



Coeur d'Alene

CITY COUNCIL MEETING

December 2, 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

November 18, 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 November 18, 2014 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

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

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

INVOCATION: Administrative Pastor Dave Hoit from the Prairie Avenue Christian Center provided the invocation.

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

AMENDMENT TO THE AGENDA

MOTION: Motion by Gookin seconded by McEvers to add Idaho Code 67-2345 (c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency to the Executive Session item of the agenda. **Motion Carried.**

PUBLIC COMMENTS:

Gregg Johnson, Coeur d'Alene, wanted to bring awareness to the City Council regarding the mid-town proposed housing development by the Housing Company and LCDC. He stated that the development should be similar to some of the Spokane and/or Sandpoint neighborhoods and he would like guidance/help from the Council. Mr. Johnson stated that the neighborhood group has collected 150 signatures on a petition against the project and that concepts outlined in the 2030 Vision are not being met with regard to community input. He stated that they have scheduled a neighbor walkabout with LCDC on Thursday. Councilmember Gookin thanked Mr. Johnson for his presentations and the information he has provided LCDC. Mr. Johnson reiterated that the neighborhood group has collected over 150 signatures, which asked yes or no if they were in favor of a 38 unit housing project with retail below. The 150 that signed the

document stated “No.” Mr. Johnson said that he believes mid-town just needs a little polish, not a large development.

Chip Delvini, Coeur d’Alene, stated that he has owned a business in mid-town for 13 years. He feels they are at a cross-road and that they have hit a brick wall with LCDC and are not sure how to move forward. He believes 98% of the neighbors are against the project as it is currently proposed and requested the City Council help move mid-town forward without this proposed development.

Amy Lyons, Coeur d’Alene, stated that she is representing 2nd Street Homeowners Inc. and that she has been in the area for 20 years. She feels that this is a good time to step back and let the creative people in the area develop it over time. She said that the thrift stores are very popular on Saturdays and echoed that the area just needs a little polish.

Wendy Gallegos, Coeur d’Alene, stated that she has been a homeowner in mid-town for 18 years. She feels the project is not the right fit and that they have expressed their concern and have come up with their own vision for the area without any feedback from LCDC. She requested the Council urge LCDC to not support the Housing Company project.

Wayne Pivarunas, Coeur d’Alene, expressed that the workforce housing project in mid-town would be devastating to the environment of an older, established neighborhood. He asked the Council to assist in preventing this project from moving forward.

CONSENT CALENDAR: Motion by Miller, seconded by Adams to approve the consent calendar.

1. Approval of Council Minutes for October 30 and November 4, 2014.
2. Approval of Bills as Submitted.
3. Setting of General Services and Public Works Committees meetings for November 24, 2014 at 12:00 noon and 4:00 p.m. respectively.
4. Setting of a public hearing for item ZC-4-14 – Zone change from C-17 to R-3 at 3201 Huetter Road for December 16, 2014.
5. Approval of a Cemetery lot transfer of Lot 418, Block C, Section Riverview, in the Forest Cemetery Annex, from Lucille Owen-Huston to Rande Curtis Owen.
6. Approval of **Resolution No. 14-048** 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 S-2-14, CIRCUIT AT SELTICE, ACCEPTANCE OF INSTALLED IMPROVEMENTS, MAINTENANCE /WARRANTY AGREEMENT AND MAINTENANCE SECURITY; APPROVAL OF S-4-14, RIVIERA WALK, FINAL PLAT, ACCEPTANCE OF INSTALLED IMPROVEMENTS, MAINTENANCE / WARRANTY AGREEMENT AND MAINTENANCE SECURITY; APPROVAL OF AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES WITH J-U-B ENGINEERS, INC. FOR THE 2014 / 2015 WASTEWATER COLLECTION SYSTEM CAPITAL IMPROVEMENT PROJECT; APPROVAL OF AN AGREEMENT FOR

PROFESSIONAL SERVICES FOR THE 2015 TECHNICAL SUPPORT FOR TOXICS
MANAGEMENT PLAN WITH HDR ENGINEERING; APPROVAL OF THE
PURCHASE OF SIX (6) REPLACEMENT VEHICLES FOR THE PATROL
DIVISION.

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

COUNCIL ANNOUNCEMENTS:

Councilmember Edinger stated that the mid-town neighbors got a petition and wondered what the Council should do about it, as he felt that the City Council should express their views to LCDC. Mayor Widmyer stated that the City Council could give a message to LCDC; however, the zoning does not require any additional approval from the city. Therefore, the developer could pull a building permit at any point without any further approvals from the City. He clarified that individual councilmembers could express their concern to the LCDC Board.

MOTION: Motion by Gookin, seconded by Edinger to direct staff to schedule a workshop with LCDC and the stakeholders.

DISCUSSION: Councilmember McEvers expressed concern of what could be discussed and/or achieved at a workshop. Councilmember Gookin stated that the Council could not make a decision tonight as it was not on the agenda; however, he would like to see if the Council would commit to sending a letter as a whole expressing one opinion. Councilmember McEvers stated that he felt it was appropriate to invite LCDC and the Housing Company to hear the whole story. Councilmember Gookin thought that was a great idea. Mayor Widmyer stated that the mid-town group has a lot of ideas and he would like a singular spokesperson at the workshop. He reiterated that the City does not have any jurisdiction over LCDC and the zoning is allowable for the proposed use. Mr. Johnson stated that he would be willing to be the contact person for the neighborhood.

Motion carried.

MAYOR ANNOUNCEMENTS:

Mayor Widmyer asked for the appointment of Sarah Janzen to the Childcare Commission as a student representative.

MOTION: Motion by Edinger, seconded by McEvers to appoint Sarah Janzen to the Childcare Commission as a student representative. **Motion carried.**

ADMINISTRATOR'S REPORT: City Administrator Jim Hammond stated that as of Monday afternoon, city street crews had filled 345 dump truck loads of leaves weighing 691 tons, nearly 1.4 million pounds. Leaf pickup has been completed on Sherman Avenue to Harrison Avenue east of Government Way and in the area south of Forest Cemetery. Please check the City website www.cdaid.org for daily leaf pickup updates, or call the Leaf pickup hotline at 769-2233 for a recorded message. The City of Coeur d'Alene Arts Commission is seeking artists for an art

