waterway through a thirty-six inch (36") culvert, and, a portion of the road will be situated in the floodway as determined by FEMA.

Assessment:

The developer will be required to construct a bridge structure or culvert with an elevation above the 100-year flood elevation, and, capable of passing a 100-year flood event. This structure will require design approval by the City Engineer, and, be capable of safely crossing the heaviest Street Maintenance and Fire Department Vehicles (79,000 lbs). All design calculations will be required to be submitted for approval and construction. Any roadway or portion of roadway, which is located within the floodway zone, will be required to be elevated above the 100-year flood elevation to ensure that inundation does not occur.

The subdivision proposal includes an eight foot (8') multi-use path for bicycles and pedestrians along the westerly side of the roadway.

Assessment:

The minimum recommended width per AASHTO is ten feet (10') for combined use pathways; therefore, the width will be required to meet this recommendation.

The proposed development shows an access road/driveway serving five (5) of the duplex units.

Assessment:

This access road/driveway would be required to meet all of the requirements of the Parking Code and Fire Department access requirements for size, and, lane width's.

The portion of Fernan Hill Road adjoining the three (3) upper lots is under the jurisdiction of the East Side Highway District; therefore, permission in writing would be required from the District that would grant access to the roadway at those designated locations.

-Submitted by Chris Bates, Engineering Project Manager

WATER:

There is insufficient capacity in the public water system to provide adequate domestic, irrigation, and fire flow to the subject property. The property will require the installation of additional water infrastructure in the form of new water mains, fire hydrants, domestic services and irrigation services, including Lilac Ln and Fernan Hill Rd.

Offsite infrastructure improvements will be required to provide adequate fire flow to the proposed subdivision. An existing undersized 4" main in Pennsylvania Ave from 20th St to 23rd St. will be required to be replaced with a minimum 8" main, final size determination will be dependent on ultimate fire flow needed. An

existing 4" and 6" main on Lilac Ln may also need to be replaced if necessary fire flow conditions warrant.

All expenses for improvements will be the responsibility of the developer and any existing water rights associated with this property will be required to be transferred to the City.

-Submitted by Terry Pickel, Assistant Water Superintendent

WASTEWATER:

The Wastewater Utility has no objection to these requests. The proposed development density should have minimal impact to the public wastewater system as determined by the 2013 Wastewater Collection System Master Plan. Any modification that results in increasing the density will require the Applicant to complete a hydraulic capacity analyses to the City's wastewater system.

All public sewer infrastructures must conform to all of the City of Coeur d'Alene Standard Drawings and the Wastewater Utility's Sewer Policies.

Assessment:

The Wastewater Utility shall approve of the placement and the orientation of all public sewer infrastructures. In conformance to Sewer Policy #713, "public sewer infrastructure located in developed streets... shall be installed as close to the centerline as possible to keep the manhole lid out of the travelled lanes."

All private sewer Infrastructures must be owned and maintained by the Lilac Glen Homeowner's Association (HOA), must be located outside of public right-of-way within a common utility easement and must conform to the Idaho State Plumbing Code (2009 Edition).

Assessment:

This project presents site constraints that make public sewer availability prohibitive and nonconforming to current Wastewater Utility Sewer Policies; however, a private sewer system could accommodate this project. Privately owned infrastructures should be located out of the Right-of-way within common utility easements to avoid public/private sewer maintenance complications.

-Submitted by Mike Becker, Utility Project Manager

FIRE:

The Fire Department works with the Engineering and Water Departments to ensure the design of any proposal meets mandated safety requirements for the city and its residents.

Fire department access to the site (Road widths, surfacing, maximum grade and turning radiuses), in addition to, fire protection (Size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation and/or building permit approval, utilizing the currently adopted International Fire Code (IFC) for compliance.

-Submitted by Bobby Gonder, Fire Inspector

Evaluation:

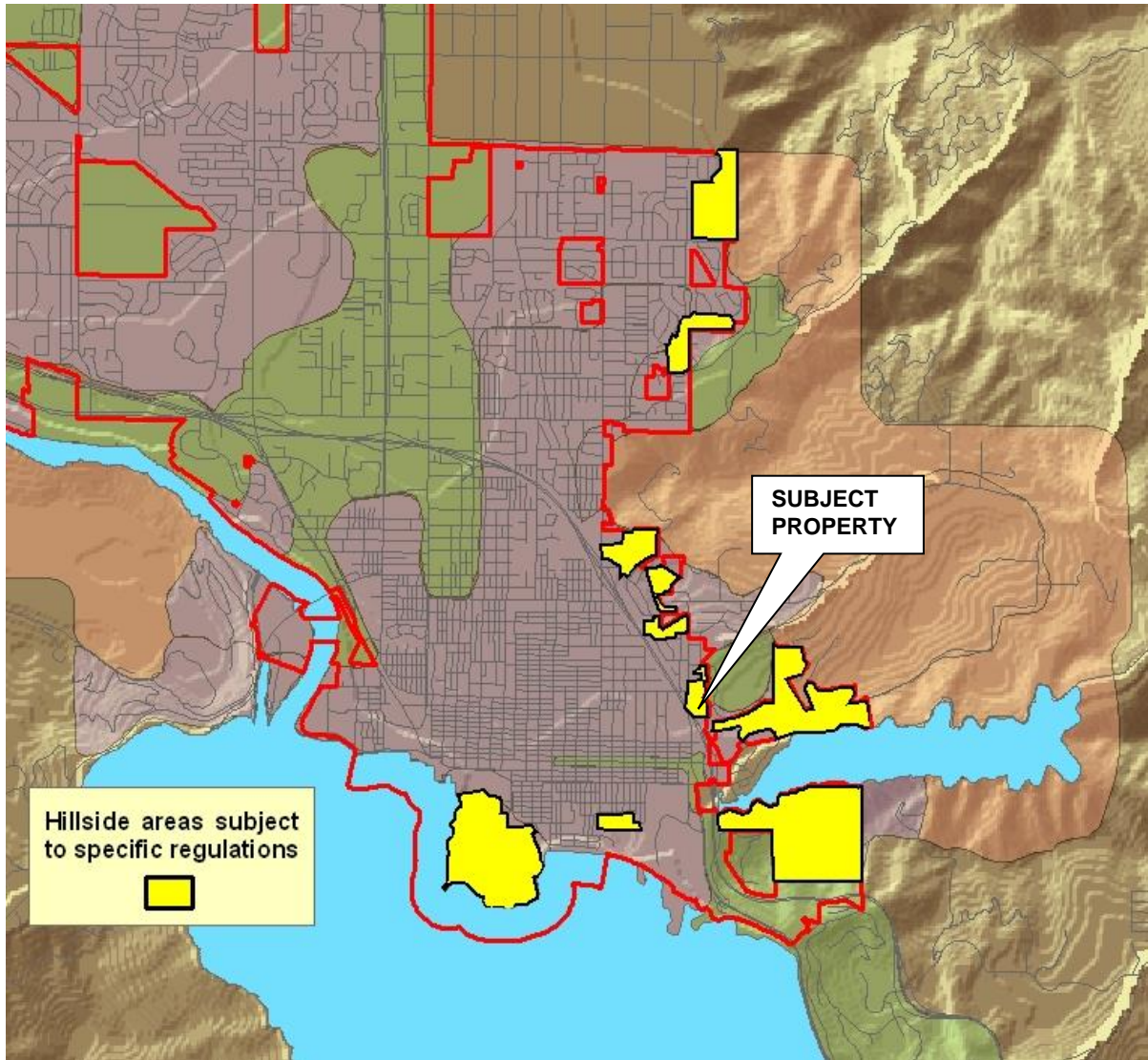
City Council must determine, based on the information before them, whether or not the public facilities and utilities are adequate for the request.

- C. **Finding #B10:** That the physical characteristics of the site (make) (do not make) it suitable for the request at this time.

PHYSICAL CHARACTERISTICS:

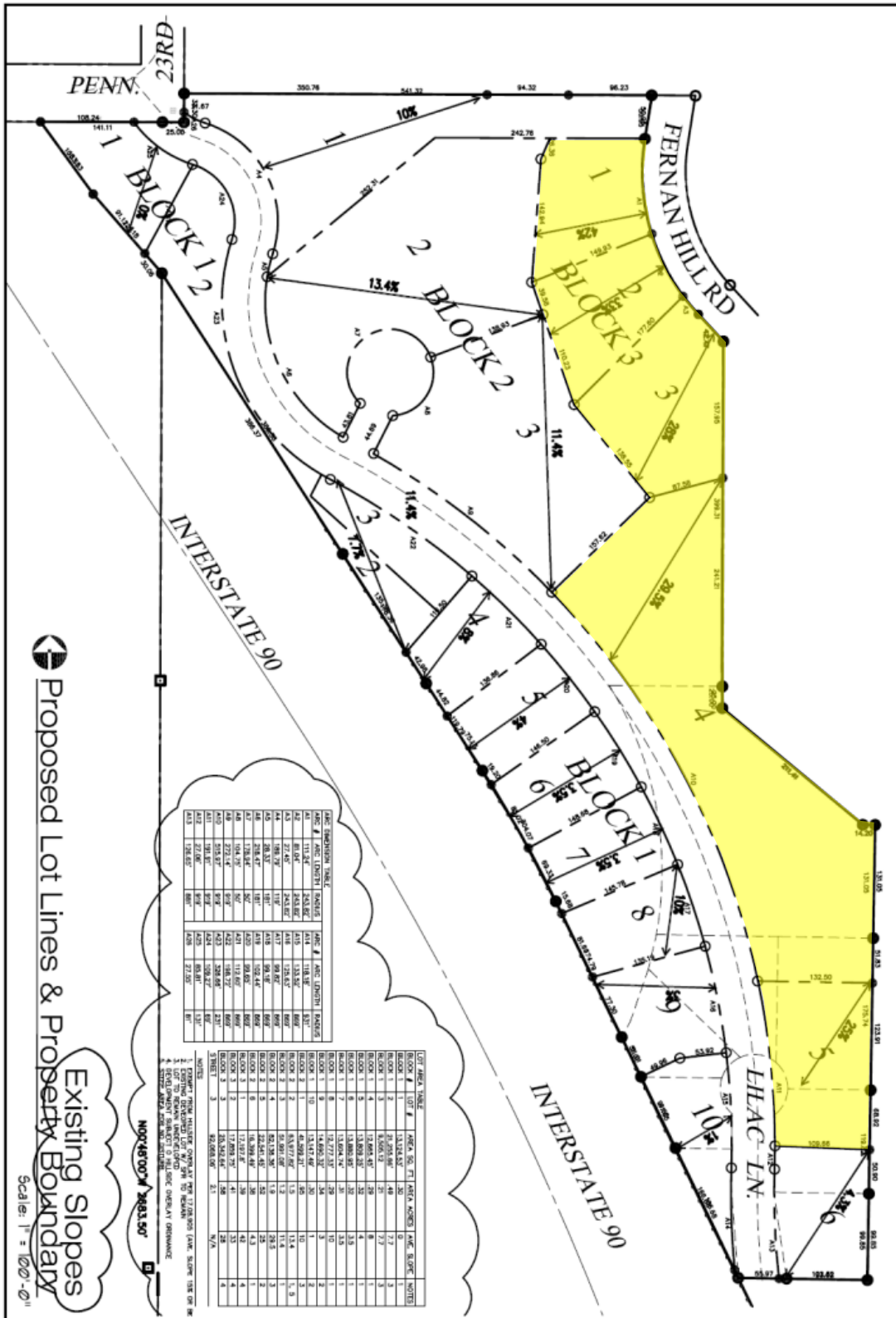
The subject property is within the Hillside Overlay and has a portion of floodway within the northernmost area as seen in the maps below.

Hillside:



Both parts of the subject property (Inside/Outside of the current city limits) are subject to the Hillside code requirements. Lots that are less than 15% slope are considered exempt. In anticipation of annexation/zone change approval, the applicant has provided a site map analyzing the slopes of the proposed lots.

Slope Map (Yellow denotes areas over 15%):



ABC PARCELS TABLE		ABC 2 - ABC DISTRICT PARCELS	
ABC	ABC	ABC	ABC
41	115.8'	415	118.8'
42	81.8'	416	128.8'
43	27.4'	417	128.8'
44	28.3'	418	93.4'
45	128.4'	419	102.4'
46	128.4'	420	102.4'
47	272.4'	421	181.7'
48	272.4'	422	181.7'
49	155.4'	423	238.8'
50	155.4'	424	238.8'
51	27.4'	425	27.4'
52	27.4'	426	27.4'
53	128.4'	427	27.4'

LOT AREA TABLE		AREA, SQ. FT. AREA, ACRES		ACR. BLDG. UNITS	
BLOCK	LOT	AREA, SQ. FT.	ACRES	ACR. BLDG. UNITS	UNITS
1	1	1,108.62	.025	1	1
1	2	2,208.62	.050	2	2
1	3	3,308.62	.075	3	3
1	4	4,408.62	.100	4	4
1	5	5,508.62	.125	5	5
1	6	6,608.62	.150	6	6
1	7	7,708.62	.175	7	7
1	8	8,808.62	.200	8	8
1	9	9,908.62	.225	9	9
1	10	11,008.62	.250	10	10
2	1	12,108.62	.275	11	11
2	2	13,208.62	.300	12	12
2	3	14,308.62	.325	13	13
2	4	15,408.62	.350	14	14
2	5	16,508.62	.375	15	15
2	6	17,608.62	.400	16	16
2	7	18,708.62	.425	17	17
2	8	19,808.62	.450	18	18
2	9	20,908.62	.475	19	19
2	10	22,008.62	.500	20	20
3	1	23,108.62	.525	21	21
3	2	24,208.62	.550	22	22
3	3	25,308.62	.575	23	23
3	4	26,408.62	.600	24	24
3	5	27,508.62	.625	25	25
3	6	28,608.62	.650	26	26
3	7	29,708.62	.675	27	27
3	8	30,808.62	.700	28	28
3	9	31,908.62	.725	29	29
3	10	33,008.62	.750	30	30
4	1	34,108.62	.775	31	31
4	2	35,208.62	.800	32	32
4	3	36,308.62	.825	33	33
4	4	37,408.62	.850	34	34
4	5	38,508.62	.875	35	35
4	6	39,608.62	.900	36	36
4	7	40,708.62	.925	37	37
4	8	41,808.62	.950	38	38
4	9	42,908.62	.975	39	39
4	10	44,008.62	1.000	40	40

Proposed Lot Lines & Property Boundary

Existing Slopes

Scale: 1" = 100'-0"

EX1.1R

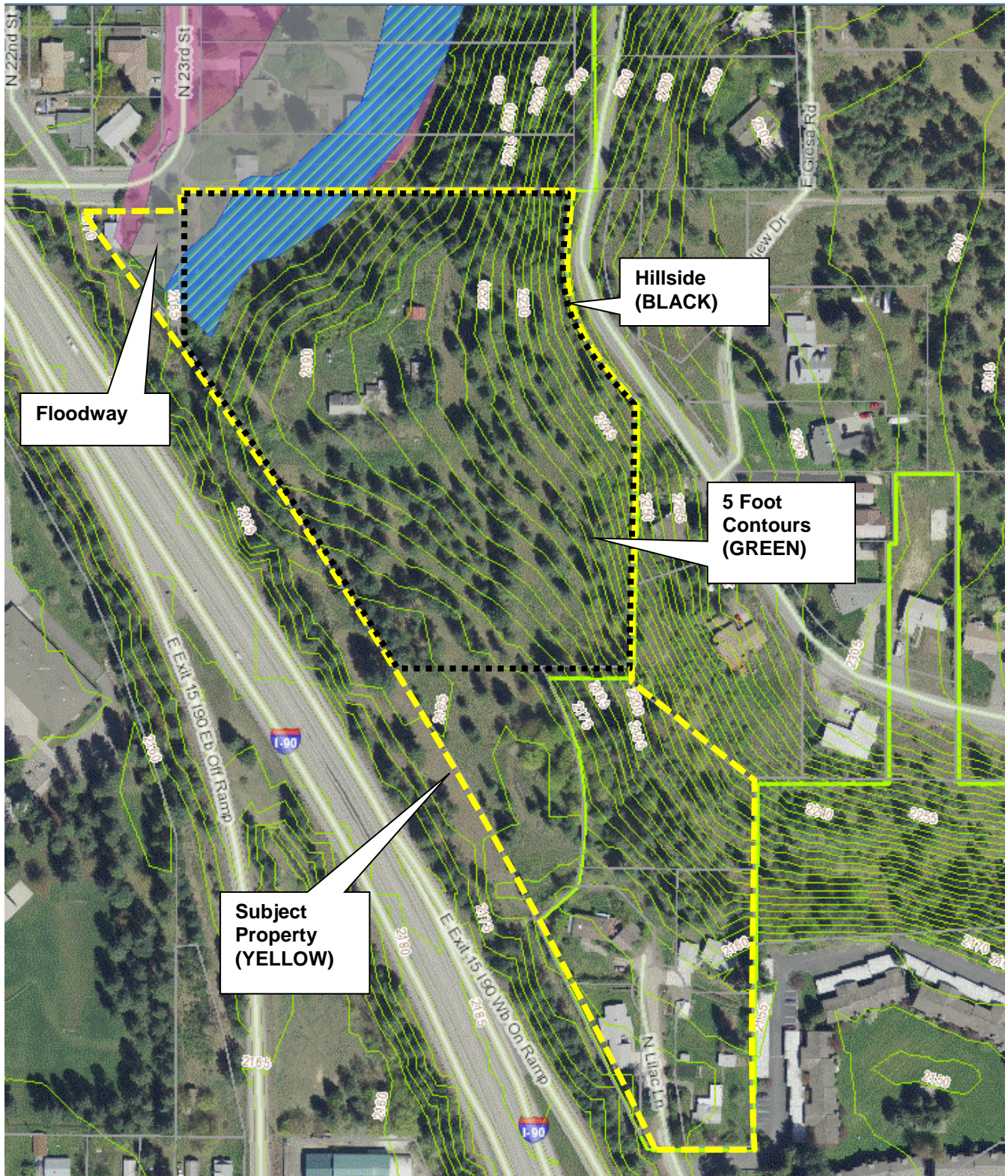
LIC#602 ARCH#1376
Richard M. Stauffer
STATE OF IDAHO

Lilac Glen
Proposed PUD
Coeur d'Alene, Idaho

MILLERSTAUFFER
ARCHITECTS

601 FRONT AVE. STE. 201 // COEUR D'ALENE, ID 83814 // PH 208+664-1773

Floodway Map:



PHOTOS OF SUBJECT PROPERTY:

Lilac Lane looking North:



From Pennsylvania Avenue looking South w/ French Gulch Creek just beyond gate



French Gulch Creek just beyond gate



Internal area proposed as C-17L (Assisted Living) looking SE



Fernan Hill Rd looking NW into subject property



Evaluation: *City Council must determine, based on the information before them, whether or not the physical characteristics of the site make it suitable for the request at this time.*

- D. **Finding #B11:** **That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.**

TRAFFIC:

The ITE Trip Generation Manual estimates the project may generate approximately 72 total trips per day.

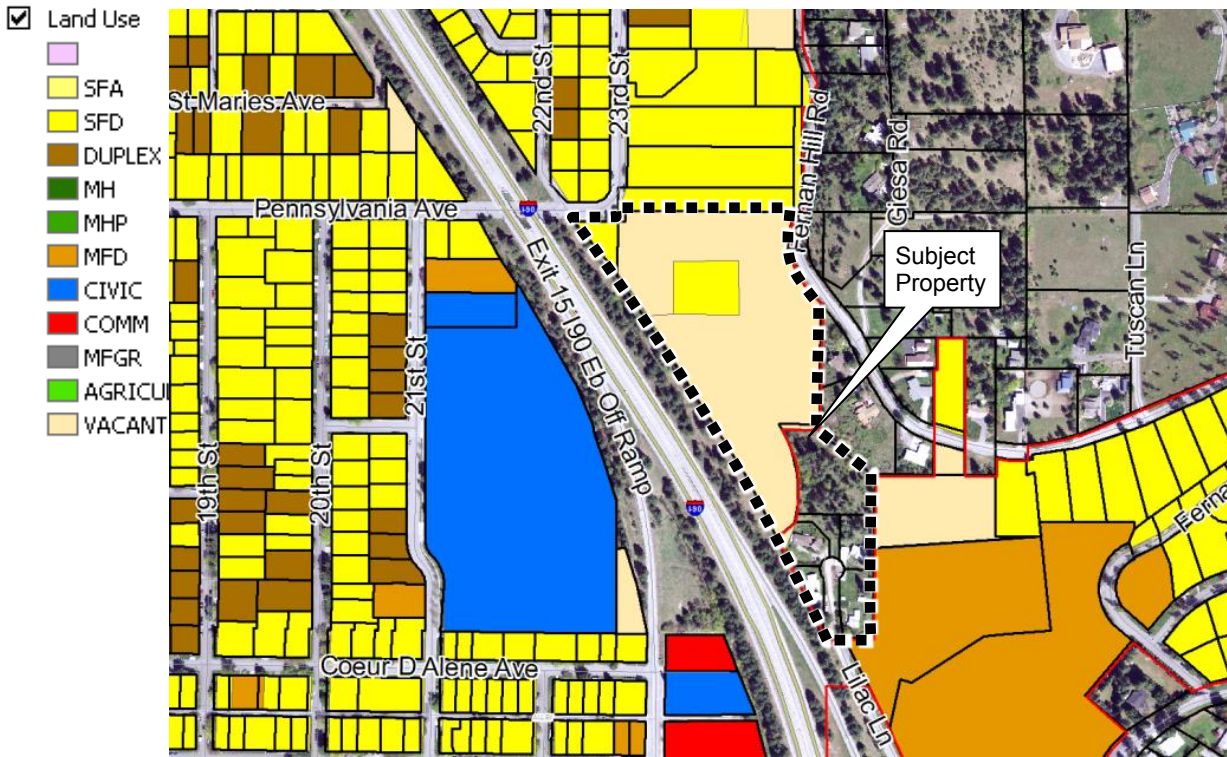
Assessment:

The network of adjacent and connecting streets should allow for a fairly rapid distribution of the additional traffic volume. The proposed Lilac Lane extension provides a direct link to Interstate 90 on the south, and, the connection to Pennsylvania Avenue on the north provides a plethora of local streets that connect to the City's network of north/south, and, east/west collectors.

NEIGHBORHOOD CHARACTER:

See both "Cherry Hill Today" and "Fernan Hill Bench Today" descriptions from the 2007 Comprehensive Plan listed in finding #B8 above. Also see photos of subject properties.

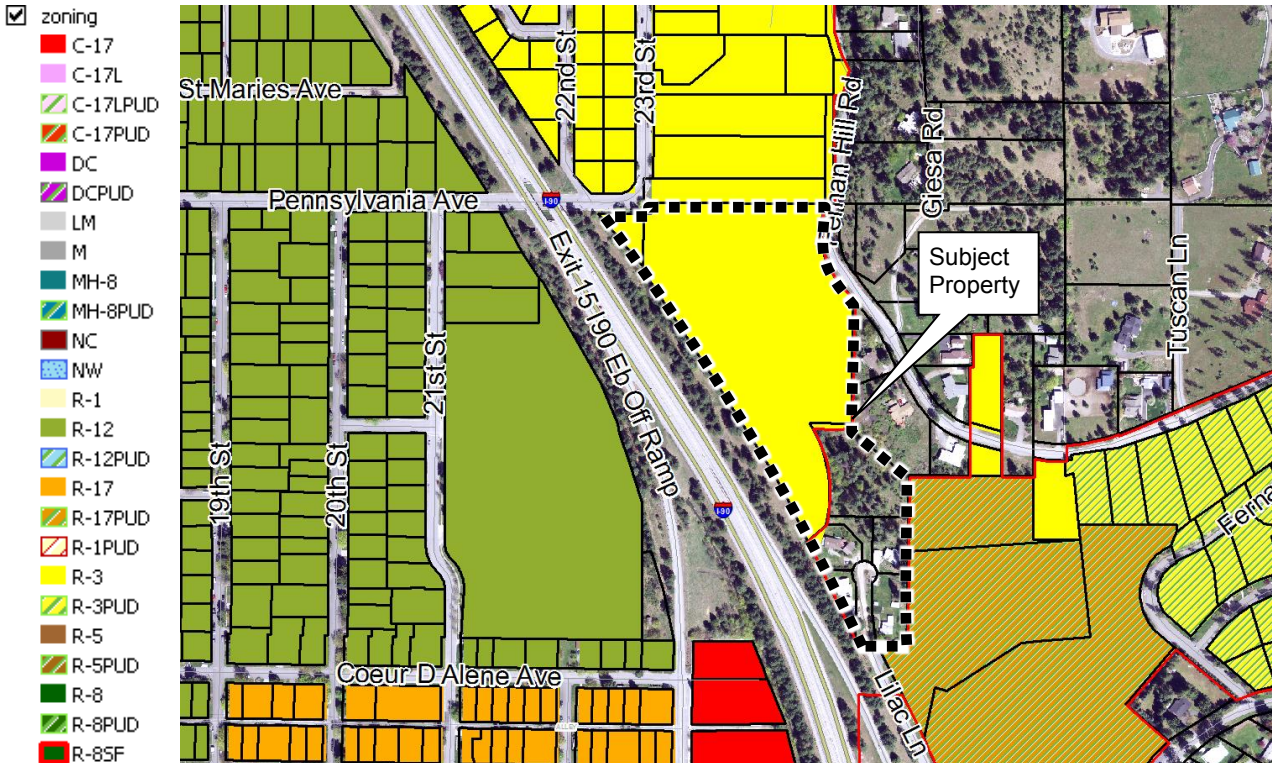
GENERALIZED LAND USE PATTERN:



Existing/adjacent land uses:

- Residential - single-family, multi-family, and vacant land.

EXISTING ZONING:



Proposed Zoning Map:



Provided by applicant (NOTE: Colors are different than current zoning map above)

Evaluation: City Council must determine, based on the information before them, whether or not the proposal would adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and)/(or) existing land uses.

APPLICABLE CODES AND POLICIES:

Utilities:

1. All proposed utilities within the project shall be installed underground.
2. All water and sewer facilities shall be designed and constructed to the requirements of the City of Coeur d'Alene. Improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
3. All water and sewer facilities servicing the project shall be installed and approved prior to issuance of building permits.
4. All required utility easements shall be dedicated on the final plat.

Streets:

5. All new streets shall be dedicated and constructed to City of Coeur d'Alene standards.

6. Street improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
7. All required street improvements shall be constructed prior to issuance of building permits.
8. An encroachment permit shall be obtained prior to any work being performed in the existing right-of-way.

Stormwater:

9. A stormwater management plan shall be submitted and approved prior to start of any construction. The plan shall conform to all requirements of the City.

Fire Protection:

10. Fire hydrant(s) shall be installed at all locations as determined by the City Fire Inspectors.

General:

11. The final plat shall conform to the requirements of the City.
12. Written permission for access onto Fernan Hill Road from the East Side Highway District shall be obtained prior to recording the final plat.

PROPOSED CONDITIONS:

No proposed conditions are recommended by staff for the applicant's requests for annexation and zone change. An annexation agreement will address items for the annexation request.

ORDINANCES & STANDARDS USED FOR EVALUATION:

2007 Comprehensive Plan
Transportation Plan
Municipal Code
Idaho Code
Wastewater Treatment Facility Plan
Water and Sewer Service Policies
Urban Forestry Standards
Transportation and Traffic Engineering Handbook, I.T.E.
Manual on Uniform Traffic Control Devices
2010 Coeur d'Alene Trails Master Plan

ACTION ALTERNATIVES:

City Council must consider this request and make separate findings to approve, deny or deny without prejudice. The findings worksheet is attached.

Applicant: Larry Fluet Revocable Trust
Location: Btwn I-90 and Lake Villa on E. side of City
Request:

- A. A proposed 3.51acre annexation from County AS to City R-8 (Residential at 8 units/acre) & R-17 (Residential at 17units/acre) zoning district QUASI-JUDICIAL (A-4-14)
- B. A proposed zone change from County AS to City R-3 Residential at 3 units/acre), R-8 (Residential at 8 units/acre) and R-17 (Residential at 17 units/acre) zoning district QUASI-JUDICIAL (ZC-1-14)

Planner Holm presented the staff report and answered questions from the Commission.

Commissioner Luttrupp stated the applicant's narrative describes an existing residence on the property created 50 years ago, and is requesting that lot to be exempt from our hillside regulations. He questioned if that can be done.

Deputy City Attorney Wilson explained that this is a Planned Unit Development (PUD) and those exemptions are allowed.

Commissioner Luttrupp questioned if staff could explain what the difference is between a private/public sewer.

Mr. Dobler explained that a private sewer is maintained by the Homeowner's Association (HOA) and public sewer by the city.

Commissioner Bowlby inquired about the creek that runs through the property and questioned if there are any special conditions added to help with the possibility of flooding.

Mr. Dobler stated that he has discussed various options with the applicant including the discussion of a bridge or culvert to be placed above the 100-year flood elevation.

Commissioner Bowlby inquired about the three proposed lots on Fernan Hill and questioned how access will be provided since Fernan Hill Road is in the county.

Mr. Dobler explained that a condition stated in the staff report gives permission for access on Fernan Hill Road from East Side Highway District prior to recording the final plat.

Commissioner Luttrupp commented the staff report states that the planning commission will set the maximum number of residents for minimal care use. He questioned if there is a criteria used to get that number.

Deputy City Attorney Wilson explained that the code does not provide criteria and suggested that public testimony be used as a tool to come up with a number.

Public testimony open.

Dick Stauffer, representative for the applicant, provided a Power Point showing the proposed area. He stated that this is a big piece of property with a lot of challenges for development. The proposed project will include two assisted living structures, seven duplex lots and retention of three existing single-family residences. The 18-lot subdivision would also include three single-family hillside lots on the upper portions of the parcel, which would face and have access to Fernan Hill Road. He stated that their goal is to maintain as many trees on the property that will provide a buffer to the homes above this development. The parking provided for the assisted living facility will be under the building. He commented that in the past, this property has seen various proposals with none approved. The property is a challenge because of the noise and topography including drainage issues associated with the creek that runs through the property. He commented that he lives in this area and feels that this project, if approved, will be a win/win for the city and the community. He presented a short video showing what this development will look like on the property.

Commissioner Ingalls inquired if the applicant could explain how sewer will be provided for this project.

Mr. Stauffer explained that an 8 -12" (depending on required fire flows) connecting existing 8" city lines at 20th and Pennsylvania Avenue all the way through to Sherman Avenue.

Commissioner Ingalls questioned how the applicant picked 70 for the number of beds for the assisted living facility.

Mr. Stauffer explained that they came up with that number based on the number of parking stalls for the building. He stated that number may change once the plans are finalized.

Commissioner Ingalls inquired if the applicant agrees with the conditions listed in the staff report.

Mr. Stauffer stated that the applicant agrees with all the conditions.

Norm Gissel stated that he lives on Fernan Hill Road and is opposed to the request. He explained that he is not against development of the property and feels that this is a better design for this piece of property that was presented in the past. He explained that the homes on Fernan Hill Road are unique and by approving multifamily projects, it will affect the property values in the area. He stated that in past years there have been many homes because of economic reasons being rented, and because of that some of these homes are now abandoned. He stated there are a number of challenges such as insignificant water flows and flooding issues associated with the creek.

Charleda Foss stated that she is one of the original homeowners who lives on Lilac lane and is in favor of this request. She stated that when the freeway and Lake Villa Apartments were constructed they did not have a choice about those projects, so she is not sympathetic to Mr. Gissel's concerns. She requested if this project is approved, a stop sign could be placed for the people who live in the Lake Villa apartments, so they will slow down.

Maralee Foss stated that she lives on Lilac Lane along with her sister and mother and that in the past she lost half of their property because of various projects. She explained when that happened a long time ago her mother went in her back yard and cried. She has no sympathy for the people on Fernan Hill.

Armando Hurtado stated he agrees with the previous testimony from Mr. Gissel regarding the challenges of this property and the additional traffic this project will generate if approved. The traffic on the intersection of Pennsylvania Ave and 23rd Street is bad.

Shelli Hurtado stated that she is not against any development on this property, but feels a subdivision would be a better fit for the community.

Commissioner Luttrupp stated that the applicant is requesting a Planned Unit Development (PUD) and if approved, the applicant has to build what is on the plat. He feels that a PUD means more stability than a regular subdivision.

Ms. Hurtado feels that there seems to be a lot of assisted living facilities within a five mile radius.

Dan Jacobson stated he is concerned with traffic and safety for the children. He stated in the winter he has had many cars miss the turn and land in his yard.

John Runge stated that he had a question for staff regarding the location of his driveway since his driveway is close to Lilac Lane.

Ben Glass stated that he did not get a notice and feels that process needs to change. He stated that he was at the last public hearing for this party a few years ago and more people attended. He feels that there is enough rental properties in the area and by approving this project it will add to that number.

Troy Murphy stated traffic is an issue and suggested staff look at using solar speed signs on Pennsylvania to help with traffic.

Linda Fillios stated that annexation makes sense. She stated that she is opposed to the houses on Fernan Hill because of the design of the driveways. In the winter you slide down the hill and are dangerous and by having the driveways at an angle, even more accidents and slide offs will happen.

Carmela Hameland stated traffic is a problem.

George Ciccone stated he would like the name of the business that will operate the assisted living facility. He explained that this facility could be filled with heavily medicated people and is concerned.

Mr. Dobler commented that it has been a long time since he has evaluated the traffic on Pennsylvania Avenue and after hearing testimony will have staff reevaluate that area. He stated that if this project is approved, Lilac Lane will be a public street.

Mr. Ingalls questioned if a PUD or an R-3 subdivision would be a better fit for the property.

Mr. Dobler stated by comparing the two, if this was approved as a subdivision, it would generate more traffic than what the applicant has proposed.

REBUTTAL:

Mr. Stauffer stated that a question regarding who owns the assisted living facility is premature and has nothing to do with this request. He stated that the facility will be a licensed facility offering food service. He stated that he could see where there might be times when an emergency happens, but from experience, that doesn't happen all the time.

Commissioner Bowlby stated that she is sympathetic to the neighborhood's concerns, but feels the assisted living units will be compatible with the neighborhood.

Mr. Stauffer stated that the people who live on Fernan Hill road won't see this development because of the vertical separation.

Public testimony closed.

DISCUSSION:

Commissioner Ingalls stated this is a difficult decision to make comparing if clustering would be better than a subdivision. He feels that when built, this facility will be a first class project, but the negative is the problem with traffic.

Commissioner Bowlby commented that she feels comfortable with this request since it is a PUD. She explained as a PUD, you know what is shown on the site plan is what will happen and if that changes, it will have to come back to the planning commission.

Commissioner Luttrupp concurred with Commissioner Bowlby.

Motion by Luttrupp, seconded by Ingalls, to approve Item's A-4-14, ZC-1-14, and direct staff to prepare the findings. Motion approved.

Commissioner Bowlby suggested three conditions be added to the findings.

1. The number of patients would be 70.
2. Place a stop sign at lilac Lane.
3. Traffic calming at the North and South ends of Lilac Lane.

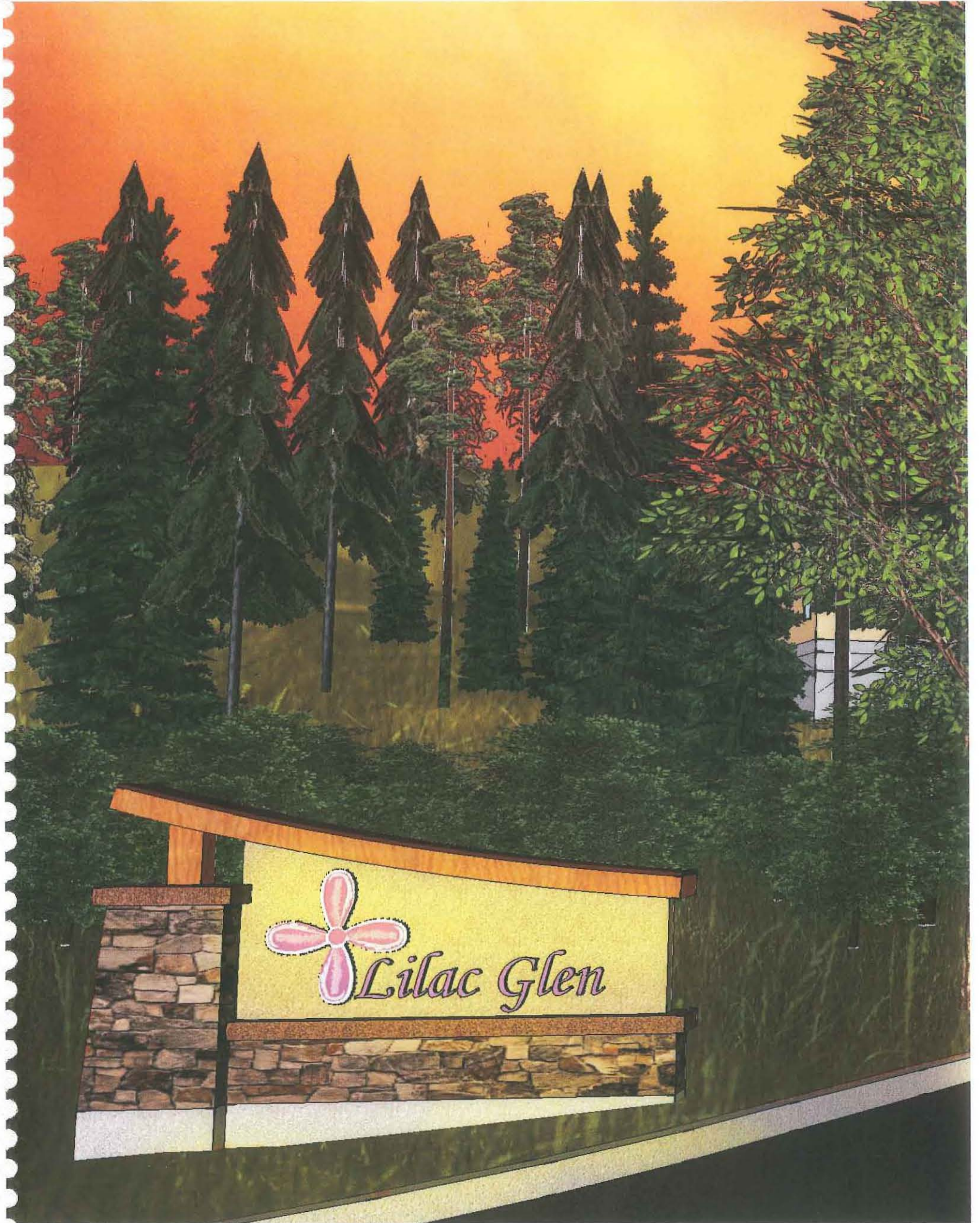
ROLL CALL:

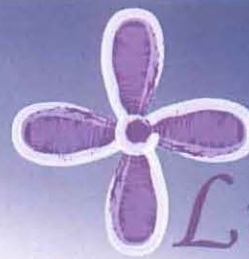
Commissioner Bowlby	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 4 to 0 vote

A decorative border composed of a grid of purple diamonds in various shades, surrounding a central light purple rectangular area.