piece to be installed along the Centennial Trail in the Education Corridor. The goal for this art placement is to significantly recognize the culture and history of the Coeur d'Alene Tribe, reflect the history and formation of our community, and portray the diverse groups that created our city. Public art creates and establishes neighborhood and community identity and also enhances the visual landscape and character of the city and turns ordinary spaces into community landmarks and promotes community dialogue and, most important, it's accessible to everyone. Information packets are available at City Hall, 710 E. Mullan Avenue, or online at www.cdavid.org. Artist proposals are due by 5:00 p.m., January 9, 2015. Artists with questions are encouraged to contact Steve Anthony, Arts Commission Liaison, at stevea@cdavid.org. A frigid autumn day did not keep more than 200 people from coming out to honor the men and women who have served in the U.S. Armed Forces on Veterans Day last Tuesday. During a tribute at the Veterans Memorial Plaza at McEuen Park on Tuesday, service members from all branches of the military were represented. It was the official dedication of the plaza and new Freedom Tree at McEuen Park. Those in attendance included Vietnam Prisoner of War Fred McMurray of Coeur d'Alene, whom the city's Freedom Tree was originally dedicated. Mr. McMurray told the gathering he is pleased with the new Freedom Tree and said the new Veterans Plaza is "absolutely great." Approximately 70 curious third graders from Sorenson Elementary learned about city government and the roles of the police and fire departments during a meet and greet recently with Mayor Steve Widmyer, Fire Chief Gabriel and Police Chief White. The students had plenty of questions for the trio, who have previously met with other local elementary students to share their respective roles at the city. The latest piece of public art at McEuen Park was recently installed on Sixth Street and Front Avenue along the promenade adjacent to the park. "American Worker," created by local artist Terry Lee, was donated to the city by Dean Haagenson, owner of Contractors Northwest, Inc., general contractor for the McEuen Park project. Haagenson donated \$50,000 for the bronze sculpture, which stands 6-foot-7 and weighs 300 pounds. The next piece of public art, The Explorers, is expected to be installed next month. It depicts three children playing on a log and will be located near the base of Tubbs Hill at the trail confluence. The library's Pageturners Library Book Club is reading "Animals in Translation: Using the Mysteries of Autism to Decode Animal Behavior," by Temple Grandin and Catherine Johnson. The discussion will be led by Denise Clark on Wednesday, November 26th, at 10:15 a.m. in the Community Room. Book club discussions are open to any adult reader. Copies of the book are available to check out at the Research and Information Desk. Regular programming for children and teens is ongoing through early December and encouraged community members to view the library's event calendar at www.cdalibrary.org or call 769-2315 for further information. Officials representing several departments in the city, the Panhandle Health District, Kroc Community Center, Heritage Health, School District 271, University of Idaho, Vision 2030, and other wellness organizations met recently to discuss strategies to promote "Let's Move!" a campaign to end childhood obesity. The program seeks to combat the epidemic of childhood obesity and encourage a healthy lifestyle through "a comprehensive, collaborative, and community-oriented initiative that addresses all of the various factors that lead to childhood obesity engaging every sector of society that impacts the health of children to provide schools, families and communities the simple tools they need to help kids be more active, eat better, and get healthy." The holiday season is approaching bringing wonderful events and memories for our community members. Although many of us will be celebrating with our families, others are not as fortunate. Sadly, some in our community do not have the basic necessities, let alone the opportunity to feel the joy of Christmas. This year, as in year's past, officers from the Coeur

d'Alene Police Department, Post Falls Police Department, Kootenai County Sheriff's office, Coeur d'Alene Tribal Police, Kootenai County fire & Rescue, Rathdrum Police Department, Spirit Lake Police Department, Idaho State Police, Spokane County Sheriff's Department, Spokane Valley Police, and numerous employee volunteers are proud to join together and participate in the "Holidays and Heroes" program. Police officers and firefighters volunteer their time to make this event special and are happy to work in partnership with businesses, civic groups, and citizens in the surrounding area to make a disadvantaged child's Christmas a little bit brighter. Holidays and Heroes is now accepting cash donations and food items that can be dropped off at the locations on the screen. There is a new question on CityPoll: "Do you watch CDA TV Channel 19?" Each month, a CityPoll question is posed on the city's website so the city can learn how the community feels about a particular issue. Responses will be reviewed by city staff and changes will be used in leadership strategic planning as guidance to assure we are offering the best possible services to our citizens. 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.

2014 SNOW PLAN

STAFF REPORT: Street Superintendent Tim Martin presented the 2014 Snow Plan. He clarified that with Front Avenue being open after the park completion it will be plowed as in the past with snow to the south side. He stated that there are two sledding hills on city streets - 9th Street and Boyd with the other located at Lost and Dollar. The plan continues to include use of snow gates and that the Street Department will respond when there is 4"-5" of snow on the road or 2" of snow with more expected. Priority continues to include hospital access and major arterials, steep hills and the 911 center. Thereafter, they will plow major collectors and bus routes, followed by residential areas. Mr. Martin clarified that the goal is not bare pavement and that alleys will not be plowed. They will continue to promote communication through Facebook, Time Warner Channel 19, pamphlets throughout the community, and will keep the snow line current. They continue to seek self-improvement opportunities and that the right equipment is allowing them to keep snow removal times consistent and acceptable to the community. He reminded community members to take more time for their commute and remove vehicles from the street when plowing needs to occur, and encouraged them to help their neighbors. He stated that with the prediction of an El Nino winter he researched past examples and found extremes of more snow to less snow. Experts are expecting this winter to be warmer and dryer. The Street Department continues to work with the middle school students regarding naming the storms, and this year's theme is sports.

DISCUSSION: Councilmember McEvers thanked Mr. Martin for all the memories of videotaping snow removal. Mayor Widmyer stated that he recently met with five mayors throughout the west and none have leaf pickup in their communities. He expressed appreciation for the program and service of the Street Department. Mr. Martin reiterated the nutrients kept out of the storm drain system from the leaf pick-up program outweigh the cost of the program.

MOTION: Motion by Edinger, seconded by Evans to approve the 2014 Snow Plan as presented. **Motion carried.**

RESOLUTION NO. 14-049

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO DIRECTING STAFF MEMBERS TO CONSIDER MAXIMIZING PUBLIC RIVERFRONT PROPERTY, PROTECTION OF THE RIVERFRONT AND PROVIDING COMPREHENSIVE PLANNING OF THE SPOKANE RIVER CORRIDOR FROM RIVERSTONE TO HUETTER ROAD.

DISCUSSION: Councilmember Gookin stated that the Spokane River Ad Hoc Committee requested the Council approve the Resolution outlining the support of maximizing the public benefit in the Spokane River corridor.

MOTION: Motion by Gookin, seconded by Miller to approve Resolution No. 14-049, maximizing the public riverfront property within the Spokane River Corridor.

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

RESOLUTION NO. 14-050

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A BNSF RAILWAY COMPANY REAL ESTATE PURCHASE AND SALE AGREEMENT.

STAFF REPORT: City Attorney Mike Gridley stated that staff was previously directed to negotiate a purchase agreement for the BNSF railroad property. The property was appraised at \$4.5 million and they reached an agreement for a purchase price of \$2.5 million. There are existing railroad tracks on the west end of the property that BNSF wants to remain in place. With the railroad tracks in place there is still enough room to fit an 18 foot trail. It is unknown how long BNSF will want to retain a 42 foot easement. The Lake City Development Corporation is a partner in this purchase. There have been discussions regarding a potential land trade with a developer for some riverfront property in exchange for some of the newly purchased railroad property. Mr. Gridley clarified that this is the earnest money commitment phase of the purchase with closing expected in late January, 2015. He explained that BNSF is doing some environmental testing; however, he is not anticipating any issues.