**APPLICANT'S
NARRATIVE**





Lilac Glen

TABLE OF CONTENTS

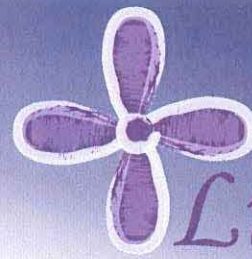
I	Interim Planning Director Letter
II	Mayor and City Council Letter
III	Contact Information
IV	Legal Descriptions
V	Vicinity Map
VI	Project Narrative
VII	Existing City Boundary
VII	Proposed Annexation
IX	Existing Zoning
X	Comprehensive Plan Zoning
XI	Proposed Zoning & Subdivision

EXHIBITS

- EX 1.0 - Existing Lot Lines & Property Boundary
- EX 1.1 - Proposed Lot Lines & Property Boundary
- EX 2.0 - Proposed Road Layout & Proposed Structure Locations
- EX 3.0 - Proposed Sewer & Water Design



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ARCHITECTS



Lilac Glen

March 31, 2014

Warren Wilson
Interim Planning Director
City of Coeur d'Alene, Id 83814

Re. Lilac Glen
Annexation
Subdivision
Zone Change
P.U.D.

Warren,

Attached is our check and 10 copies of completed application submittal for a proposed multiple development actions regarding Lilac Glen. We have attempted to provide through application that will not only respond to all requirements, as well as, the often asked questions.

Please advise if additional information is required.

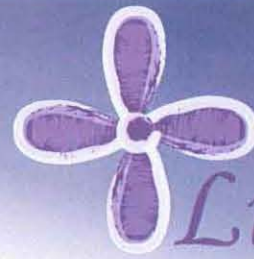
Professionally,

Richard M. Stauffer
Miller Stauffer Architects

CC: Larry Fluet



MILLERSTAUFFER
ARCHITECTS



Lilac Glen

Mayor & City Council
City Hall
710 Mullan Avenue
Coeur d'Alene, ID 83814

Re: Lilac Glen – request for annexation

Honorable Mayor & Council,

Larry Fluet Revocable Trust is proposing to develop a 13 acre parcel between I-90 and Lake Villa on the east side of the City. 2.1 acres of the 13 acre parcel is in the County, but is adjacent to the City limits on three of the four sides. The project proposes to develop two assisted living lots, 7 duplex lots and 6 single family lots with a new City Street and associated city utilities. The applicant wishes to annex the 2.1 acre parcel into the City to consolidate the project site and facilitate this development.

Your consideration of this is appreciated.

Professionally,

Richard Stauffer
Miller Stauffer Architects

CC: Larry Fluet



MILLERSTAUFFER
ARCHITECTS



Lilac Glen

Owner / Applicant

Larry Fluet

722 N. Frosty Pine Trail
Coeur d'Alene, Idaho 83814
Ph (208) 771-2221

Architect /

Owners Representative

Miller Stauffer Architects

601 E. Front Ave. Ste. 201
Coeur d'Alene, Idaho 83814
Ph (208) 664-1773
Fax (208) 667-3174
Website: www.millerstauffer.com
Email: dick@millerstauffer.com

Civil Engineer

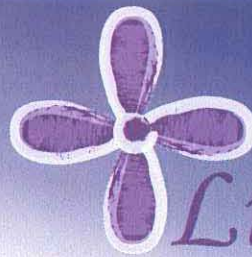
Ruen-Yeager & Associates, inc.

3201 N. Huetter Rd., Ste. #102
Coeur d'Alene, Idaho 83814
Ph (208) 292-0820
Fax (208) 667-3174
Website: www.ruenyeager.com
Email: dlr@ruenyeager.com

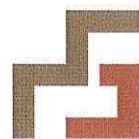


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Vicinity Map



Lilac Glen



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Lilac Glen

(Annexation, Subdivision, Zone Change, PUD and Special Use Permit)



Project Narrative

Location / Property Description

The subject property, Lilac Glen, is a 13 acre parcel on the eastern edge of the City limits near the Lake Villa apartment complex. It is bordered by Lake Villa on the West, and I-90 on the East, and fronts Pennsylvania Ave on the North. 84% of the parcel lies within the existing City limits, but an island of 2.1 acres still lies outside the City. It is largely undeveloped but does include 5 single family residences, 4 of which are in the County piece. The heavily treed parcel features elevation changes of approximately 120' and serves as the primary drainage corridor for the French Gulch Basin.

Access

Lilac Glenn has existing frontages on Pennsylvania Ave on the North, Fernan Hill Road on the East and county road Lilac Lane on the South, which connects to Sherman Ave. The proposed development would construct a City Street extending Lilac Lane bisecting the property, providing a connection, from Sherman Ave to Pennsylvania. The proposed 28' section would have an 10' walk/bike path on the west side and allow on street parking on the east side. The street will follow a "S" shaped path with gentle grades up to 6% providing a rural, local access feel.

Utilities

Existing utilities are limited to a 4" City water line that dead ends 300' into the southern portion of the site and limited Avista Services. The proposed development would include an 8-12" water loop (depending on required fire flows) connecting existing 8" city lines at 20th & Pennsylvania Ave all the way through to Sherman Ave, approximately 3,500 lineal feet of water main. This would enhance the existing city plant as well as serving the new development. Gravity City sewer would be extended to the center of the site where it would service the 2 assisted living structures. A private pressurized system maintained by the HOA would connect the remaining lots to the system. Varying grades (low spots) within the development necessitate the need for a pressurized system. Proposed utility configurations have had schematic level review by City staff.

Proposed Use

Over time, the City has developed around this parcel for a variety of reasons which include:

1. Proximity to the freeway. (noise)
2. Topography & soils challenges in extending sewer & water into the parcel
3. Access & development blocked by previous ownerships
4. French Gulch drainage (wetlands) requires significant developer planning & expenditure for vehicular & utility extensions.

The current owner / applicant is proposing to develop a low density, residential, project consisting of 2 assisted living structures, 7 duplex lots & retention of 3 existing single family residences. The 18 lot subdivision would also include 3 single family hillside lots on the upper portions of the parcel, which would face & have access to Fernan Hill Road. 3 additional lots totaling 3.3 acres are designated as forested open space. The assisted living structures would contain between 25 & 35 beds ea. & would house 80% of the required parking within the structures. Developed area (buildings streets, driveways & parking) would cover less than 4 acres (30%) of the 13 acres. The development is opened up & accessed by a new city street which would extend the existing Lilac Lane through the development, joining Pennsylvania @ 23rd Street, providing 2 distinct avenues of ingress & egress.



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Facilities Character

Lilac Glen is planned to reflect the rustic character of the Pacific Northwest. The facilities, both residential and commercial, will be detailed with timbers, wood look siding, stone and earth tone roofing. The narrow winding street, low density development and structured parking will promote a rural, pedestrian friendly neighborhood. The building pads are designed to preserve and protect the mature evergreen forest currently covering the site. The Homeowner's Association will insure that the forest is not only preserved, but maintained in a healthy state. Because of the raised Freeway corridor, the mature forest canopy and the overall vertical relief within the site, all development will be virtually invisible from outside the development.

Physical land alteration required by development:

As mentioned, the parcel is largely undeveloped. The site includes considerable elevation changes but the proposed building sites are generally flat (less than 15%). The site will be traversed by a single city street which will follow the natural contours of the site. The site is fully forested with a mixture of fir and pine. The development concept and CC&R's would leave the majority of the forest canopy (60%) where clearing is not necessary to accommodate the proposed roads and building pads. This would be protected by the CC&R's.

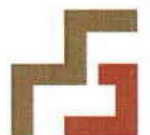
PUD Deviation from Standards:

1. Public Street – 50' ROW w/ 28' curbed section w/ 10' asphalt bike/walk path against west curb & parking east side only - see enclosed typical roadway section
2. Setbacks - Reduce front yard setback @ assisted living lots against cul de sac from 20' to 5' – this is essentially a private drop off area w/ structured parking well off the primary travel way.
3. Sanitary Sewer – Service to block 3 single family lots to be w/ private laterals gravity fed to public line in cul de sac.
4. Lots 2&3, Block 2- Allow roof form to extend up to 50'-0". The PUD proposed calls for 2 story structures over parking. A flat roofed structure will fit easily under the 45'-0" limit for R-17. Desirable architecture may require additional room. This increase would have negligible effect on views.
5. Lots 2&3, Block 2 - Allow exemption from (17.05.1050B) requiring landscape screening between the R-17 & R-3 if required. Most of the adjacent R-3 is designated open space per PUD application and the remaining adjacency is separated vertically (+/-50') by the hillside.
6. Lots 1,2,3, Block 3 - Allow street side (Fernan Hill Road) planning to align with adjacent Fernan Hill Terrace P.U.D. Standards for front yard setbacks and driveways. These standards accommodate reduced front yard setbacks & Modified driveway approaches to accommodate the hillside. Almost all lots within this P.U.D. are built within these standards.
7. Lot 5, Block 2 - Allow exemption from hillside ordinance. There is an existing residence on this lot that already has created a flat building pad, which has been in place for 50 years.

Property Owner's Association

The development concept requires a non intensive involvement by the property owners association. Tasks proposed to be undertaken by the association include:

1. Landscape maintenance
 - A. Forest maintenance
 - B. Decorative gateways
2. Private Sewer maintenance

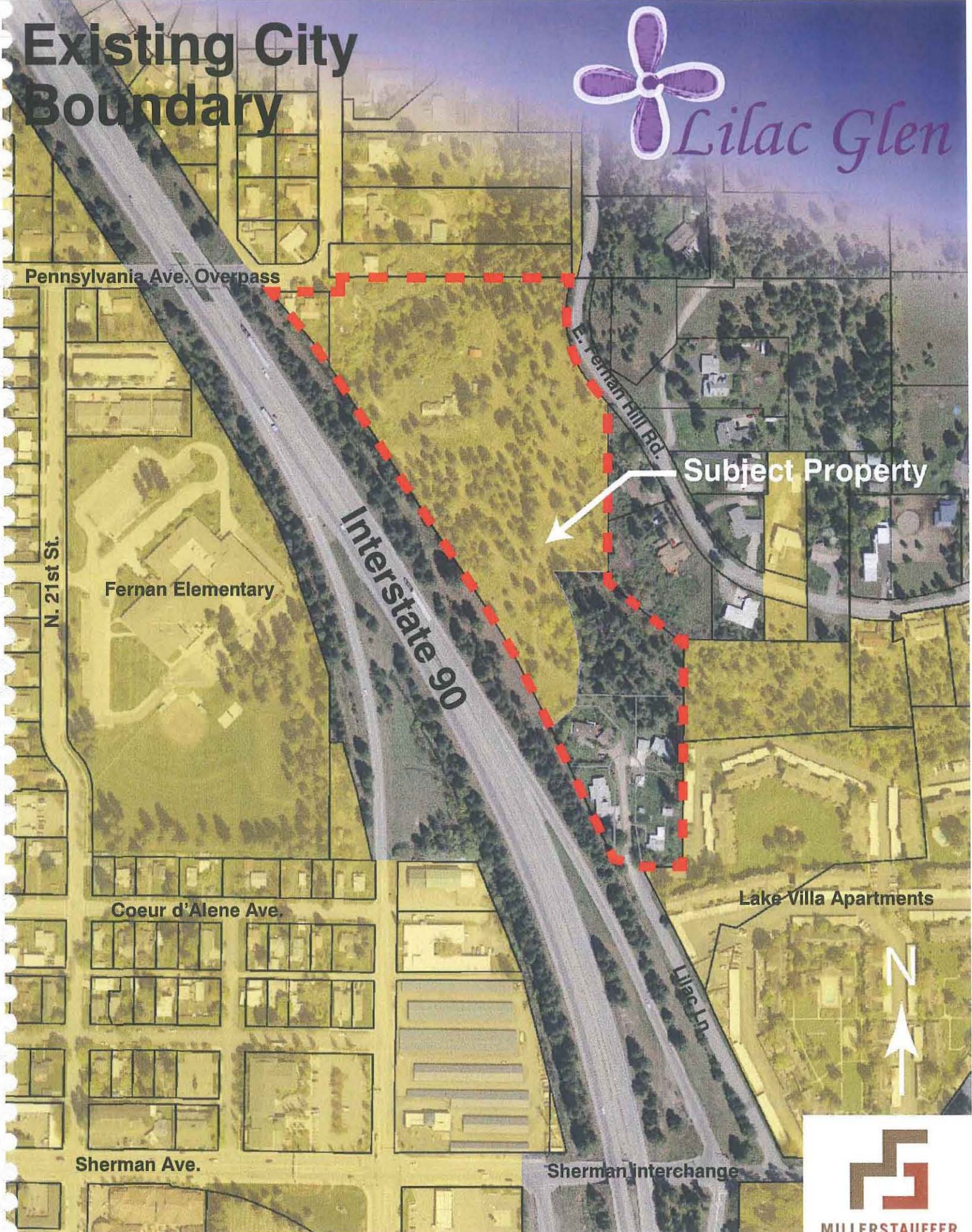


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Existing City Boundary



Lilac Glen



Proposed Annexation



Lilac Glen



Subject Property



MILLERSTAUFFER ARCHITECTS

Existing Zoning



Lilac Glen



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Comprehensive Plan Zoning



Lilac Glen



Pennsylvania Ave. Overpass

R-3

R-3

Kootenai County
AG-Suburban

E. Fernan Hill Rd

Fernan Elementary

R-12

R-3

Subject
Property

R-3 PUD

R-17 PUD

Lake Villa Apartments

Coeur d'Alene Ave.

R-17

C-17

C-17

Lilac Ln.



Sherman Ave.

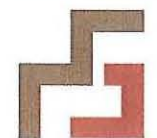
Sherman Interchange

C-17

R-17

C-17 PUD

R-17



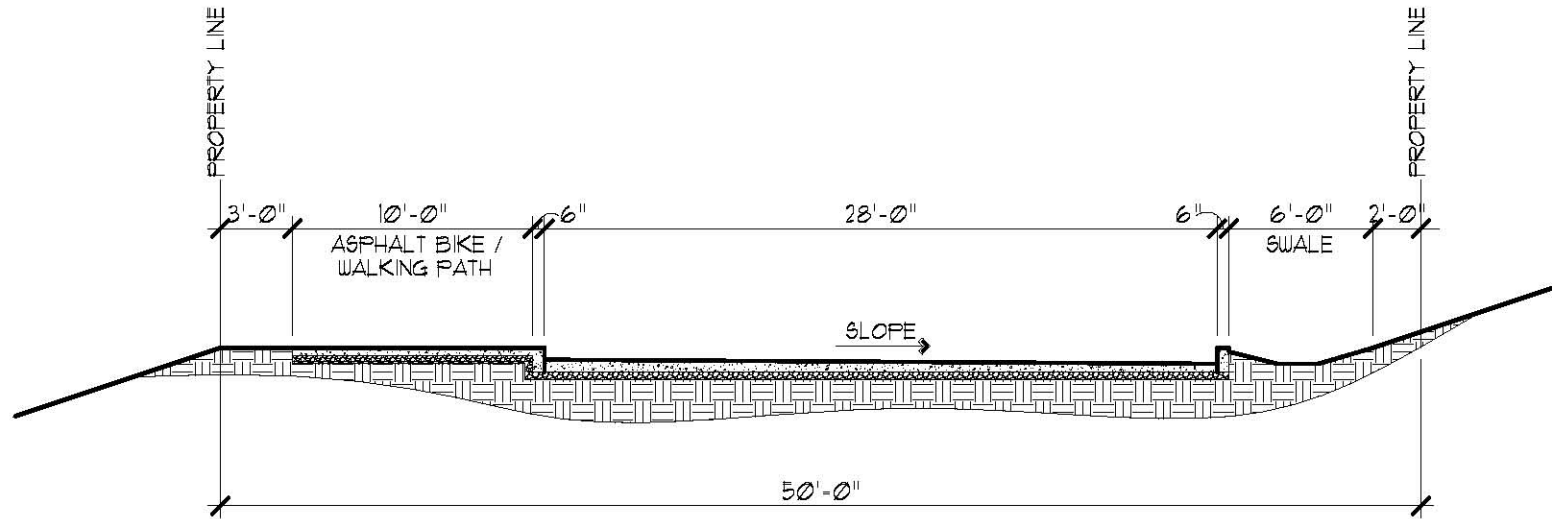
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Proposed Zoning & Subdivision



Lilac Glen





1 TYPICAL STREET SECTION
 Scale: 1/8" = 1'-0"

LILAC GLENN

Address
 COEUR D'ALENE, ID

Date: 04-25-14

Addendum: XX-X

Project No. 1320

SHEET NO.

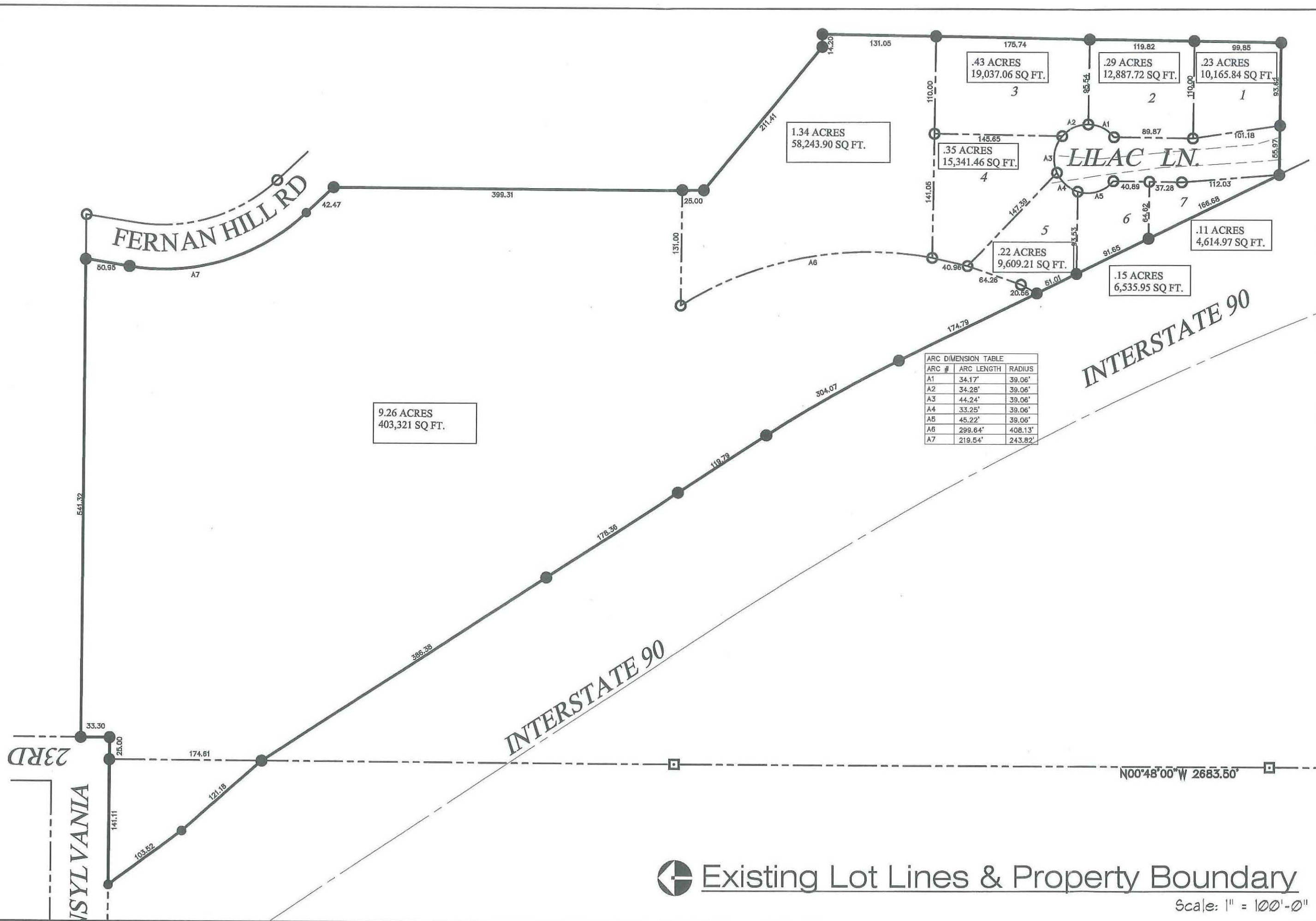
AA-1

reference sheet:
 XXXX

MILLERSTAUFFER
 ARCHITECTS

601 FRONT AVE. STE. 201
 COEUR D'ALENE, ID 83814
 PH 208+664-1773
 FAX 208+667-3174





ARC #	ARC LENGTH	RADIUS
A1	34.17'	39.06'
A2	34.28'	39.06'
A3	44.24'	39.06'
A4	33.25'	39.06'
A5	45.22'	39.06'
A6	299.64'	408.13'
A7	219.54'	243.82'

9.26 ACRES
403,321 SQ. FT.

1.34 ACRES
58,243.90 SQ. FT.

.43 ACRES
19,037.06 SQ. FT.

.29 ACRES
12,887.72 SQ. FT.

.23 ACRES
10,165.84 SQ. FT.

.35 ACRES
15,341.46 SQ. FT.

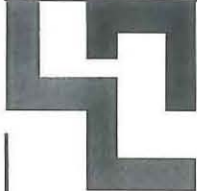
.22 ACRES
9,609.21 SQ. FT.

.11 ACRES
4,614.97 SQ. FT.

.15 ACRES
6,535.95 SQ. FT.

Existing Lot Lines & Property Boundary

Scale: 1" = 100'-0"



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Lilac Glen
Proposed PUD
Coeur d'Alene, Idaho

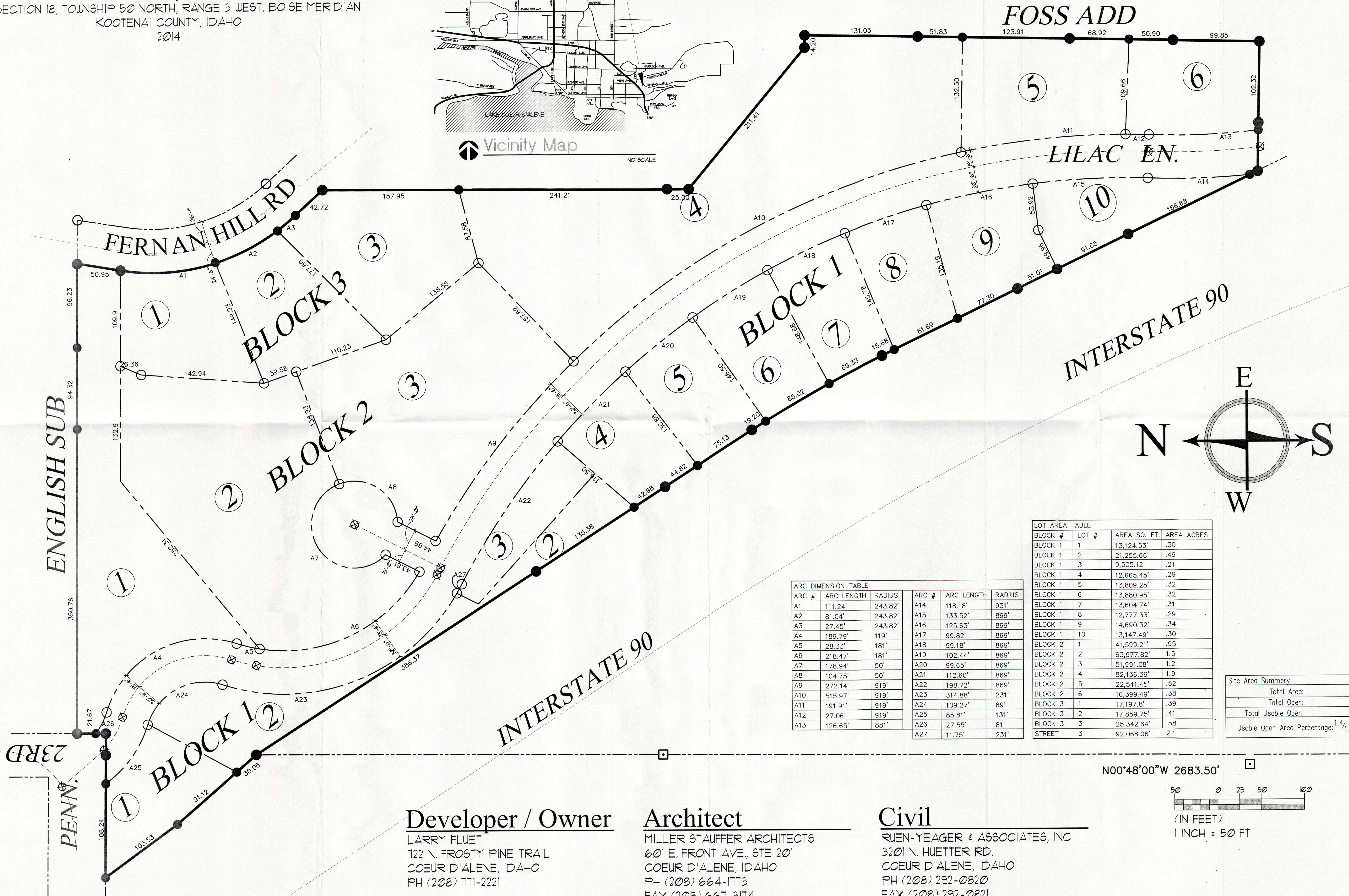
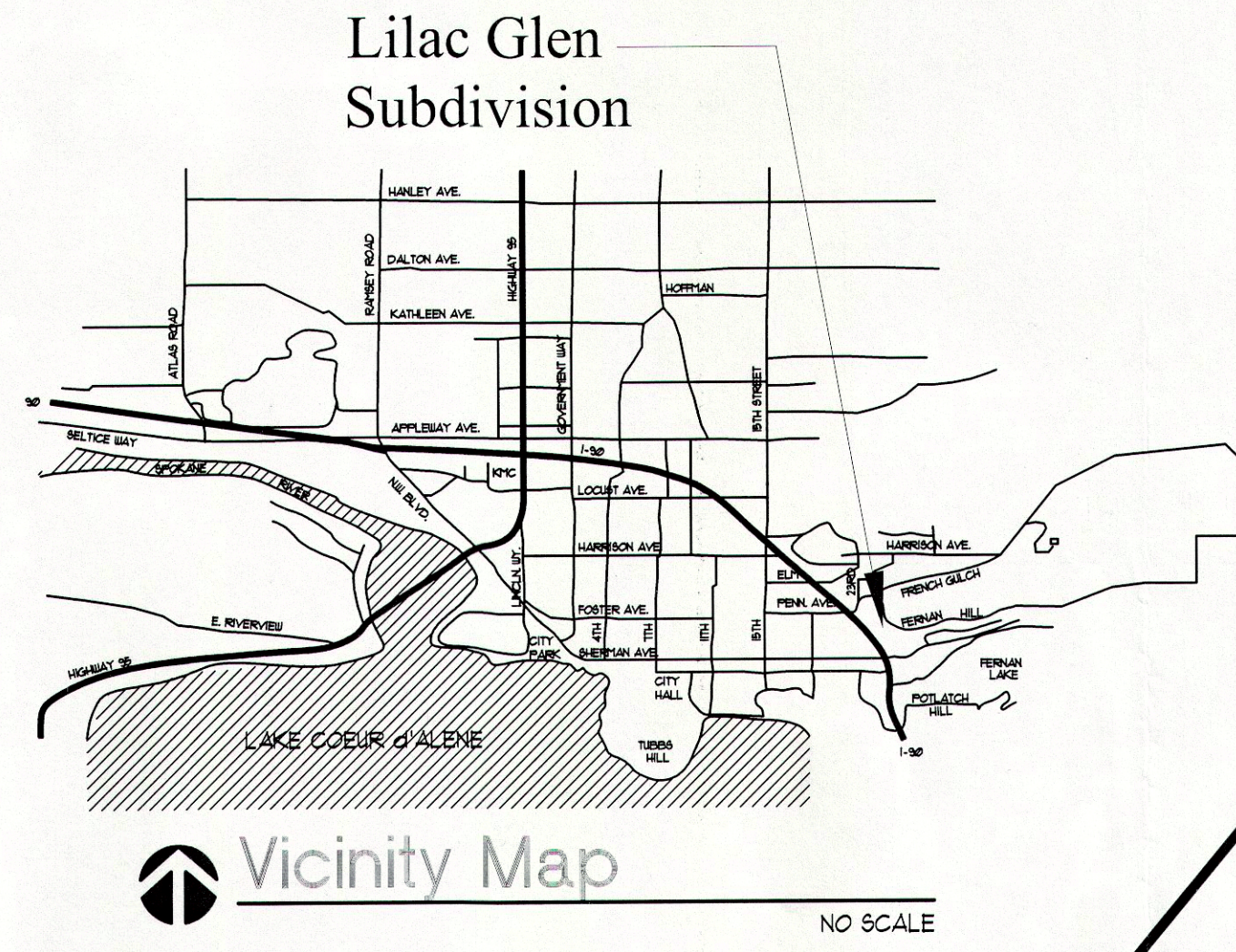
LICENSED
ARCHITECT
AP-1376
Richard M. Stauffer
STATE OF IDAHO

EX1.0

601 FRONT AVE. STE. 201 // COEUR DALENE, ID 83814 // PH 208+664-1773

Lilac Glen Subdivision

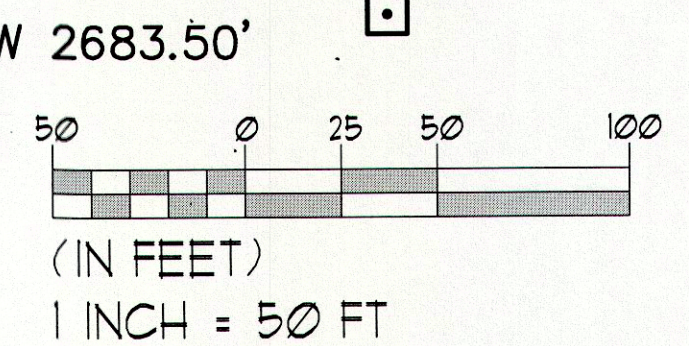
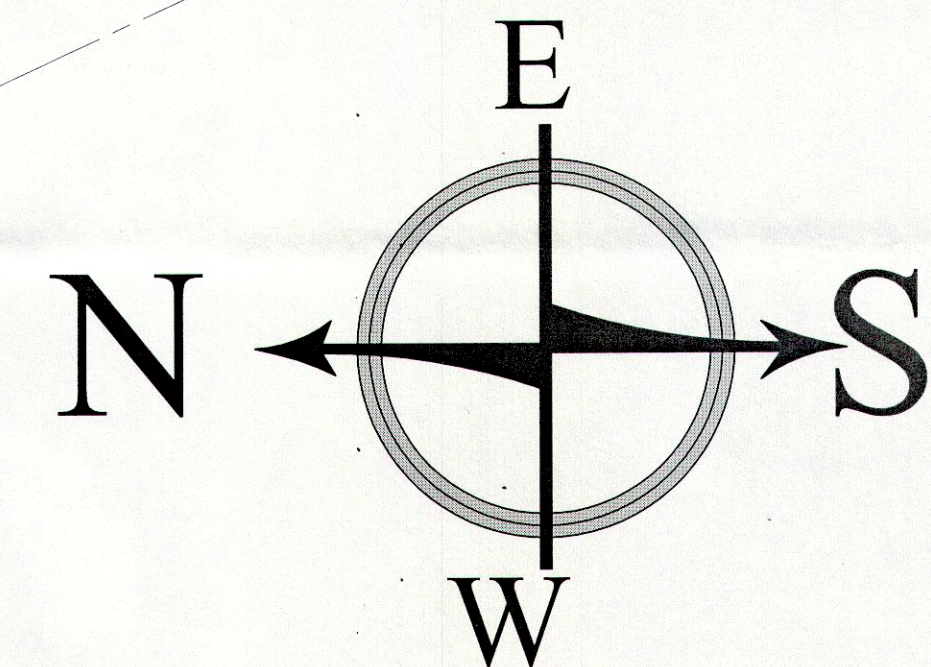
A PORTION OF THE WEST 1/2 OF THE NORTHWEST 1/4
OF SECTION 18, TOWNSHIP 50 NORTH, RANGE 3 WEST, BOISE MERIDIAN
KOOTENAI COUNTY, IDAHO
2014



BLOCK #	LOT #	AREA SQ. FT.	AREA ACRES
BLOCK 1	1	13,124.53'	.30
BLOCK 1	2	21,255.66'	.49
BLOCK 1	3	9,505.12	.21
BLOCK 1	4	12,665.45'	.29
BLOCK 1	5	13,809.25'	.32
BLOCK 1	6	13,880.95'	.32
BLOCK 1	7	13,604.74'	.31
BLOCK 1	8	12,777.33'	.29
BLOCK 1	9	14,690.32'	.34
BLOCK 1	10	13,147.49'	.30
BLOCK 2	1	41,599.21'	.95
BLOCK 2	2	63,977.82'	1.5
BLOCK 2	3	51,991.08'	1.2
BLOCK 2	4	82,136.36'	1.9
BLOCK 2	5	22,541.45'	.52
BLOCK 2	6	16,399.49'	.38
BLOCK 3	1	17,197.8'	.39
BLOCK 3	2	17,859.75'	.41
BLOCK 3	3	25,342.64'	.58
STREET	3	92,068.06'	2.1

ARC #	ARC LENGTH	RADIUS	ARC #	ARC LENGTH	RADIUS
A1	111.24'	243.82'	A14	118.18'	931'
A2	81.04'	243.82'	A15	133.52'	869'
A3	27.45'	243.82'	A16	125.63'	869'
A4	189.79'	119'	A17	99.82'	869'
A5	28.33'	181'	A18	99.18'	869'
A6	218.47'	181'	A19	102.44'	869'
A7	178.94'	50'	A20	99.65'	869'
A8	104.75'	50'	A21	112.60'	869'
A9	272.14'	919'	A22	198.72'	869'
A10	515.97'	919'	A23	314.88'	231'
A11	191.91'	919'	A24	109.27'	69'
A12	27.06'	919'	A25	85.81'	131'
A13	126.65'	881'	A26	27.55'	81'
			A27	11.75'	231'

Total Area:	13.1 AC.
Total Open:	3.4 AC.
Total Usable Open:	1.4 AC.
Usable Open Area Percentage:	1.4/13.1 = 10.6%



Developer / Owner
LARRY FLUET
122 N. FROSTY PINE TRAIL
COEUR D'ALENE, IDAHO
PH (208) 771-2221

Architect
MILLER STAUFFER ARCHITECTS
601 E. FRONT AVE. STE 201
COEUR D'ALENE, IDAHO
PH (208) 664-1173
FAX (208) 667-3174
EMAIL: DICK@MILLERSTAUFFER.COM

Civil
RUEN-YEAGER & ASSOCIATES, INC
3201 N. HUETTER RD.
COEUR D'ALENE, IDAHO
PH (208) 292-0820
FAX (208) 292-0821
EMAIL: RYACDA@RUENYEAGER.COM

MILLERSTAUFFER
ARCHITECTS

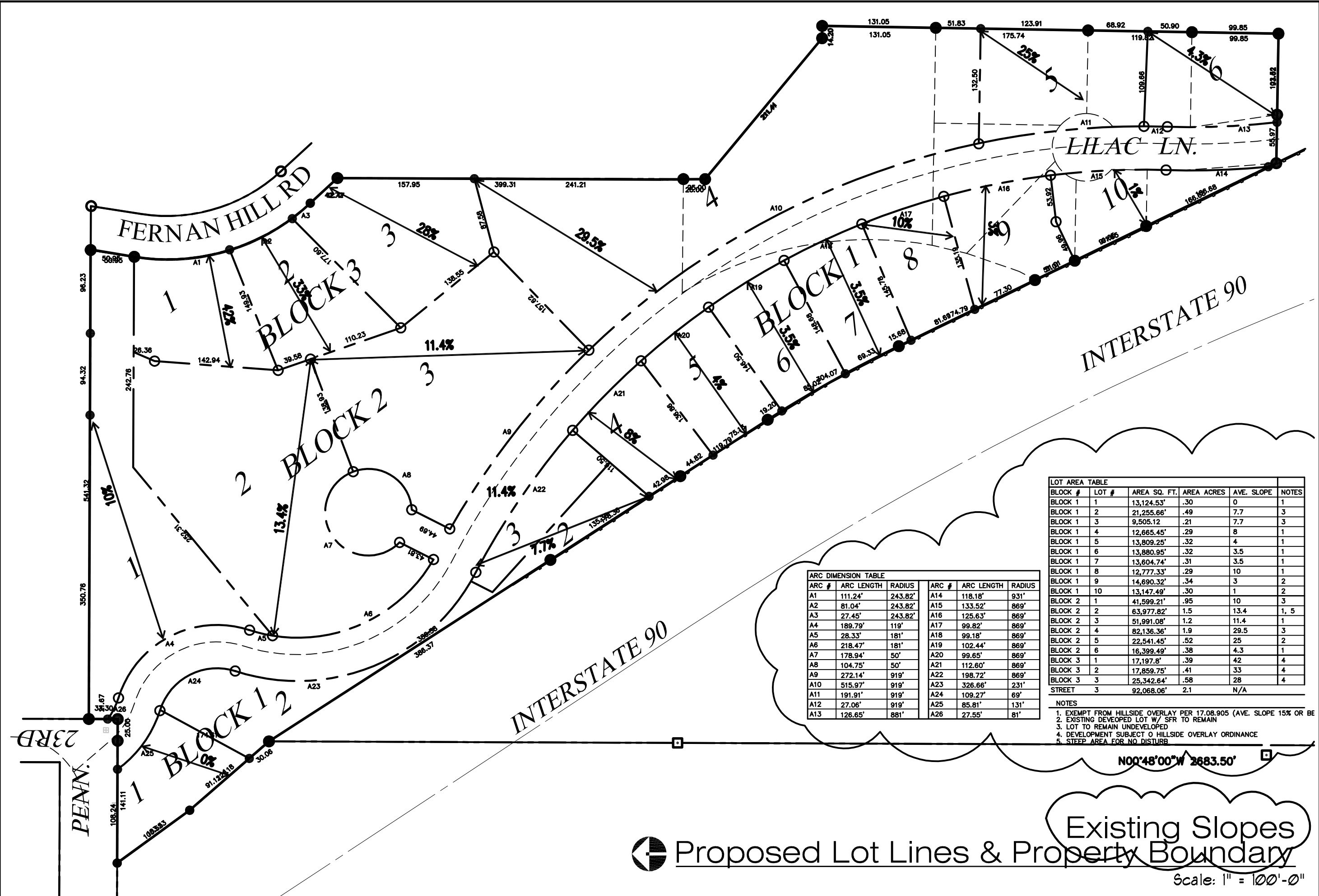
Property Lot Lines & Property Boundary
Date: 05.29.2014