DISCUSSION: Councilmember Miller asked if the easement is only transferable to the City. Mr. Gridley clarified that the City will own property and that the City is supplying the easement to BNSF, which will require them to remove the tracks and ties when they are no longer needed.

MOTION: Motion by McEvers, seconded by Gookin to approve Resolution No. 14-050, a Real Estate Purchase and Sale Agreement with BNSF Railway Company.

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

EXECUTIVE SESSION: Motion by Gookin, seconded by McEvers to enter into Executive Session as provided by Idaho Code 67-2345 § (c) to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency and § (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: Edinger Aye; Gookin Aye; Evans Aye; Adams Aye; McEvers Aye; Miller Aye.
Motion carried.

The City Council entered into Executive Session at 7:05 p.m. Those present were the Mayor, City Council, City Administrator, Finance Director, and City Attorney. Council returned to regular session at 8:22 p.m.

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


The meeting adjourned at 8:11 p.m.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

Public Works Committee STAFF REPORT

DATE: November 24, 2014
FROM: Christopher H. Bates, Engineering Project Manager 
SUBJECT: Vacation of the Undeveloped Alley adjoining Lots 1 – 8, Secaur's Subdivision of Tract 6, Costello's Acre Tracts.

DECISION POINT

Pete Roberts, owner of Lot 2 in the noted development, is requesting the vacation of the undeveloped alley that adjoins his easterly boundary and lies between said Lots 1 – 8 of the Secaur's Addition (map attached).

HISTORY

The plat of Secaur's Subdivision (attached), which was a subdivision of Tract 6 of the original Costello's Acre Tracts (recorded in April 1927), was splatted with an alley that ran between Lots 1-8. The twenty foot (20') alley was never developed.

PERFORMANCE ANALYSIS

The subject alley, which is undeveloped and extends for 230' southerly from Garden Avenue, has never been developed nor does it contain any public utilities (sewer or water). The underlying subdivision from which the Secaur's subdivision was replatted, did not make any accommodation for an alley in the subject tract (844' total length), therefore, the alleyway that was platted only extends for one third of the length of the block, without any opportunity for future extension.

There are a number of existing encroachments (fences, garages, backyards) into the alley proper, so the vacation would solidify the ownerships and place those on the adjoining properties instead of public property.

There is an existing AVISTA utility line that extends the length of the entire block, however, vacation of the alley would not impact it any more than the current conditions. Should the vacation be approved, an easement is retained over the facilities that presently exist.

The applicant has obtained the agreement of four of the six owners adjoining the alley and they are in favor of the request. All of the owners would receive an additional ten feet (10') of property to their existing lots should the alley be vacated and the Council divide it evenly down the middle.

FINANCIAL ANALYSIS

Vacation of the noted alley would add approximately 4,600 square feet to the County tax role. Although a minor amount, it would be a benefit to the municipality as tax revenue, and, would benefit all of the adjoining with a larger parcel and more property that they can utilize without encroaching into non-taxable ground.

SUMMARY

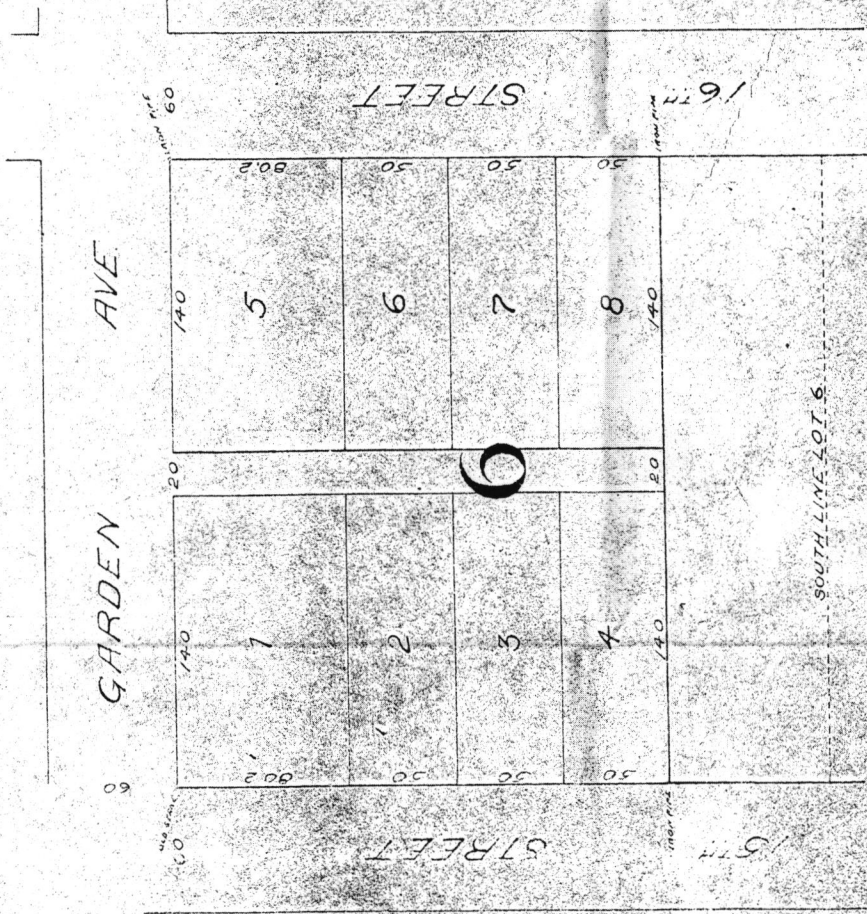
A request has been put forward to vacate an undeveloped alley south of Garden Avenue, from a subdivision that was platted in 1927. In the 87 years that the development has been platted, the

alley has never developed, has never had public utilities installed within its bounds, and, has been encroached upon by the adjoining with fences, yards, and, structures. The subject alley only extends for the northerly one-third of the block, after which the opposing lots adjoin each other, with no possibility of an alley ever extending through the block. The applicant has received acknowledgement and the other adjoining are in agreement with the vacation request. The vacation of the alley would have no physical or financial impact on the City, and, an easement would be retained for the AVISTA utility line that extends through the rear yards of all of the lots in the block where none currently exists.

Recommendation to the Public Works Committee would be for staff to proceed with the vacation process as outlined in Idaho Code Section 50-1306, and, to recommend to the City Council the setting of a public hearing for the item on January 6, 2015.

PLAT OF
 SECAURS SUBDIVISION OF TRACT 6
 COSTELLO'S ACRE TRACTS
 TO THE CITY OF COEUR D'ALENE
 BEING THE NORTH 230.2 FT. OF SAID TRACT 6

SCALE 50 FT. = 1 INCH.



I, FRED Y. PHINNEY, A LICENSED SURVEYOR OF THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THE ATTACHED PLAT IS A CORRECT REPRESENTATION OF THE SUBDIVISION OF THE NORTH 230.2 FEET OF TRACT 6, OF COSTELLO'S ACRE TRACTS, TO BE KNOWN AS SECAURS SUBDIVISION OF SAID TRACT 6, AS ACTUALLY SURVEYED BY ME.

Fred Y. Phinney
 LICENSED SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, THAT WE, THE UNDERSIGNED ARE THE OWNERS OF LOTS 1 TO INCLUSIVE OF SECAURS SUBDIVISION OF TRACT 6 OF COSTELLO'S ACRE TRACTS AS SHOWN ON THE ATTACHED PLAT, MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE NORTH 230.2 FEET OF TRACT 6, COSTELLO'S ACRE TRACTS TO THE CITY OF COEUR D'ALENE, IDAHO, AND WE DO HEREBY DEDICATE TO THE USE OF THE PUBLIC TO FOREVER THE ALLEY AS SHOWN THEREON.

Mary Rebecca

STATE OF IDAHO, SS
 COUNTY OF KOOTENAI

ON THIS 11th DAY OF APRIL A.D. 1928, BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED O.A. SECAUR AND MARY A. SECAUR, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE ABOVE MENTIONED AND ACKNOWLEDGED THAT THEY ENJOYED THE SAME.

GIVEN UNDER MY HAND AND SEAL THIS 11th DAY OF APRIL A.D. 1928.

Mary Rebecca
 STATE CLERK

APPROVED AND ACCEPTED THIS 11th DAY OF APRIL A.D. 1928

W. E. ...
 STATE CLERK

W. E. ...
 CITY CLERK

PERSONS ADDITION

BOOTHES 3RD ADD

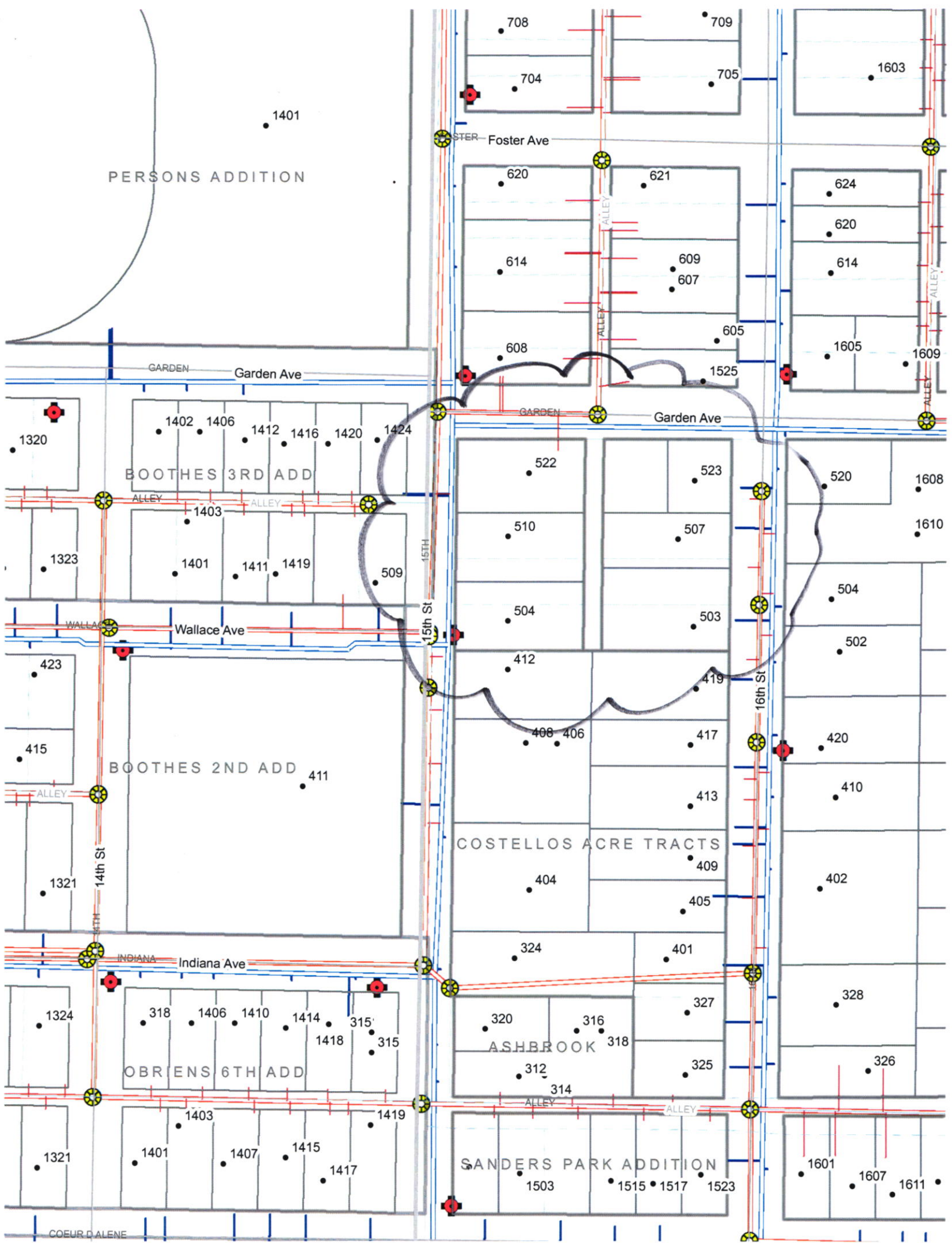
BOOTHES 2ND ADD

OBRENS 6TH ADD

COSTELLOS ACRE TRACTS

ASHBROOK

SANDERS PARK ADDITION



1401

708
704
709
705

1603

1320
1402 1406 1412 1416 1420 1424
1323
1403
1401 1411 1419
509

620 621
614 609 607
608 605
1525

624
620
614
1605
1609

423
415
1321
411

522 523
510 507
504 503
412 419
408 406 417

520 1608
1610
504
502
420
410

1324
318 1406 1410 1414 315
1418 315
1403 1419

404 409
405
324 401
320 316 327
318 325
312 314

402
328
326

1321 1401 1407 1415 1417

1503 1515 1517 1523

1601 1607 1611

1401

704

705

FOSTER

Foster Ave

PERSONS ADDITION

620

621

624

620

614

609

607

605

608

1525

1605

1609

GARDEN

Garden Ave

GARDEN

Garden Ave

1406

1412

1416

1420

1424

BOOTHES 3RD ADD

522

523

520

1608

1411

1419

509

510

507

504

1610

WALLACE

Wallace Ave

504

503

502

15th St

16th St

BOOTHES 2ND ADD

411

412

419

420

INDIANA

Indiana Ave

408

406

417

410

COSTELLOS ACRE TRACTS

404

409

402

324

401

328

1410

1424

315

OBRIENS 5TH ADD

320

316

318

327

312

314

325

326

ASHBROOK

ALLEY

ALLEY

PUBLIC WORKS COMMITTEE

STAFF REPORT

DATE: November 24, 2014
FROM: Dennis J. Grant, Engineering Project Manager
SUBJECT: V-14-6, Vacation of the Stormwater Easement in the Bellerive replat

DECISION POINT

The applicant, Lake City Engineering, Inc., acting as the representative for Riverstone Waterfront, LLC, is requesting the vacation of a portion of a 20' existing Stormwater Easement located in Block 1 of Lot 1 of the Bellerive replat.