Lilac Glen
Proposed PUD
Coeur d'Alene, Idaho

LICENCED ARCHITECT
AR-1376
Richard M. Stauffer
STATE OF IDAHO

EX1.1R

601 FRONT AVE. STE. 201 // COEUR D'ALENE, ID 83814 // PH 208+664-1773



BLOCK #	LOT #	AREA SQ. FT.	AREA ACRES	AVE. SLOPE	NOTES
BLOCK 1	1	13,124.53'	.30	0	1
BLOCK 1	2	21,255.66'	.49	7.7	3
BLOCK 1	3	9,505.12	.21	7.7	3
BLOCK 1	4	12,665.45'	.29	8	1
BLOCK 1	5	13,809.25'	.32	4	1
BLOCK 1	6	13,880.95'	.32	3.5	1
BLOCK 1	7	13,604.74'	.31	3.5	1
BLOCK 1	8	12,777.33'	.29	10	1
BLOCK 1	9	14,690.32'	.34	3	2
BLOCK 1	10	13,147.49'	.30	1	2
BLOCK 2	1	41,599.21'	.95	10	3
BLOCK 2	2	63,977.82'	1.5	13.4	1, 5
BLOCK 2	3	51,991.08'	1.2	11.4	1
BLOCK 2	4	82,136.36'	1.9	29.5	3
BLOCK 2	5	22,541.45'	.52	25	2
BLOCK 2	6	16,399.49'	.38	4.3	1
BLOCK 3	1	17,197.8'	.39	42	4
BLOCK 3	2	17,859.75'	.41	33	4
BLOCK 3	3	25,342.64'	.58	28	4
STREET	3	92,068.06'	2.1	N/A	

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A12	27.06'	919'	A25	85.81'	131'
A13	126.65'	881'	A26	27.55'	81'

NOTES
 1. EXEMPT FROM HILLSIDE OVERLAY PER 17.08.905 (AVE. SLOPE 15% OR BE
 2. EXISTING DEVELOPED LOT W/ SFR TO REMAIN
 3. LOT TO REMAIN UNDEVELOPED
 4. DEVELOPMENT SUBJECT O HILLSIDE OVERLAY ORDINANCE
 5. STEEP AREA FOR NO DISTURB

Existing Slopes
 Proposed Lot Lines & Property Boundary
 Scale: 1" = 100'-0"

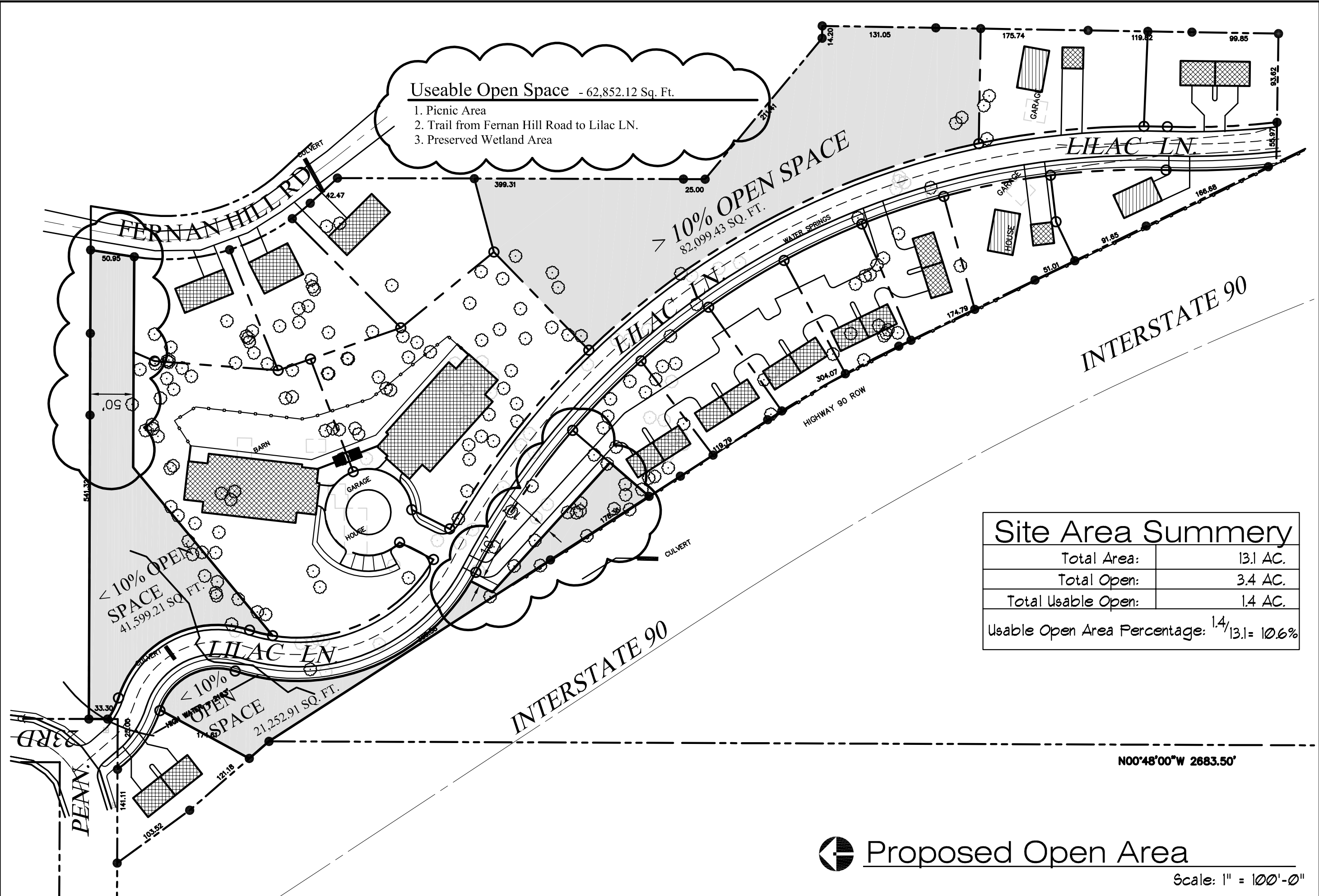
MILLERSTAUFFER
 ARCHITECTS

Lilac Glen
 Proposed PUD
 Coeur d'Alene, Idaho

Richard M. Stauffer
 STATE OF IDAHO

601 FRONT AVE. STE. 201 // COEUR D'ALENE, ID 83814 // PH 208+664-1773

EX1.1R

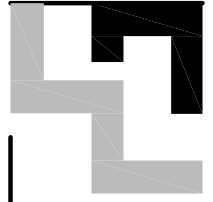


Total Area:	13.1 AC.
Total Open:	3.4 AC.
Total Usable Open:	1.4 AC.
Usable Open Area Percentage: $\frac{1.4}{13.1} = 10.6\%$	

◀ Proposed Open Area

Scale: 1" = 100'-0"

N00°48'00"W 2683.50'



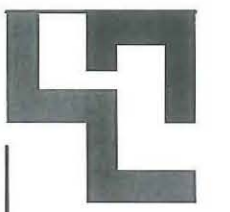
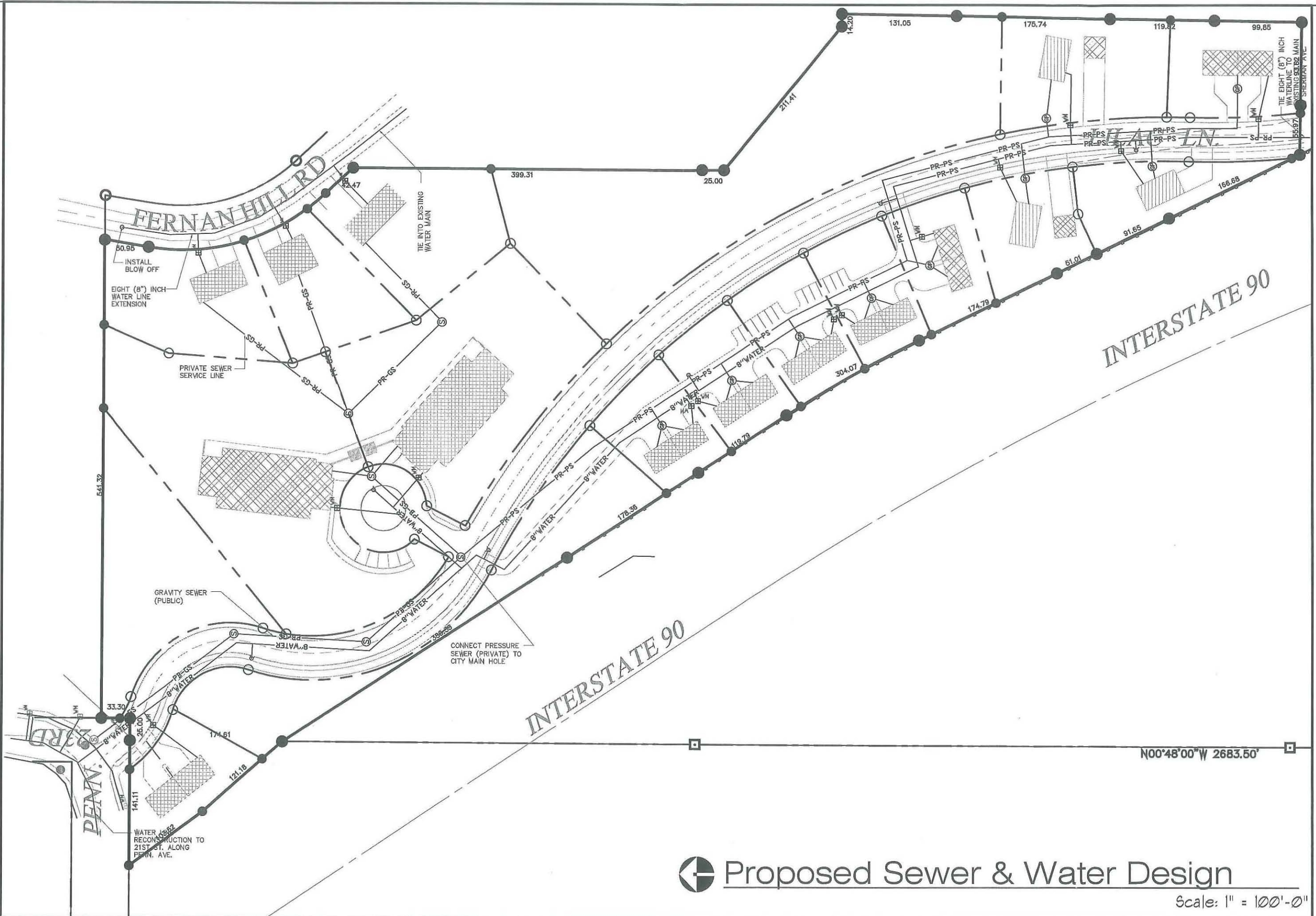
MILLERSTAUFFER
ARCHITECTS

Lilac Glen
Proposed PUD
Coeur d'Alene, Idaho

LICENSED
ARCHITECT
APR-1376
Richard M. Stauffer
STATE OF IDAHO

EX2.0R

601 FRONT AVE. STE. 201 // COEUR D'ALENE, ID 83814 // PH 208+664-1773



MILLERSTAUFFER
ARCHITECTS

Lilac Glen
Proposed PUD
Coeur d'Alene, Idaho

LICENSED ARCHITECT
AR-1376
Richard M. Stauffer
STATE OF IDAHO

EX3.0

Proposed Sewer & Water Design

Scale: 1" = 100'-0"

601 FRONT AVE. STE. 201 // COEUR D'ALENE, ID 83814 // PH 208+664-1773



MILLER STAUFFER
ARCHITECTS

601 FRONT AVE. STE. 201 // COEUR D'ALENE, ID 83814 // PH 208-664-1773

Proposed Annexation
4-1-14

Lilac Glen
proposed Annexation
Coeur d'Alene, Idaho

LICENCED
REGISTERED
ARCHITECT
A-4-1276
Richard M. Stauffer
STATE OF IDAHO

EX4.0

ANNEXATION MAP

REFERENCES

- (R1) PLAT OF FOSS ADDITION RECORDED AT BOOK D OF PLATS, PAGE 99
- (R2) RECORD OF SURVEY BY PLS #5078 RECORDED AT BOOK 15, PAGE 181

ARC #	ARC LENGTH	RADIUS
A1	300.10'	408.31'
A2	172.84'	1433.20'
A3	145.87'	1086.70'
A4	219.71'	243.93'

TOWNSHIP RANGE SECTION
TOWNSHIP 50
RANGE 03W
SECTION 18SE

3.51 ACRES
152,896 SQ. FT.

9.52 ACRES
414,691.2 SQ. FT.

Lilac Glen Annexation Legal Description

A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 50 NORTH, RANGE 3 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, CONSISTING OF TAX-ASSESSOR PARCEL 590D3W-18-420 AND FOSS ADDITION AS RECORDED AT BOOK D, PAGE 99, RECORDS OF KOOTENAI COUNTY (LESS ROAD AND HIGHWAY RIGHTS-OF-WAY), MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER QUARTER CORNER OF SAID SECTION 18, FROM WHICH THE SOUTH QUARTER OF SAID SECTION 18 BEARS S00°48'00"E, A DISTANCE OF 2083.50 FEET AS SHOWN ON THAT RECORD OF SURVEY RECORDED AT BOOK 27, PAGE 140, RECORDS OF KOOTENAI COUNTY;

THENCE S00°48'00"E ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18, A DISTANCE OF 33.30 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF PENNSYLVANIA AVENUE;

THENCE CONTINUING S00°48'00"E ALONG SAID WEST LINE, A DISTANCE OF 174.61 FEET TO THE NORTHEAST RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 90;

THENCE S33°50'18"E ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 564.74 FEET TO A 5/8-INCH REBAR WITH PLASTIC CAP MARKED "PLS 12463" AT THE INTERSECTION OF SAID RIGHT-OF-WAY AND A LINE MIDWAY BETWEEN THE NORTH LINE OF SAID SOUTHWEST QUARTER AND THE SOUTH LINE OF FOSS ADDITION;

THENCE N89°53'13"E ALONG SAID MID-LINE, A DISTANCE OF 211.86 FEET TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND;

THENCE CONTINUING N89°53'13"E ALONG SAID LINE, A DISTANCE OF 131.00 FEET TO A 5/8-INCH REBAR WITH PLASTIC CAP MARKED "PLS 12463" ON THE WEST LINE OF PARCELS DESCRIBED IN INSTRUMENT NO. 2319025;

THENCE S00°51'05"E ALONG SAID WEST LINE, A DISTANCE OF 25.00 FEET TO A 5/8-INCH REBAR WITH PLASTIC CAP MARKED "PLS 12463";

THENCE S31°19'49"E, A DISTANCE OF 210.52 FEET TO A 5/8-INCH REBAR WITH PLASTIC CAP MARKED "PLS 12463" ON THE SOUTH LINE OF SAID PARCELS;

THENCE N89°47'57"E ALONG SAID SOUTH LINE, A DISTANCE OF 14.00 FEET TO A 1/2-INCH REBAR AT THE EXTENSION OF THE EAST LINE OF FOSS ADDITION;

THENCE S00°08'09"E ALONG SAID EAST LINE EXTENDED, A DISTANCE OF 132.39 FEET TO A 1-INCH IRON PIPE MARKING THE NORTHEAST CORNER OF FOSS ADDITION;

THENCE S00°02'59"E ALONG THE EAST LINE OF FOSS ADDITION, A DISTANCE OF 395.41 FEET TO A 1/2-INCH REBAR MARKING THE SOUTHEAST CORNER OF FOSS ADDITION;

THENCE S89°57'01"W ALONG THE SOUTH LINE OF FOSS ADDITION, A DISTANCE OF 149.19 FEET TO A FOUND HIGHWAY MONUMENT MARKING THE SOUTHWEST CORNER OF FOSS ADDITION AND THE RIGHT-OF-WAY OF INTERSTATE HIGHWAY 90;

THENCE N26°59'43"W ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 309.51 FEET TO A 5/8-INCH REBAR WITH PLASTIC CAP MARKED "PLS 12463";

THENCE N26°59'43"W ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 50.00 FEET;

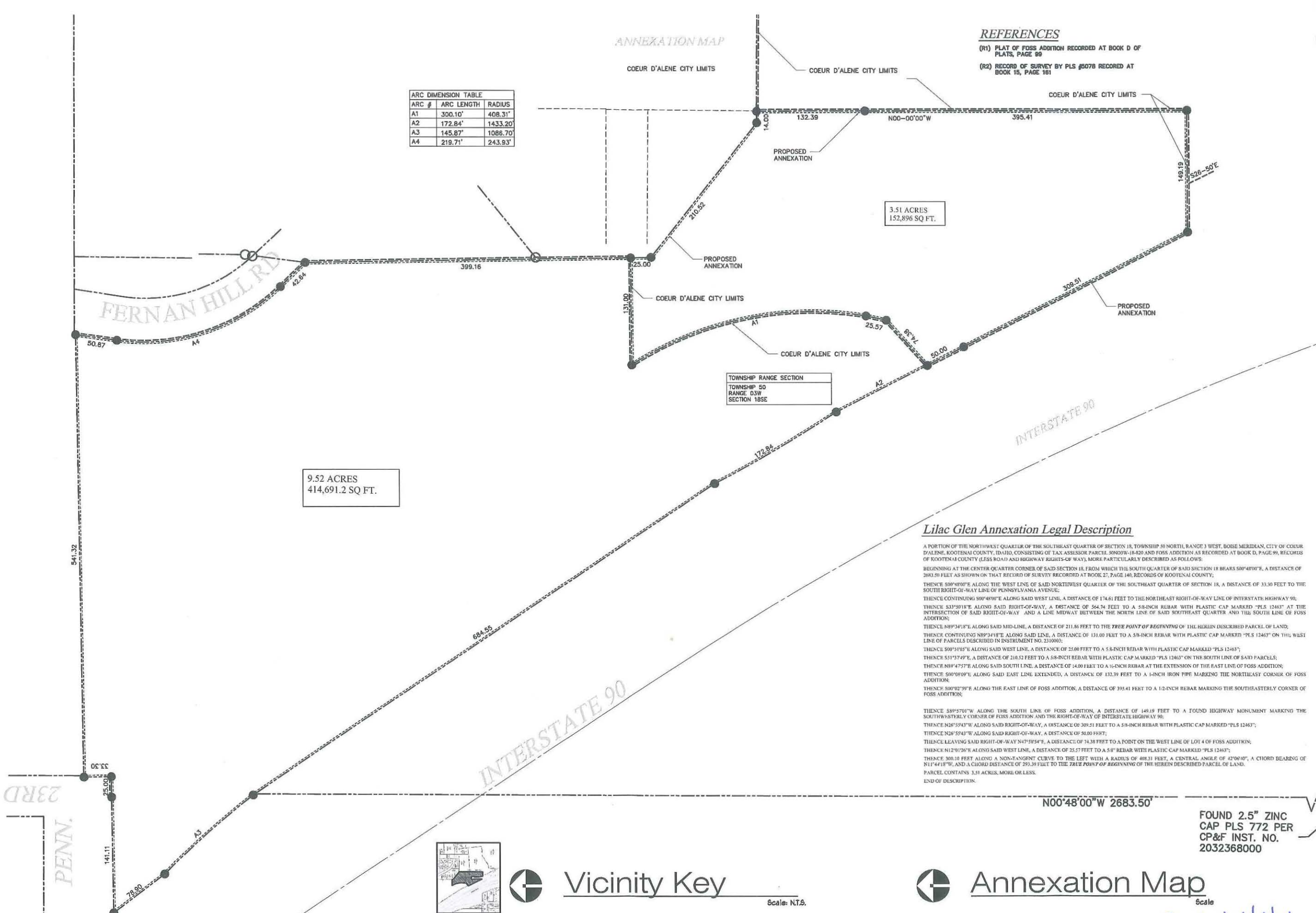
THENCE LEAVING SAID RIGHT-OF-WAY N47°28'54"E, A DISTANCE OF 74.38 FEET TO A POINT ON THE WEST LINE OF LOT 4 OF FOSS ADDITION;

THENCE N12°01'26"E ALONG SAID WEST LINE, A DISTANCE OF 25.57 FEET TO A 5/8" REBAR WITH PLASTIC CAP MARKED "PLS 12463";

THENCE 300.10 FEET ALONG A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 408.31 FEET, A CENTRAL ANGLE OF 42°06'40", A CHORD BEARING OF N11°44'18"W, AND A CHORD DISTANCE OF 293.39 FEET TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND.

PARCEL CONTAINS 3.51 ACRES, MORE OR LESS.

END OF DESCRIPTION.



Vicinity Key

Scale: N.T.S.

Annexation Map

Scale

Received 4/4/14

FOUND 2.5" ZINC
CAP PLS 772 PER
CP&F INST. NO.
2032368000



MILLERSTAUFFER
ARCHITECTS

**COEUR D'ALENE PLANNING COMMISSION
FINDINGS AND ORDER**

A. INTRODUCTION

This matter having come before the Planning Commission on June 10, 2014, and there being present a person requesting approval of ITEM A-4-14 , A request for zoning prior to annexation from County Agricultural - Suburban to an R-3 (Residential at 3 units/acre) and R-8 (Residential at 8 units/acre) zoning district.

APPLICANT: LARRY FLUET REVOCABLE TRUST

LOCATION: +/- 13.03 ACRE PARCEL BETWEEN PENNSYLVANIA AVENUE, FERNAN HILL ROAD, LILAC LANE AND INTERSTATE-90

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

(The Planning Commission may adopt Items B1-through7.)

- B1. That the existing land uses are residential- single-family and vacant land.
- B2. That the Comprehensive Plan Map designation is Cherry Hill-Stable Established & Fernan Hill Bench – Transition.
- B3. That the zoning is County Agricultural.
- B4. That the notice of public hearing was published on, April 26, 2014, 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 53 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on April 25, 2014.
- B7. That public testimony was heard on June 10, 2014 including:

Sean Holm, City Planner.

Planner Holm presented the staff report. Mr. Holm indicated that this proposal contained multiple requests including a 3.51 acre request for zoning(R-3 and R-8) in conjunction with annexation, a 9.52

acre request for a zone change from R-3 to a mix of R-3, R-8 and R-17, a 13 acre PUD and a minimal care special use permit with the commission setting the maximum number of beds. Mr. Holm reviewed the Comprehensive Plan considerations for the property indicating that the property is within two planning areas; the Cherry Hill (stable established) and Fernan Hill Bench (transition) planning areas. He noted the Plan for both Cherry Hill and Fernan Hill Bench anticipates typically single family development with densities up to 3 units per acre where appropriate but also encourages cluster development to preserve open space and views and vistas. He noted that for the residential areas the density is approximately 2 units per acre and explained that for the minimal care facility the applicant is seeking approval for 70 beds. He also indicated that the property falls within the Hillside overlay zone, as such development of any lot with slopes exceeding 15% will need to comply with the overlay rules. He stated that there is a floodway across the northern portion of the property that must be managed as part of the development. He indicated that the land uses in the area is a mix of single family and multi-family. Concerning the PUD, he testified that the request is for a public street profile that includes a 50 right of way with a 28 foot paved travel lane and a 10 foot pedestrian/bike path on one side, reduced setbacks on the lots on Fernan Hill Road to mirror the existing homes in the area, reduced setbacks for the minimal care facilities, an increase in allowable height for the minimal care facilities from 45 to 50 feet, removal of the buffer yards because the slope of the property separates the uses, and a request to remove one lot from the hillside overlay because the property has already been developed with a home. He noted that the applicant was providing approximately 11% of the site as usable open space and an additional 1.9 acres of open space that is wooded and steeper, which will remain in a natural state.

Warren Wilson, Deputy City Attorney.

Mr. Wilson indicated that through a PUD the applicant can amend requirements in the hillside overlay. He indicated that the minimal care use is the same as what is thought of as assisted living facilities. Concerning the number of beds in the minimal care facility, he indicated that the number should be determined based on the impacts created by the use on the surrounding properties.

Gordon Dobler, City Engineer.

Mr. Dobler explained that a private sewer is maintained by an owner's association while public sewer is maintained by the City. He noted that there are several similar systems in the City and they have not been a problem for the City. Concerning the floodway, Mr. Dobler stated that the applicant would need to construct a bridge or culvert that will allow a 100 year flood to pass under the road. He testified that the lots on Fernan Hill Road will need to get approval of their access points from East Side Highway District. He testified that Lilac Lane will be a public road improved to public standards. Regarding traffic, Mr. Dobler testified that he would anticipate that a R-3 subdivision would likely generate nominally more traffic than the 72 trips per day anticipated from the proposed development and that the traffic generated by this development will not have an adverse impact on surrounding neighborhoods.

Dick Stauffer, Applicant's Representative.

Mr. Stauffer made a presentation showing how the development fits into the context of the area. He indicated that the proposed project is an infill project that will include 2 assisted living structures, 7 duplex lots, three single family residential lots on Fernan Hill Road and the retention of 3 existing single family residences. He stated that one of the goals of the development is to maintain as many trees on the property that will provide a buffer to the homes above this development and that close to 25% of the site is left as open space. Concerning the assisted living facilities, he testified that the parking would be provided under the buildings and the requested number of beds in the facilities is based on the number of parking stalls that they can fit in that space. He testified that the property presents challenges for developing a single family development including proximity to the freeway, topography, drainage, and access. He commented that he lives in this area and feels that this project, if approved, will be a win/win for the city and the community. Regarding the request for additional height, he testified that even with the additional height the buildings will be below the sight lines of the properties up the hill on Fernan Hill Road and it will allow them to add architectural details that make the buildings more interesting. Mr. Stauffer indicated that the applicant has reviewed all of the proposed conditions contained in the staff report and they agree with those conditions. Mr. Stauffer explained that an 8 -12" water main (depending on required fire flows) connecting existing 8" city lines at 20th and Pennsylvania Avenue all the way through to Sherman Avenue, which will help water pressure for existing residences.

Additionally, this proposal will create an additional road access point and extend sewer service to three existing residences.

Norm Gissel.

Mr. Gissel testified that he lives on Fernan Hill Road and is opposed to the request. He explained that he is not against development of the property and feels that this is a better design for this piece of property that was presented in the past however, he testified that the homes on Fernan Hill Road are single family and he believes that allowing multi-family homes will allow the encroachment of multi-family uses on Fernan Hill Road. Mr. Gissel also testified that the staff report says that there is insufficient water and wastewater to service the development. As such additional infrastructure will need to be constructed to serve the development. Finally, he testified that the creek across the property has a significant flow.

Charleda Foss.

Ms. Foss stated she is one of the original homeowners who live on Lilac Lane and is in favor of this request. She stated that when the freeway and Lake Villa Apartments were constructed they did not have a choice about those projects, so she is not sympathetic to Mr. Gissel's concerns.

Maralee Foss.

Ms. Foss stated that she has lived on Lilac Lane with her sister and mother since before the freeway was built. She testified that this project is a perfect fit for the area.

Armando Hurtado.

Mr. Hurtado testified that he agrees with the previous testimony from Mr. Gissel and is concerned with the additional traffic this project will generate if approved and the grade of Fernan Hill Road where the homes will be located. He indicated that the traffic on the intersection of Pennsylvania Ave and 23rd Street is bad.

Shelli Hurtado.

Ms. Hurtado testified that she is not against any development on this property, but feels a single family subdivision would be a better fit for the area. She testified that she feels that maybe 30 homes could be built. Ms. Hurtado also testified that there seems to be a lot of assisted living facilities within a 5 mile radius.

Dan Jacobson.

Mr. Jacobson testified that he is concerned with traffic and safety for the children. He stated in the winter he has had many cars miss the turn at Pennsylvania and 23rd. and land in his yard and has concerns about how the development will be served by sewer.

John Runge.

Mr. Runge questioned whether his driveway would be relocated since it is close to Lilac Lane and is concerned with the accidents happening near his home.

Ben Glass.

Mr. Glass testified that what happens to this property is a concern for this area and he is concerned with traffic and having new rental properties in the area. He testified that he would like a nice single family development.

Troy Murphy.

Mr. Murphy testified that traffic is an issue on both Pennsylvania and Boyd and he believes that building rental properties will lower property values.

Linda Fillos.

Ms. Fillos testified that the annexation makes sense but she believes there is traffic concerns and is opposed to the houses on Fernan Hill because of the design of the driveways and the potential for slides. She testified that she is not opposed to the assisted living use because the property is not a good fit for single family development.

Carmela Hameland.

Ms. Hameland testified that traffic is a problem in this area as are accidents, which may make it difficult for emergency services to get to the assisted living facilities.

George Ciccone.

Mr. Ciccone testified that he is neutral on the proposal but wants to know who will own the assisted facilities and whether they will be licensed and what types of clients they will be serving.

B8. That this proposal **is** in conformance with the Comprehensive Plan policies as follows:

The property sits partially in the Cherry Hill and Fernan Hill Bench land use areas. Both land use areas anticipate up to 3 units per acre where site access is gained without significant disturbance, the terrain is relatively flat, natural landforms permit and where development will not impact views and vistas. In this instance the density of the residential units is approximately 2 units per acre with a civic use (assisted living facility) that City code does not measure by density. We find Mr. Stauffer's presentation persuasive that in this location the density proposed by this development is appropriate. We reach this conclusion because the views from the freeway and from Fernan Bench Road are not impacted. Additionally, access to the site can be obtained by construction of a bridge/culvert, which will not create significant site disturbance and will allow for a public through street that will help diffuse traffic. Further, Mr. Stauffer's presentation demonstrated that the building pads are relatively flat and that the site layout works around the natural landforms and preserves the steep areas of the site as open space. We also find persuasive Gordon Dobler's testimony that this development will not generate any more traffic than a R-3 residential subdivision in this area. So, even if the assisted living facility were included in density, the impacts are essentially the same.

Finally, both land use areas encourage clustering of development in order to preserve open space and views and vistas. Here the development is clustered in areas that are relatively flat and are on the lower areas of the property, which allowed for the development to allow for approximately 25% of the site to be preserved as open space and also largely preserves the views and vistas from both Fernan Bench Road and the freeway as demonstrated in Mr. Stauffer's presentation. Given the above, we find that this proposal conforms with the Comprehensive Plan.

B9. That public facilities and utilities **are** available and adequate for the proposed use.

We find that, based on the staff report and the testimony from Gordon Dobler, that the public facilities and utilities will be available and adequate for the proposed use. The staff report does indicate that the developer will need to extend public water and that a private wastewater collection system will collect wastewater prior to discharging into the public sewer and we are adopting these requirements as a condition of approval for the project contained in the PUD findings). While there was some testimony suggesting that this was not adequate, that testimony appears to have been based on a misreading of the staff report. Further Gordon Dobler testified that having a private collection system of this nature is not unique in the City. Finally, the staff report and Gordon Dobler's testimony indicated that any traffic from this development will be adequately handled by the existing street network. As such, we find that this approval criteria is satisfied.

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

The property involved in this application has a stream as well as a significant change in elevation from bottom to top. However, as noted above, the applicant has designed the site to mitigate these concerns by clustering development in areas where the topography is relatively flat and by bridging the stream. Given that, we find that the physical characteristics of the site are suitable for this request based on the staff report and the testimony from Mr. Stauffer and Gordon Dobler.

B11. That the proposal **would not** adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, **or** existing land uses because

As noted above, the staff report and the testimony of Gordon Dobler demonstrate that the surrounding neighborhood will not be adversely affected by traffic. With regard to neighborhood character and land uses, the staff report demonstrates that the area is a mix of single and multi-family residential. As such, the proposed uses are consistent with the surrounding area. Further, the topography of the site will largely mitigate impacts on surrounding areas as the site is essentially isolated by the freeway and the hillside from surrounding areas. As such, we find this approval criteria satisfied.

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **LARRY FLUET REVOCABLE TRUST** for zoning prior to annexation, as described in the application is approved.


Motion by Luttropp, seconded by Ingalls, to adopt the foregoing Findings and Order.

ROLL CALL:

Commissioner Bowlby	Voted Aye
Commissioner Ingalls	Voted Aye
Commissioner Luttropp	Voted Aye
Commissioner Ward	Voted Aye

Commissioner Messina was absent..

Motion to approve_carried by a 4 to 0 vote.



CHAIRMAN BRAD JORDAN

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

A. INTRODUCTION

This matter having come before the City Council on, September 2, 2014, and there being present a person requesting approval of ITEM A-4-14, a request for zoning in conjunction with annexation from County Agricultural-Suburban to City R-3 and R-8.

APPLICANT: LARRY FLUET REVOCABLE TRUST

LOCATION: +/- 13.03 ACRE PARCEL BETWEEN PENNSYLVANIA AVENUE, FERNAN HILL ROAD, LILAC LANE AND INTERSTATE-90

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

(The City Council may adopt Items B1-through7.)

- B1. That the existing land uses are residential- single-family and vacant land.
- B2. That the Comprehensive Plan Map designation is Cherry Hill-Stable Established & Fernan Hill Bench – Transition.
- B3. That the zoning is County Agricultural Suburban.
- B4. That the notice of public hearing was published on, August 16, 2014, 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 50 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on August 15, 2014.
- B7. That public testimony was heard on September 2, 2014.

B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

B9. That public facilities and utilities **(are) (are not)** available and adequate for the proposed use.
This is based on

- Criteria to consider for B9:**
1. Can water be provided or extended to serve the property?
 2. Can sewer service be provided or extended to serve the property?
 3. Does the existing street system provide adequate access to the property?
 4. Is police and fire service available to the property?

B10. That the physical characteristics of the site **(do) (do not)** make it suitable for the request at this time because

- Criteria to consider for B10:**
1. Topography.
 2. Streams.
 3. Wetlands.
 4. Rock outcroppings, etc.
 5. vegetative cover.

B11. That the proposal **(would) (would not)** adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, **(and) (or)** existing land uses because

Criteria to consider for B11:

1. **Traffic congestion.**
2. **Is the proposed zoning compatible with the surrounding area in terms of density, types of uses allowed or building types allowed?**
3. **Existing land use pattern i.e. residential, commercial, residential w churches & schools etc.**

C. ORDER: CONCLUSION AND DECISION

The City Council, pursuant to the aforementioned, finds that the request of **LARRY FLUET REVOCABLE TRUST** for zoning in conjunction with annexation, as described in the application should be **(approved) (denied) (denied without prejudice)**.

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

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

ROLL CALL:

Council Member Gookin	Voted _____
Council Member Edinger	Voted _____
Council Member Evans	Voted _____
Council Member McEvers	Voted _____
Council Member Adams	Voted _____
Council Member Miller	Voted _____

Mayor Widmyer Voted _____ (tie breaker)

Council Member(s) _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

MAYOR STEVE WIDMYER

**COEUR D'ALENE PLANNING COMMISSION
FINDINGS AND ORDER**

A. INTRODUCTION

This matter having come before the Planning Commission on, June 10, 2014, and there being present a person requesting approval of ZC-1-14 , a request for a zone change from R-3 Hillside (Residential at 3 units/acre) to a mix of R-3, R-8, and R-17 (Residential at 3, 8, & 12 units/acre) zoning districts

APPLICANT: LARRY FLUET REVOCABLE TRUST

LOCATION: +/- 13.03 ACRE PARCEL BETWEEN PENNSYLVANIA AVENUE, FERNAN HILL ROAD, LILAC LANE AND INTERSTATE-90

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

(The Planning Commission may adopt Items B1-through7.)

- B1. That the existing land uses are residential- single-family and vacant land.
- B2. That the Comprehensive Plan Map designation is Cherry Hill-Stable Established & Fernan Hill Bench – Transition.
- B3. That the zoning is R-3 Hillside (Residential at 3 units/acre).
- B4. That the notice of public hearing was published on April 26, 2014, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, May 26, 2014, which fulfills the proper legal requirement.
- B6. That 53 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on April 25, 2014.
- B7. That public testimony was heard on June 10, 2014 including:

Sean Holm, City Planner.

Planner Holm presented the staff report. Mr. Holm indicated that this proposal contained multiple requests including a 3.51 acre request for zoning(R-3 and R-8) in conjunction with annexation, a 9.52 acre request for a zone change from R-3 to a mix of R-3, R-8 and R-17, a 13 acre PUD and a minimal care special use permit with the commission setting the maximum number of beds. Mr. Holm reviewed the Comprehensive Plan considerations for the property indicating that the property is within two planning areas; the Cherry Hill (stable established) and Fernan Hill Bench (transition) planning areas. He noted the Plan for both Cherry Hill and Fernan Hill Bench anticipates typically single family development with densities up to 3 units per acre where appropriate but also encourages cluster development to preserve open space and views and vistas. He noted that for the residential areas the density is approximately 2 units per acre and explained that for the minimal care facility the applicant is seeking approval for 70 beds. He also indicated that the property falls within the Hillside overlay zone, as such development of any lot with slopes exceeding 15% will need to comply with the overlay rules. He stated that there is a floodway across the northern portion of the property that must be managed as part of the development. He indicated that the land uses in the area is a mix of single family and multi-family. Concerning the PUD, he testified that the request is for a public street profile that includes a 50 right of way with a 28 foot paved travel lane and a 10 foot pedestrian/bike path on one side, reduced setbacks on the lots on Fernan Hill Road to mirror the existing homes in the area, reduced setbacks for the minimal care facilities, an increase in allowable height for the minimal care facilities from 45 to 50 feet, removal of the buffer yards because the slope of the property separates the uses, and a request to remove one lot from the hillside overlay because the property has already been developed with a home. He noted that the applicant was providing approximately 11% of the site as usable open space and an additional 1.9 acres of open space that is wooded and steeper, which will remain in a natural state.

Warren Wilson, Deputy City Attorney.