HISTORY

The Stormwater easement on the subject property was originally installed with the Riverstone Plat in 2000 and then kept in place on the Bellerive replat in 2006. The storm drain has been relocated and is no longer in the existing easement. The existing easement encumbers recently created lots in Bellerive 4th & 5th Additions.

FINANCIAL ANALYSIS

There is no financial impact to the City. No additional tax revenue would be generated by the vacation because it is an easement and not property in fee.

PERFORMANCE ANALYSIS

The easement requested for vacation is being created with another stormwater easement on the Bellerive 4th & 5th Addition Plat (see attached).

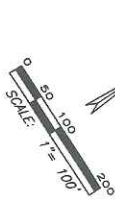
RECOMMENDATION

Staff recommends to the Public Works Committee to proceed with the vacation process as outlined in Idaho Code Section 50-1306, and, to recommend to the City Council the setting of a public hearing for the item on January 6, 2015.

ACAD: 2019271

RTS: (1-10)

THIS INSTRUMENT DERIVES OF: PAI



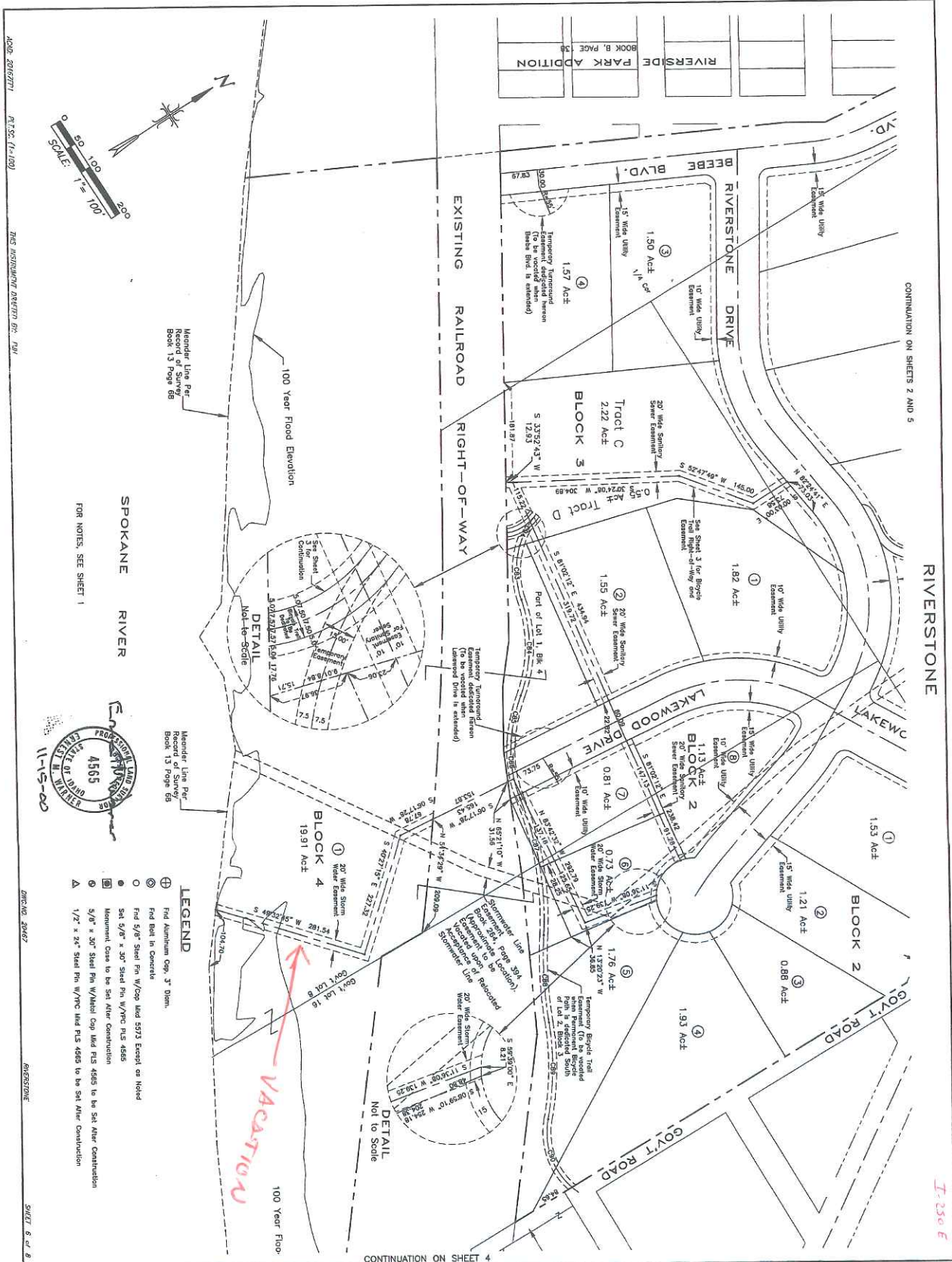
FOR NOTES, SEE SHEET 1



DATE: 20067

RESISTANCE

SHEET 5 of 8



Meander Line Per Record of Survey Book 13 Page 98

Meander Line Per Record of Survey Book 13 Page 98

LEGEND

- ⊕ Find Aluminum Cop. 3" Dia.
- ⊙ Find Bolt in Concrete
- Find 5/8" Steel Pin w/Cop. and 5/8" Except on Note
- Find 5/8" x 30" Steel Pin w/PC PLS 4555
- ⊙ Find 5/8" x 30" Steel Pin w/PC PLS 4555
- ⊙ Monument Core to be Set After Construction
- ⊙ 5/8" x 30" Steel Pin w/Alum Cop and PLS 4555 to be Set After Construction
- △ 1/2" x 24" Steel Pin w/PC PLS 4555 to be Set After Construction

CONTINUATION ON SHEETS 2 AND 5

RIVERSTONE

CONTINUATION ON SHEET 4

T:350 E

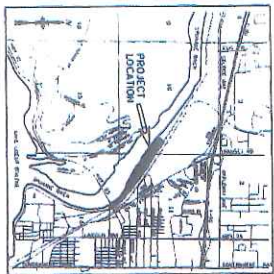
BELLERIVE

A REPLAT OF A PORTION OF LOT 1, BLOCK 4 OF RIVERSTONE AND A PORTION OF SECTIONS 10 AND 11, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK 1 PAGE 311

STATE OF IDAHO
COUNTY OF KOOTENAI

AT THE REQUEST OF NOVA Properties, J-U-B ENGINEERS, INC.
DATE 13 DAY OF April 2008
RECORDED 2008 BY AMC
BY AMC



VICINITY MAP
NOT TO SCALE

BASIS OF BEARING
MIDNIGHT WAS ASSUMED ON THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 11, PER RECS.