Mr. Wilson indicated that through a PUD the applicant can amend requirements in the hillside overlay. He indicated that the minimal care use is the same as what is thought of as assisted living facilities. Concerning the number of beds in the minimal care facility, he indicated that the number should be determined based on the impacts created by the use on the surrounding properties.

Gordon Dobler, City Engineer.

Mr. Dobler explained that a private sewer is maintained by an owner's association while public sewer is maintained by the City. He noted that there are several similar systems in the City and they have not been a problem for the City. Concerning the floodway, Mr. Dobler stated that the applicant would need to construct a bridge or culvert that will allow a 100 year flood to pass under the road. He testified that the lots on Fernan Hill Road will need to get approval of their access points from East Side Highway District. He testified that Lilac Lane will be a public road improved to public standards. Regarding traffic, Mr. Dobler testified that he would anticipate that a R-3 subdivision would likely generate nominally more traffic than the 72 trips per day anticipated from the proposed development and that the traffic generated by this development will not have an adverse impact on surrounding neighborhoods.

Dick Stauffer, Applicant's Representative.

Mr. Stauffer made a presentation showing how the development fits into the context of the area. He indicated that the proposed project is an infill project that will include 2 assisted living structures, 7 duplex lots, three single family residential lots on Fernan Hill Road and the retention of 3 existing single family residences. He stated that one of the goals of the development is to maintain as many trees on the property that will provide a buffer to the homes above this development and that close to 25% of the site is left as open space. Concerning the assisted living facilities, he testified that the parking would be provided under the buildings and the requested number of beds in the facilities is based on the number of parking stall that they can fit in that space. He testified that the property presents challenges for developing a single family development including proximity to the freeway, topography, drainage, and access. He commented that he lives in this area and feels that this project, if approved, will be a win/win for the city and the community. Regarding the request for

additional height, he testified that even with the additional height the buildings will be below the sight lines of the properties up the hill on Fernan Hill Road and it will allow them to add architectural details that make the buildings more interesting. Mr. Stauffer indicated that the applicant has reviewed all of the proposed conditions contained in the staff report and they agree with those conditions. Mr. Stauffer explained that an 8 -12" water main (depending on required fire flows) connecting existing 8" city lines at 20th and Pennsylvania Avenue all the way through to Sherman Avenue, which will help water pressure for existing residences. Additionally, this proposal will create an additional road access point and extend sewer service to three existing residences.

Norm Gissel.

Mr. Gissel testified that he lives on Fernan Hill Road and is opposed to the request. He explained that he is not against development of the property and feels that this is a better design for this piece of property that was presented in the past however, he testified that the homes on Fernan Hill Road are single family and he believes that allowing multi-family homes will allow the encroachment of multi-family uses on Fernan Hill Road. Mr. Gissel also testified that the staff report says that there is insufficient water and wastewater to service the development. As such additional infrastructure will need to be constructed to serve the development. Finally, he testified that the creek across the property has a significant flow.

Charleda Foss.

Ms. Foss stated the she is one of the original homeowners who live on Lilac lane and is in favor of this request. She stated that when the freeway and Lake Villa Apartments were constructed they did not have a choice about those projects, so she is not sympathetic to Mr. Gissel's concerns.

Maralee Foss.

Ms. Foss stated that she has lived on Lilac Lane with her sister and mother since before the freeway was built. She testified that this project is a perfect fit for the area.

Armando Hurtado.

Mr. Hurtado testified that he agrees with the previous testimony from Mr. Gissel and is concerned with the additional traffic this project will generate if approved and the grade of Fernan Hill Road where the homes will be located. He indicated that the traffic on the intersection of Pennsylvania Ave and 23rd Street is bad.

Shelli Hurtado.

Ms. Hurtado testified that she is not against any development on this property, but feels a single family subdivision would be a better fit for the area. She testified that she feels that maybe 30 homes could be built. Ms. Hurtado also testified that there seems to be a lot of assisted living facilities within a 5 mile radius.

Dan Jacobson.

Mr. Jacobson testified that he is concerned with traffic and safety for the children. He stated in the winter he has had many cars miss the turn at Pennsylvania and 23rd. and land in his yard and has concerns about how the development will be served by sewer.

John Runge.

Mr. Runge questioned whether his driveway would be relocated since it is close to Lilac Lane and is concerned with the accidents happening near his home.

Ben Glass.

Mr. Glass testified that what happens to this property is a concern for this area and he is concerned with traffic and having new rental properties in the area. He testified that he would like a nice single family development.

Troy Murphy.

Mr. Murphy testified that traffic is an issue on both Pennsylvania and Boyd and he believes that building rental properties will lower property values.

Linda Fillos.

Ms. Fillos testified that the annexation makes sense but she believes there is traffic concerns and is opposed to the houses on Fernan Hill because of the design of the driveways and the potential for slides. She testified that she is not opposed to the assisted living use because the property is not a good fit for single family development.

Carmela Hameland.

Ms. Hameland testified that traffic is a problem in this area as are accidents, which may make it difficult for emergency services to get to the assisted living facilities.

George Ciccone.

Mr. Ciccone testified that he is neutral on the proposal but wants to know who will own the assisted facilities and whether they will be licensed and what types of clients they will be serving.

B8. That this proposal **is** in conformance with the Comprehensive Plan policies as follows:

The property sits partially in the Cherry Hill and Fernan Hill Bench land use areas. Both land use areas anticipate up to 3 units per acre where site access is gained without significant disturbance, the terrain is relatively flat, natural landforms permit and where development will not impact views and vistas. In this instance the density of the residential units is approximately 2 units per acre with a civic use (assisted living facility) that City code does not measure by density. We find Mr. Stauffer's presentation persuasive that in this location the density proposed by this development is appropriate. We reach this conclusion because the views from the freeway and from Fernan Bench Road are not impacted. Additionally, access to the site can be obtained by construction of a bridge/culvert, which will not create significant site disturbance and will allow for a public through street that will help diffuse traffic. Further, Mr. Stauffer's presentation demonstrated that the building pads are relatively flat and that the site layout works around the natural landforms and preserves the steep areas of the site as open space. We also find persuasive Gordon Dobler's testimony that this development will not generate any more traffic than a R-3 residential subdivision in this area. So, even if the assisted living facility were included in density, the impacts are essentially the same.

Finally, both land use areas encourage clustering of development in order to preserve open space and views and vistas. Here the development is clustered in areas that are relatively flat and are on the lower areas of the property, which allowed for the development to allow for approximately 25% of the site to be preserved as open space and also largely preserves the views and vistas from both Fernan Bench Road and the freeway as demonstrated in Mr. Stauffer's presentation. Given the above, we find that this proposal conforms with the Comprehensive Plan.

B9. That public facilities and utilities **are** available and adequate for the proposed use.

We find that, based on the staff report and the testimony from Gordon Dobler, that the public facilities and utilities will be available and adequate for the proposed use. The staff report does indicate that the developer will need to extend public water and that a private wastewater collection system will collect wastewater prior to discharging into the public sewer and we are adopting these requirements as a condition of approval for the project (contained in the PUD and Subdivision findings). While there was some testimony suggesting that this was not adequate, that testimony appears to have been based on a misreading of the staff report. Further Gordon Dobler testified that having a private collection system of this nature is not unique in the City. Finally, the staff report and Gordon Dobler's testimony indicated that any traffic from this development will be adequately

handled by the existing street network. As such, we find that this approval criteria is satisfied.

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

The property involved in this application has a stream as well as a significant change in elevation from bottom to top. However, as noted above, the applicant has designed the site to mitigate these concerns by clustering development in areas where the topography is relatively flat and by bridging the stream. Given that, we find that the physical characteristics of the site are suitable for this request based on the staff report and the testimony from Mr. Stauffer and Gordon Dobler.

B11. That the proposal **would not** adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, **or** existing land uses because

As noted above, the staff report and the testimony of Gordon Dobler demonstrate that the surrounding neighborhood will not be adversely affected by traffic. With regard to neighborhood character and land uses, the staff report demonstrates that the area is a mix of single and multi-family residential. As such, the proposed uses are consistent with the surrounding area. Further, the topography of the site will largely mitigate impacts on surrounding areas as the site is essentially isolated by the freeway and the hillside from surrounding areas. As such, we find this approval criteria satisfied.

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **LARRY FLUET REVOCABLE TRUST** for a zone change, as described in the application is **approved**. Special conditions applied are as follows:


Motion by Luttorpp, seconded by Ingalls, to adopt the foregoing Findings and Order.

ROLL CALL:

Commissioner Bowlby	Voted Aye
Commissioner Ingalls	Voted Aye
Commissioner Luttropp	Voted Aye
Commissioner Ward	Voted Aye

Commissioner Messina was absent..

Motion to approve_carried by a 4 to 0 vote.


CHAIRMAN BRAD JORDAN

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

A. INTRODUCTION

This matter having come before the City Council on September 2, 2014, and there being present a person requesting approval of ITEM: ZC-1-14 , A request for a zone change from R-3 Hillside (Residential at 3 units/acre) to a mix of R-3, R-8, and R-17 (Residential at 3, 8, & 12 units/acre) zoning districts

APPLICANT: LARRY FLUET REVOCABLE TRUST

LOCATION: +/- 13.03 ACRE PARCEL BETWEEN PENNSYLVANIA AVENUE, FERNAN HILL ROAD, LILAC LANE AND INTERSTATE-90

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

(The City Council may adopt Items B1-through7.)

- B1. That the existing land uses are residential- single-family and vacant land.
- B2. That the Comprehensive Plan Map designation is Cherry Hill-Stable Established & Fernan Hill Bench – Transition.
- B3. That the zoning is R-3 Hillside (Residential at 3 units/acre).
- B4. That the notice of public hearing was published on ,August 16, 2014 , which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, August 18, 2014, which fulfills the proper legal requirement.
- B6. That 50 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on August 15, 2014.
- B7. That public testimony was heard on September 2, 2014.

B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

B9. That public facilities and utilities **(are) (are not)** available and adequate for the proposed use. This is based on

Criteria to consider for B9:

1. Can water be provided or extended to serve the property?
2. Can sewer service be provided or extended to serve the property?
3. Does the existing street system provide adequate access to the property?
4. Is police and fire service available and adequate to the property?

B10. That the physical characteristics of the site **(do) (do not)** make it suitable for the request at this time because

Criteria to consider for B10:

1. Topography
2. Streams
3. Wetlands
4. Rock outcroppings, etc.
5. vegetative cover

B11. That the proposal **(would) (would not)** adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, **(and) (or)** existing land uses because

Criteria to consider for B11:

1. Traffic congestion
2. Is the proposed zoning compatible with the surrounding area in terms of density, types of uses allowed or building types allowed
3. Existing land use pattern i.e. residential, commercial, residential w churches & schools etc.

C. ORDER: CONCLUSION AND DECISION

The City Council, pursuant to the aforementioned, finds that the request of **LARRY FLUET** for a zone change, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied are as follows:

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

ROLL CALL:

Council Member Gookin	Voted _____
Council Member Edinger	Voted _____
Council Member Evans	Voted _____
Council Member McEvers	Voted _____
Council Member Adams	Voted _____
Council Member Miller	Voted _____

Mayor Bloem Voted _____ (tie breaker)

Council Member(s) _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

MAYOR STEVE WIDMYER

Public Comments
ZC-2-14
602 E. Garden

From: Colleen Noble [<mailto:irishcolleen12@live.com>]

Sent: Monday, August 18, 2014 11:24 AM

To: STUHMILLER, SHANA

Subject: Public Hearing

In regard to David Rucker wanting approval of the zone change for 602 E. Garden Avenue, Coeur d'Alene, Idaho; I am against this.

I do not know Mr. Rucker, nor have I checked into his background; I do know that locals say he does not keep up his rental units, nor do some of his renters feel he has treated them fairly. I do not know this as fact, I simply am repeating what I have heard.

It has been said, through our neighborhood online organization, that Mr. Rucker only wants this zone change to fix his furnace. This came from one of his renters. I feel that to fix a furnace should not require a zoning change. I would hope our city officials are wiser than this. A furnace upgrade should be for the benefit of improving his rental without making it into a multiple living residential unit. I don't care how big the furnace is, it should not require a zone change.

I live two doors down from this address. I love the old school and sincerely wish someone was renovating it and it was on the historical list.

To have multiple cars, people and apartments here would be lowering the worth of our homes, and would create more problems than we already have. The downtown soup kitchen and other rentals have created a steady stream of drug dealers and homeless walking our streets.

Crime goes up. The drug dealers in our neighborhood are already a terrible blight on the Garden District and our community.

I am asking the city officials to deny this request and to further protect our gentle and beautiful downtown area to be less crime free by moving soup kitchens out from general populated areas, and not allowing multiple low cost living units to go into the downtown area, anywhere.

Respectfully,

Colleen O'Dowd

**CITY COUNCIL
STAFF REPORT**

FROM: TAMI STROUD, PLANNER
DATE: SEPTEMBER 2, 2014
SUBJECT: ZC-2-14 - ZONE CHANGE FROM R-17 TO NC
LOCATION: +/- 0.50 ACRE PARCEL AT 602 E. GARDEN, AND MORE COMMONLY KNOWN AS "THE OLD CENTRAL SCHOOL SITE".

APPLICANT/OWNER:

David Rucker
P.O. Box 3270
Coeur d'Alene, ID 83816

DECISION POINT:

David Rucker is requesting approval of a Zone Change from R-17 (Residential at 17 units/acre) to NC (Neighborhood Commercial).

BACKGROUND INFORMATION:

The subject property is located at the southeast corner of 6th and Garden Avenue and is the former site of the "Old Central School", an existing three-story brick building, constructed in the early '1900's.



GENERAL INFORMATION:

The Neighborhood Commercial district (NC) is intended to allow for the location of enterprises that mainly serve the immediate surrounding residential area and that provide a scale and character that are compatible with residential buildings. It is expected that most customers would reach the businesses by walking or bicycling, rather than driving.

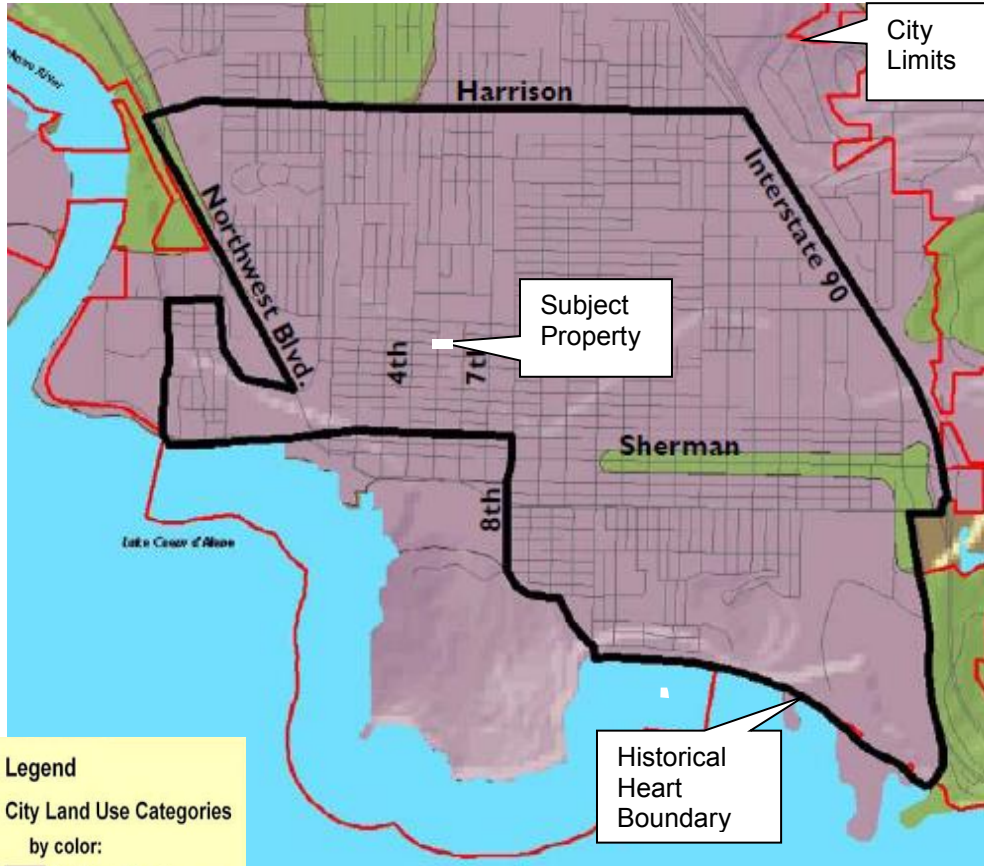
David Rucker intends to do exterior improvements on the site and lease the interior space for office and personal service type uses, which are allowed uses in the NC zoning district. The applicant's comments and justification for the zone change request is attached for your review.

REQUIRED FINDINGS:

- A. **Finding #B8:** That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.

2007 COMPREHENSIVE PLAN- LAND USE CATEGORY:

- The subject property is within the existing city limits.
- The City Comprehensive Plan Map designates this area as Historical Heart-Stable Established:



Stable Established: These areas are where the character of neighborhoods has largely been established and, in general, should be maintained. The street network, the number of building lots and general land use are not expected to change greatly within the planning period.

Historical Heart Tomorrow

Increased property values near Lake Coeur d'Alene have intensified pressure for infill, redevelopment, and reuse in the areas surrounding the downtown core. Stakeholders must work together to find a balance between commercial, residential and mixed use development in the Historic Heart that allows for increased density in harmony with long established neighborhoods and uses. Sherman Avenue, Northwest Boulevard and I-90 are gateways to our community and should reflect a welcoming atmosphere.

Neighborhoods in this area, Government Way, Foster, Garden, Sanders Beach, and others, are encouraged to form localized groups designed to retain and increase the qualities that make this area distinct.

The characteristics of Historical Heart neighborhoods will be:

- That infill regulations providing opportunities and incentives for redevelopment and mixed use development will reflect the scale of existing neighborhoods while allowing for an increase in density.
- Encouraging growth that complements and strengthens existing neighborhoods, public open spaces, parks, and schools while providing pedestrian connectivity.
- Increasing numbers of, and retaining existing street trees.
- That commercial building sizes will remain lower in scale than in the downtown core.

COMPREHENSIVE PLAN GOALS & OBJECTIVES:

Goal #1: Natural Environment

Our Comprehensive Plan supports policies that preserve the beauty of our natural environment and enhance the beauty of Coeur d'Alene.

Objective 1.12

Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.14

Efficiency:

Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.

Objective 1.16

Connectivity:

Promote bicycle and pedestrian connectivity and access between neighborhoods, open spaces, parks and trail systems.

Goal #2: Economic Environment

Our Comprehensive Plan preserves the city's quality workplaces and encourages economic growth.

Objective 2.01

Business Image and Diversity:

Welcome and support a diverse mix of quality professional, trade, business, and service industries, while protecting existing uses of these types from encroachment by incompatible land uses.

Objective 2.04

Downtown & Neighborhood Service Nodes:

Prioritize a strong, vibrant downtown and compatible neighborhood service nodes throughout the city.

Objective 2.05

Pedestrian & Bicycle Environment:

Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.

Goal #3: Home Environment

Our Comprehensive Plan preserves the qualities that make Coeur d'Alene a great place to live.

Objective 3.01

Managed Growth:

Provide for a diversity of suitable housing forms within existing neighborhoods to match the needs of a changing population.

Objective 3.05

Neighborhoods:

Protect and preserve existing neighborhoods from incompatible land uses and developments.

Objective 3.06

Neighborhoods:

Protect the residential character of neighborhoods by allowing residential/commercial/industrial transition boundaries at alleyways or along back lot lines if possible.

Objective 3.07

Neighborhoods:

Emphasize a pedestrian orientation when planning neighborhood preservation and revitalization.

Objective 3.10

Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

Objective 3.11

Historic Preservation:

Encourage the protection of historic buildings and sites.

Goal #4: Administrative Environment

Our Comprehensive Plan advocates efficiency and quality management in city government.

Objective 4.06

Public Participation:

Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision making process.

Evaluation:

The City Council must determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.

B. Finding #B9: That public facilities and utilities (are) (are not) available and adequate for the proposed use.

STORMWATER: No issues with the proposed zone change.

-Submitted by Chris Bates, Engineering Project Manager

STREETS: No issues with the proposed zone change.

-Submitted by Chris Bates, Engineering Project Manager

WATER: Water has no comments for the proposed zone change.

-Submitted by Terry Pickel, Assistant Water Superintendent

SEWER: Wastewater has no objection to this planning action.

-Submitted by Mike Becker, Utility Project Manager

FIRE: Fire Department has no issues or concerns with the zone change request.

-Submitted by Bobby Gonder, Fire Inspector

Evaluation: *The City Council must determine, based on the information before them, whether or not the public facilities and utilities are adequate for the request.*

- C. **Finding #B10:** **That the physical characteristics of the site (make) (do not make) it suitable for the request at this time.**

PHYSICAL CHARACTERISTICS:

There are no topographical or other physical constraints that would make the subject property unsuitable for the request.

AERIAL PHOTO:



SITE PHOTO: Subject property looking southwest



Evaluation: *The City Council must determine, based on the information before them, whether or not the physical characteristics of the site make it suitable for the request at this time.*

- D. **Finding #B11:** That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.

TRAFFIC:

The proposed zone change will not impact traffic generation from the subject property.

SUBJECT PROPERTY: Looking southeast



NEIGHBORHOOD CHARACTER:

From 2007 Comprehensive Plan: **Historical Heart Today**

The historical heart of Coeur d'Alene contains a mix of uses with an array of historic residential, commercial, recreational, and mixed uses. A traditional, tree-lined, small block, grid style street system with alleys is the norm in this area. Neighborhood schools and parks exist in this location and residents have shown support for the long term viability of these amenities. Focusing on multimodal transportation within this area has made pedestrian travel enjoyable and efficient.

Widely governed by traditional zoning, there are pockets of infill overlay zones that allow development, based on Floor Area Ratio (FAR). Many other entities and ordinances serve this area to ensure quality development for generations to come.

Numerous residential homes in this area are vintage and Residents are very active in local policy-making to ensure development is in scale with neighborhoods.

EXISTING LAND USES:

ZONING:



Approval of the zone change request could intensify the potential use of the property by increasing the allowable uses by right as listed below:

- **Existing R-17 Zoning District:**

Uses permitted by right in the R-17 zoning district

- Single-family detached housing
- Duplex housing
- Pocket residential development
- Multi-family.
- Home occupations.
- Administrative.
- .
- Public recreation.
- Neighborhood recreation.
- Essential service (underground)
- Childcare facility.
- Community education

Uses permitted by Special Use Permit:

- Automobile parking when the lot is adjoining at least one point of, intervening streets and alleys excluded the establishment which it is to serve; this is not to be used for the parking of commercial vehicles.
- Boarding house.
- Commercial film production.
- Commercial recreation.
- Community assembly.
- Community organization.
- Convenience sales.
- Group dwelling - detached housing.
- Handicapped or minimal care facility.
- Juvenile offenders facility.
- Ministorage facilities.
- Mobile home manufactured in accordance with section 17.02.085 of this title.
- Noncommercial kennel.
- Nursing/convalescent/rest homes for the aged.
- Rehabilitative facility.
- Religious assembly.
- Residential density of the R-34 district as specified.
- Three (3) units per gross acre density increase

➤ **Proposed Neighborhood Commercial (NC) Zoning District:**

Uses permitted by right:

- Commercial and professional office
- Daycare
- Medical/dental
- Parks
- Personal services
- Residential
(Above the ground floor only-new construction)
- Retail

Uses permitted by special use permit:

- Religious institutions
- Schools

The following uses are prohibited in NC districts:

- × Commercial parking
- × Detention facilities
- × Gasoline service stations
- × Industrial
- × Ministorage
- × Outdoor storage or display of goods, other than plants
- × Sales, repair or maintenance of vehicles, boats, or equipment
- × Warehouses

- × Additional Prohibited Uses: In addition to the uses listed above, any other uses that the Planning Director determines are not in conformity with the purpose and intent of the district are prohibited. The decision of the Planning Director may be appealed by following the administrative appeal procedure.

Hours of Operation

Nonresidential uses may only be open for business between the hours of six o'clock (6:00) A.M. and ten o'clock (10:00) P.M.

Floor Area

Maximum Floor Area Ratio: The floor area ratio (FAR) for nonresidential uses in an NC district is 1.0 with a total FAR of 1.5 when a ground floor permitted use is combined with a second level residential unit.

Maximum Floor Area: The maximum floor area shall not exceed four thousand (4,000) square feet for retail uses. All other nonresidential uses shall not exceed eight thousand (8,000) square feet.

Parking

Nonresidential Uses: Nonresidential uses must provide at least three (3) parking stalls per one thousand (1,000) square feet of floor area.

Permitted Residential Uses: Permitted residential uses must provide 1.5 stalls per dwelling unit.

Height & Design Standards

The maximum height for all uses in an NC district shall not exceed thirty two feet (32').

At least fifty percent (50%) of any first floor wall facing an arterial street must be glass.

If the building does not abut the sidewalk, there must be a walkway between the sidewalk and the primary entrance.

Surface parking should be located to the rear or to the side of the principal building.

Trash areas must be completely enclosed by a structure constructed of materials similar to the principal building. Dumpsters must have rubber lids.

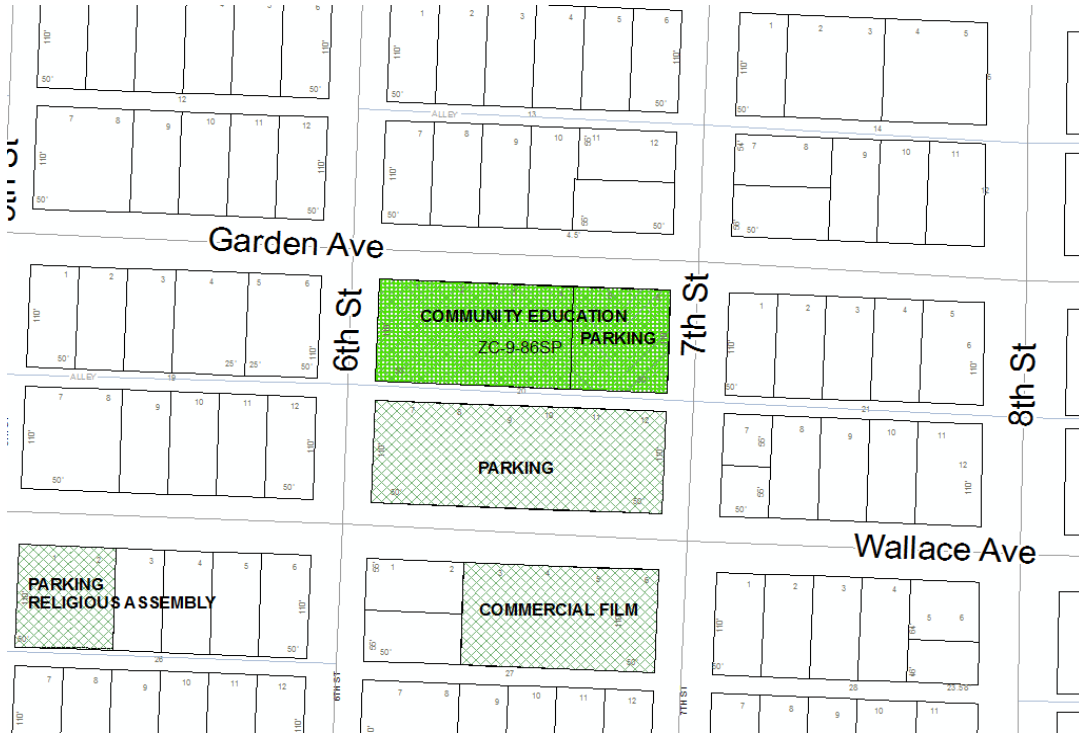
Buildings must be designed with a residential character, including elements such as pitched roofs, lap siding, and wide window trim.

Lighting greater than one foot-candle is prohibited. All lighting fixtures shall be a "cutoff" design to prevent spillover.

Wall mounted signs are preferred, but monument signs no higher than six feet (6') are allowed. Roof mounted signs and pole signs are not permitted.

Signs shall not be internally lighted, but may be indirectly lighted.

PRIOR ZONE CHANGES IN AREA:



GENERALIZED LAND USE PATTERN:



Existing/adjacent land uses:

The existing land uses in the area are primarily single-family, duplex, religious assembly and professional office uses (Social Security Office).

Previously, the building was used for community education as the Old Central School and as an approved daycare, Stepping Stones Preschool (SP-13-84).

Evaluation: *The City Council must determine, based on the information before them, whether or not the proposal would adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and)/(or) existing land uses.*

APPLICABLE CODES AND POLICIES:

UTILITIES:

All proposed utilities within the project shall be installed underground.

STREETS:

An encroachment permit shall be obtained prior to any work being performed in the existing right-of-way.

STORMWATER:

A stormwater management plan shall be submitted and approved prior to start of any construction. The plan shall conform to all requirements of the City.

PROPOSED CONDITIONS:

None

ORDINANCES & STANDARDS USED FOR EVALUATION:

2007 Comprehensive Plan
Transportation Plan
Municipal Code
Idaho Code
Wastewater Treatment Facility Plan
Water and Sewer Service Policies
Urban Forestry Standards
Transportation and Traffic Engineering Handbook, I.T.E.
Manual on Uniform Traffic Control Devices
2010 Coeur d'Alene Trails Master Plan

ACTION ALTERNATIVES:

City Council must consider this request and make separate findings to approve, deny or deny without prejudice. The findings worksheet is attached.

Applicant: David Rucker
Location: 602 E. Garden
Request: A proposed zone change from R-17(Residential at 17units/acre) to
NC (Neighborhood Commercial)
QUASI-JUDICIAL (ZC-2-14)

Planner Stroud presented the staff report and answered questions from the Commission.

Commissioner Luttrupp inquired if the Social Security office is an allowed use.

Planner Stroud stated it is allowed.

Public Testimony open:

Dave Rucker, applicant, stated he bought the building in 2006, and then the economy went bad. He explained when he applied for a building permit to add some additional trees and asphalt to his property, staff stated that a zone change was never done on this property and before any improvements could be done, a zone change is required because the uses in the building are not allowed within the current zoning. He stated that he understands the neighbors' concerns, but wanted to reassure them that he has no intention of selling the building.

Commissioner Ingalls inquired what will happen with the building if the zone change is not approved.

Mr. Rucker commented that if this request is not approved, he would probably convert the building into condos, but that would not happen right away because of the money.

Stonecalf Warriorwomen stated that she attends the yoga classes in this building and feels that the uses in this building work with the neighborhood.

Blair Williams stated he is in favor of this request.

Chris Taylor stated that he is concerned if the zone change is approved and the building is sold; he would not want an "Adam and Eve" sex store across the street.

Commissioner Bowlby explained that the zone requested is less restrictive than if the zone stays as an R-17.

Steve Mcrae stated he is a member of the yoga studio and feels that this building is in a great location for the type of businesses that operate in this building. He approves of the zone request.

Rodger Osborn stated he lives across the street from the building and is concerned if the building is sold and becomes a retail building that the hours of operation will have an impact on his schedule.

Chris Frankovich stated that his wife teaches yoga in this building and feels that this request should be approved.

Rebuttal:

Dave Rucker stated he is sympathetic to the neighborhood regarding their concerns. He stated as of today, he doesn't intend to sell the building, but you don't know what the future holds. He stated that his goal is to remodel the building and make it comfortable for the tenants who currently occupy the space in the building.

Public Testimony closed.

Discussion:

Commissioner Ingalls stated he feels that this is the appropriate zone for this neighborhood and will get the job done. He feels by approving this, it will protect the neighborhood.

Commissioner Bowlby concurs with Commissioner Ingalls and is comfortable with this request.

Motion by Messina, seconded by Ingalls, to approve Item ZC-2-14. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

A decorative border composed of a grid of purple diamonds in various shades, surrounding a central light purple rectangular area.

**APPLICANT'S
NARRATIVE**

PROPERTY INFORMATION

1. Gross area: (all land involved): _____ acres, and/or 22,000 sq.ft. (4 lots)
2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): _____ acres, and/or _____ sq. ft.
3. Total number of lots included: 4
4. Existing land use: Yoga school & photography studio
5. Existing Zoning (check all that apply): R-1 R-3 R-5 R-8 R-12 (R-17) MH-8
NC CC C-17 C-17L DC LM M
6. Proposed Zoning (check all the apply): R-1 R-3 R-5 R-8 R-12 R-17 MH-8
(NC) CC C-17 C-17L DC LM M

JUSTIFICATION

Please use this space to state the reason(s) for the requested zone change and include comments on the 2007 Comprehensive Plan Category, Neighborhood Area, and applicable Special Areas and appropriate goals and policies and how they support your request.

My request to change the zoning from R-17 to NC was a result of my learning that some of the current (and prior) uses of the property were not in compliance with the current zoning.

The NC zone ideally contemplates the ~~uses~~ current occupancies (and past occupancies) that the building has been used for over the past 10 years. ~~As pointed~~

The preservation of this beautiful old school house and the adaptation of the property for many uses that fall within the NC zone seem to support the visions outlined in the 2007 Comprehensive Plan. Specifically Objective 1.07 of Goal #1, Objective 2.01, 2.02 & 2.04 of Goal #2 and Objective 3.11 of Goal #3.

Note: The 2007 Comprehensive Plan is available by going to www.cdavid.org under Departments / Planning

**COEUR D'ALENE PLANNING COMMISSION
FINDINGS AND ORDER**

A. INTRODUCTION

This matter having come before the Planning Commission on, July 8, 2014, and there being present a person requesting approval of ZC-2-14, a request for a zone change from R-17 (Residential at 17 units/acre) to NC (Neighborhood Commercial) zoning district.

APPLICANT: DAVID RUCKER

LOCATION: +/- 0.50 ACRE PARCEL AT 602 E. GARDEN, AND MORE COMMONLY KNOWN AS "THE OLD CENTRAL SCHOOL SITE".

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

- B1. That the existing land uses are single-family, duplex, multi-family housing, religious assembly and professional office uses (Social Security Office).
- B2. That the Comprehensive Plan Map designation is Historical Heart – Transition.
- B3. That the zoning is R-17.
- B4. That the notice of public hearing was published on, June 21, 2014, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, June 25, 2014, which fulfills the proper legal requirement.
- B6. That 75 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on June 20, 2014.
- B7. That public testimony was heard on July 8, 2014.
- B8. That this proposal is in conformance with the Comprehensive Plan policies as follows:
The subject property is within the city limits and the City comprehensive Plan map designates this area as Historical Heart-Stable established.
 - Objective 2.01 – Business Image and Diversity:
Welcome and support a diverse mix of quality professional, trade, business, and service industries, while protecting existing uses of these types from encroachment by incompatible land use.

- *Objective 2.04 – Downtown & Neighborhood Service Nodes:
Prioritize a strong, vibrant downtown and compatible neighborhood service nodes throughout the city.*
- *Objective 3.05 – Neighborhoods:
Protect and preserve existing neighborhoods from incompatible land uses and developments.*
- *Objective 3.11 – Historic Preservation:
Encourage the protection of historic buildings and sites.*
- *Objective 4.06 – Public Participation:
Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision making process.*

- B9. That public facilities and utilities are available and adequate for the proposed use. This is based on Stormwater, Streets, Water, Sewer and Fire did not have any objectives.
- B10. That the physical characteristics of the site do not make it suitable for the request at this time because this is an existing building.
- B11. That the proposal would not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character and existing land uses because the Neighborhood Commercial zone is more restrictive than the present zone which is R-17.

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of DAVID RUCKER for a zone change, as described in the application should be approved.

Special conditions applied are as follows:

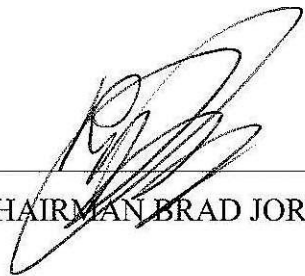
There were none.

Motion by Messina, seconded by Ingalls, to adopt the foregoing Findings and Order.

ROLL CALL:

Commissioner Bowlby	Voted Yes
Commissioner Ingalls	Voted Yes
Commissioner Luttrupp	Voted Yes
Commissioner Messina	Voted Yes
Commissioner Ward	Voted Yes

Motion to approve carried by a 5 to 0 vote.



CHAIRMAN BRAD JORDAN

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

A. INTRODUCTION

This matter having come before the City Council on, September 2, 2014, and there being present a person requesting approval of ITEM: ZC-2-14, a request for R-17 (Residential at 17 units/acre) to NC (Neighborhood Commercial) zoning district.

APPLICANT: DAVID RUCKER

LOCATION: +/- 0.50 ACRE PARCEL AT 602 E. GARDEN, AND MORE COMMONLY KNOWN AS "THE OLD CENTRAL SCHOOL SITE".

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

(The City Council may adopt Items B1-through7.)

- B1. That the existing land uses are single-family, duplex, multi-family housing, religious assembly and professional office uses (Social Security Office).
- B2. That the Comprehensive Plan Map designation is Historical Heart – Transition.
- B3. That the zoning is R-17.
- B4. That the notice of public hearing was published on, August 16, 2014, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, August 18, 2014, which fulfills the proper legal requirement.
- B6. That 50 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on August 15, 2014.
- B7. That public testimony was heard on September 2, 2014.
- B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

B9. That public facilities and utilities **(are) (are not)** available and adequate for the proposed use. This is based on

Criteria to consider for B9:

1. Can water be provided or extended to serve the property?
2. Can sewer service be provided or extended to serve the property?
3. Does the existing street system provide adequate access to the property?
4. Is police and fire service available and adequate to the property?

B10. That the physical characteristics of the site **(do) (do not)** make it suitable for the request at this time because

Criteria to consider for B10:

1. Topography
2. Streams
3. Wetlands
4. Rock outcroppings, etc.
5. vegetative cover

B11. That the proposal **(would) (would not)** adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, **(and) (or)** existing land uses because

Criteria to consider for B11:

1. Traffic congestion
2. Is the proposed zoning compatible with the surrounding area in terms of density, types of uses allowed or building types allowed
3. Existing land use pattern i.e. residential, commercial, residential w churches & schools etc.

C. ORDER: CONCLUSION AND DECISION

The City Council, pursuant to the aforementioned, finds that the request of DAVID RUCKER for a zone change, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied are as follows:

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

ROLL CALL:

Council Member Gookin	Voted _____
Council Member Edinger	Voted _____
Council Member Evans	Voted _____
Council Member McEvers	Voted _____
Council Member Adams	Voted _____
Council Member Miller	Voted _____

Mayor Bloem Voted _____ (tie breaker)

Council Member(s) _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

MAYOR STEVE WIDMYER