LINE	BEARING	LENGTH
U1	S89°50'18"W	147.66
U2	S89°50'18"W	172.66
U3	S89°50'18"W	221.17
U4	S89°50'18"W	154.60
U5	S89°50'18"W	134.81
U6	S89°50'18"W	91.79
U7	S89°50'18"W	58.22
U8	S89°50'18"W	88.81
U9	S89°50'18"W	22.18
U10	S89°50'18"W	178.38

CURVE	LENGTH	DELTA	CURVE	CHORD BEARING
C1	717.33	54989.58	717.38	718.85
C2	717.33	54989.58	717.38	718.85
C3	447.82	1800.88	1470.37	446.81
C4	447.82	1800.88	1470.37	446.81
C5	447.82	1800.88	1470.37	446.81
C6	447.82	1800.88	1470.37	446.81
C7	447.82	1800.88	1470.37	446.81

RECORD INFORMATION

RECS: Corner Population and Filing Record, Inst. No. 1318925
 RECS: Plat of Riverstone, Book 1, Page 250, Inst. No. 1656643
 RECS: Plat of Riverstone, Book 1, Page 250, Inst. No. 1656643
 RECS: Record of Survey, Book 1, Page 68, Inst. No. 1507110
 RECS: Highway Plans US 95, F-FC-5115(4) Sheets 11 & 13 of 31
 RECS: Grant of Easement, Book 284, Page 354, Inst. No. 837297
 RECS: Easement, Inst. No. 1928950

LEGEND

- ⊕ Found Aluminum Cap
- Found 5/8" Steel Pin with Yellow Plastic Cap marked "JUB ENGINEERS PLS 4555," unless otherwise noted
- Set Steel Pin 5/8" Diameter X 30" Long with Plastic Cap marked "HODGE 8575"
- ▲ Calculated Point, nothing found or set
- ++++ Existing Railroad Tracks

SURVEYOR'S NOTES

1. ANY MONUMENTS SHOWN HEREON NOT SET AT THE TIME OF RECORDING THIS PLAT WILL BE SET NO LATER THAN JULY 1, 2008.
2. RIVERSTONE PLAT BOUNDARY PER RECS

SURVEYOR'S CERTIFICATE

I, RONALD M. HODGE, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO NO. 8575, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION.



FINAL PLAT OF BELLERIVE

A PORTION OF SECTIONS 10 AND 11
TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

J-U-B ENGINEERS, INC.

7823 Macedonia Way
Coeur d'Alene, Idaho 83814
Phone: 208.768.8787

Engineer: Surveyor - Planner

DATE: MARCH 2008 PROJECT NO.: 2888978

DWG. NAME: OPTIONAL FINAL PLAT SHEET 1 SHEET 1 OF 4

DES. DRAWN BY: DMH CHK. BY: DMH

NORTHEAST CORNER
 POINT 7 1/2" REBAR CAP
 MARKED PLS 4127
 WITNESS CORNER
 POINT 7 1/2" ALUMINUM CAP
 MARKED PLS 4128
 PLS 4127 PER CAP 11/18/93
 PLS 4128 PER CAP 11/18/93

A REPLAT OF LOT 1, BLOCK 1 OF BELLEVUE 4TH ADDITION LYING IN THE
 SOUTH HALF OF SECTION 11, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN,
 CITY OF COEUR DALENE, KOOTENAI COUNTY, IDAHO

BOOK: 4 PAGE: 450
 INSTRUMENT NO. 21453669000

BELLEVUE 4TH ADDITION

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS FOR 30° 38' 30" NORTH MERIDIAN AND ONLY AS THE EAST LINE OF
 MD 1483 (1992). THE CONVERGENCE ANGLE AT THE NORTHEAST CORNER OF SECTION 11 IS 40' 48" 1/2".

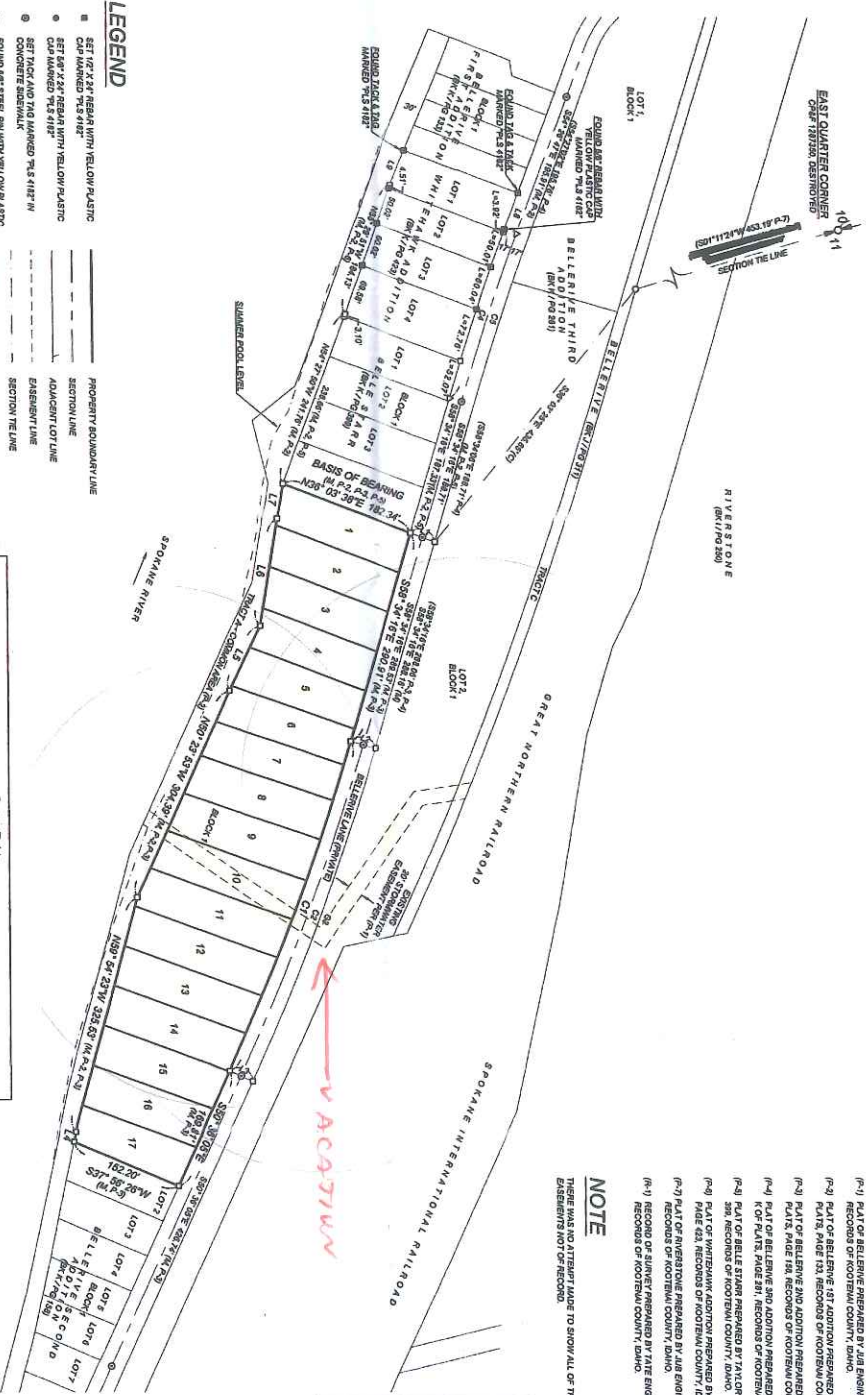
REFERENCE DOCUMENTS

- (P-1) PLAT OF BELLEVUE PREPARED BY JAM ENGINEERS, INC. AND FILED AT BOOK 109 PLATE 211,
 RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-2) PLAT OF BELLEVUE 4TH ADDITION PREPARED BY TAYLOR ENGINEERING, INC. AND FILED AT BOOK 109
 PLATE 133, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-3) PLAT OF BELLEVUE 2ND ADDITION PREPARED BY TAYLOR ENGINEERING, INC. AND FILED AT BOOK 109
 PLATE 134, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-4) PLAT OF BELLEVUE 3RD ADDITION PREPARED BY TAYLOR ENGINEERING, INC. AND FILED AT BOOK 109
 PLATE 135, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-5) PLAT OF BELLEVUE 4TH ADDITION PREPARED BY TAYLOR ENGINEERING, INC. AND FILED AT BOOK 109
 PLATE 136, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-6) PLAT OF WINDYBANK ADDITION PREPARED BY JAM CITY ENGINEERING AND FILED AT BOOK 109 OF PLATS,
 RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-7) PLAT OF BELLEVUE 4TH ADDITION PREPARED BY JAM ENGINEERS, INC. AND FILED AT BOOK 109 PLATE 211,
 RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-8) RECORD OF SURVEY PREPARED BY TATE ENGINEERING AND FILED AT BOOK 109 OF SURVEYS, PAGE 444,
 RECORDS OF KOOTENAI COUNTY, IDAHO.

NOTE

THERE WAS NO ATTEMPT MADE TO SHOW ALL OF THE PHYSICAL FEATURES OF THE PROPERTY, NOR ANY
 EASEMENTS NOT OF RECORD.

Line #	Length	Direction	Record Data
L1	341.71	N83°02'00"E	(M, P-2, P-3)
L2	34.00	N17°28'30"E	(M)
L3	34.00	N87°33'30"E	(M, P-3)
L4	1331	N87°08'11"W	(M, P-3)
L5	86.88	N85°23'11"W	(M, P-2, P-3)
L6	145.82	N85°23'11"W	(M, P-2, P-3)
L7	471.8	N85°23'11"W	(M, P-2, P-3)
L8	82.00	S82°28'17"E	(M, P-2, P-3)
L9	82.00	S33°31'17"E	(M, P-2, P-3)



- ### LEGEND
- SET 1/2" 2X4 REBAR WITH YELLOW PLASTIC CAP MARKED PLS 4127
 - SET 1/2" 2X4 REBAR WITH YELLOW PLASTIC CAP MARKED PLS 4128
 - SET 1/2" 2X4 REBAR WITH YELLOW PLASTIC CAP MARKED PLS 4129
 - SET 1/2" 2X4 REBAR WITH YELLOW PLASTIC CAP MARKED PLS 4130
 - SET 1/2" 2X4 REBAR WITH YELLOW PLASTIC CAP MARKED PLS 4131
 - SET 1/2" 2X4 REBAR WITH YELLOW PLASTIC CAP MARKED PLS 4132
 - SET 1/2" 2X4 REBAR WITH YELLOW PLASTIC CAP MARKED PLS 4133
 - SET 1/2" 2X4 REBAR WITH YELLOW PLASTIC CAP MARKED PLS 4134
 - SET 1/2" 2X4 REBAR WITH YELLOW PLASTIC CAP MARKED PLS 4135
 - SET 1/2" 2X4 REBAR WITH YELLOW PLASTIC CAP MARKED PLS 4136
 - SET 1/2" 2X4 REBAR WITH YELLOW PLASTIC CAP MARKED PLS 4137
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 - SET 1/2" 2X4 REBAR WITH YELLOW PLASTIC CAP MARKED PLS 4198
 - SET 1/2" 2X4 REBAR WITH YELLOW PLASTIC CAP MARKED PLS 4199
 - SET 1/2" 2X4 REBAR WITH YELLOW PLASTIC CAP MARKED PLS 4200

Curve #	Length	Radius	Delta	Chord	Bearing	Record Data
C1	478.84	3300.00	7°58'12"	472.84	N84°51'11"W	(M, P-3)
C2	478.84	3300.00	7°58'12"	472.84	S84°51'11"W	(M, P-3)
C3	478.84	3300.00	7°58'12"	472.84	N84°51'11"W	(M, P-3)
C4	478.84	3300.00	7°58'12"	472.84	S84°51'11"W	(M, P-3)
C5	478.84	3300.00	7°58'12"	472.84	N84°51'11"W	(M, P-3)
C6	478.84	3300.00	7°58'12"	472.84	S84°51'11"W	(M, P-3)
C7	478.84	3300.00	7°58'12"	472.84	N84°51'11"W	(M, P-3)
C8	478.84	3300.00	7°58'12"	472.84	S84°51'11"W	(M, P-3)
C9	478.84	3300.00	7°58'12"	472.84	N84°51'11"W	(M, P-3)
C10	478.84	3300.00	7°58'12"	472.84	S84°51'11"W	(M, P-3)
C11	478.84	3300.00	7°58'12"	472.84	N84°51'11"W	(M, P-3)
C12	478.84	3300.00	7°58'12"	472.84	S84°51'11"W	(M, P-3)
C13	478.84	3300.00	7°58'12"	472.84	N84°51'11"W	(M, P-3)
C14	478.84	3300.00	7°58'12"	472.84	S84°51'11"W	(M, P-3)
C15	478.84	3300.00	7°58'12"	472.84	N84°51'11"W	(M, P-3)
C16	478.84	3300.00	7°58'12"	472.84	S84°51'11"W	(M, P-3)
C17	478.84	3300.00	7°58'12"	472.84	N84°51'11"W	(M, P-3)
C18	478.84	3300.00	7°58'12"	472.84	S84°51'11"W	(M, P-3)
C19	478.84	3300.00	7°58'12"	472.84	N84°51'11"W	(M, P-3)
C20	478.84	3300.00	7°58'12"	472.84	S84°51'11"W	(M, P-3)
C21	478.84	3300.00	7°58'12"	472.84	N84°51'11"W	(M, P-3)
C22	478.84	3300.00	7°58'12"	472.84	S84°51'11"W	(M, P-3)
C23	478.84	3300.00	7°58'12"	472.84	N84°51'11"W	(M, P-3)
C24	478.84	3300.00	7°58'12"	472.84	S84°51'11"W	(M, P-3)
C25	478.84	3300.00	7°58'12"	472.84	N84°51'11"W	(M, P-3)
C26	478.84	3300.00	7°58'12"	472.84	S84°51'11"W	(M, P-3)
C27	478.84	3300.00	7°58'12"	472.84	N84°51'11"W	(M, P-3)
C28	478.84	3300.00	7°58'12"	472.84	S84°51'11"W	(M, P-3)
C29	478.84	3300.00	7°58'12"	472.84	N84°51'11"W	(M, P-3)
C30	478.84	3300.00	7°58'12"	472.84	S84°51'11"W	(M, P-3)

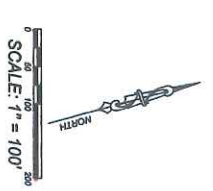
RESERVED FOR THE CITY OF COEUR DALENE

LAND SURVEYING

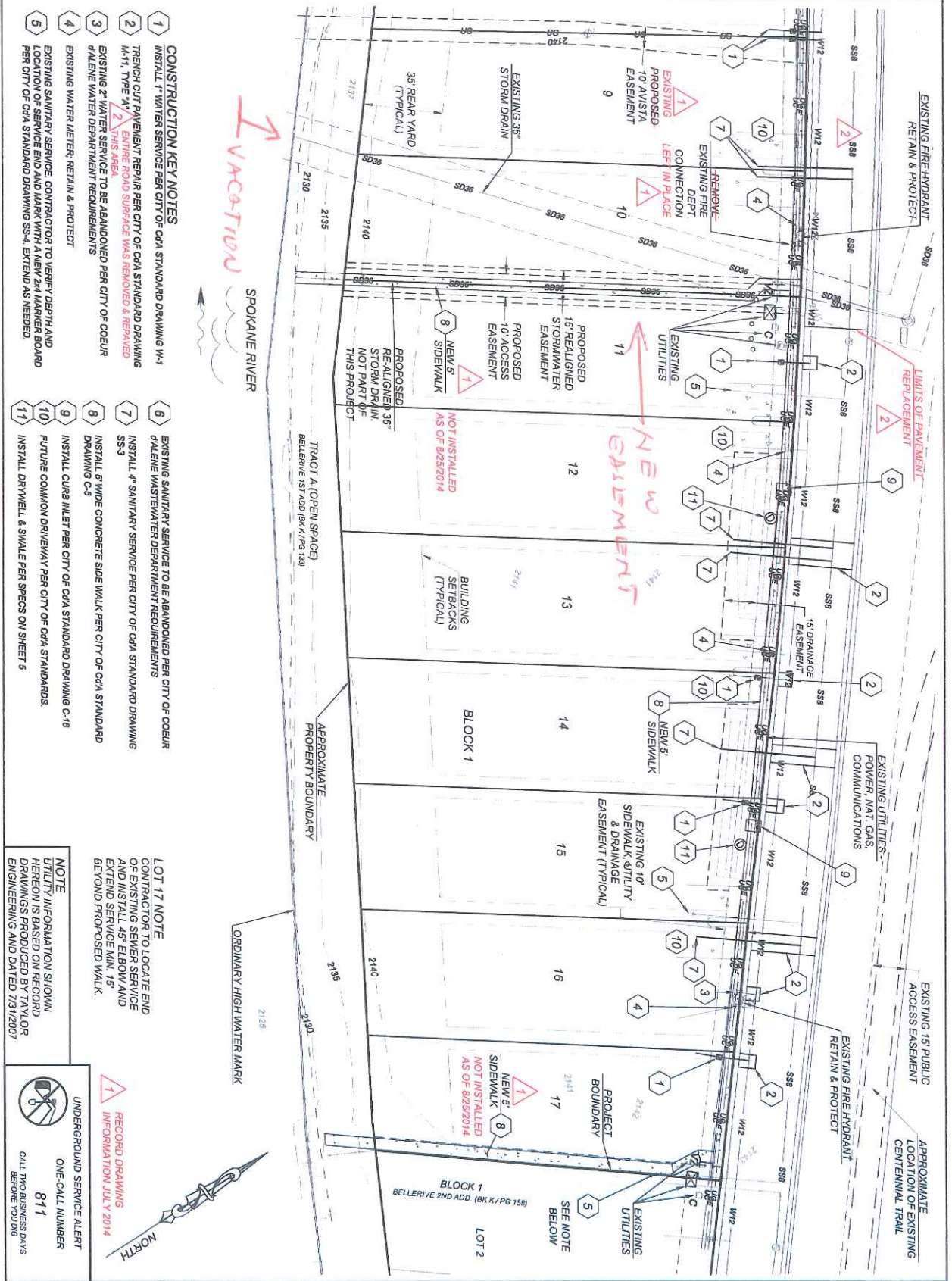
300 N. CONGRESS HWY, STE. 4
 COEUR DALENE, IDAHO 83814
 PHONE: 208.476.4200

1

3



VACATION

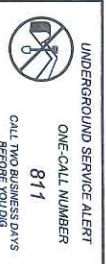


- CONSTRUCTION KEY NOTES**
- 1 INSTALL 1" WATER SERVICE PER CITY OF COA STANDARD DRAWING W-1
 - 2 TRENCH CUT PAINTABLE REPAIR PER CITY OF COA STANDARD DRAWING M-1, TYPE 'A'. ~~ENTIRE ROAD SURFACE WAS REMOVED & REPAVED~~
 - 3 EXISTING 2" WATER SERVICE TO BE ABANDONED PER CITY OF COEUR DALENE WATER DEPARTMENT REQUIREMENTS
 - 4 EXISTING WATER METER, RETAIN & PROTECT
 - 5 EXISTING SANITARY SERVICE, CONTRACTOR TO VERIFY DEPTH AND LOCATION OF SERVICE END AND MARK WITH A NEW 2" MARKER BOARD PER CITY OF COA STANDARD DRAWING SS-4, EXTEND AS NEEDED.

- 6 EXISTING SANITARY SERVICE TO BE ABANDONED PER CITY OF COEUR DALENE WASTEWATER DEPARTMENT REQUIREMENTS
- 7 INSTALL 4" SANITARY SERVICE PER CITY OF COA STANDARD DRAWING SS-3
- 8 INSTALL 8" WIDE CONCRETE SIDE WALK PER CITY OF COA STANDARD DRAWING CS
- 9 INSTALL CURB INLET PER CITY OF COA STANDARD DRAWING C-18
- 10 FUTURE COMMON DRIVEWAY PER CITY OF COA STANDARDS.
- 11 INSTALL DRYWELL & SWALE PER SPECS ON SHEET 5

LOT 17 NOTE
 CONTRACTOR TO LOCATE END OF EXISTING SEWER SERVICE AND INSTALL 45' ELBOW AND EXTEND SERVICE MIN. 15' BEYOND PROPOSED WALK.

NOTE
 UTILITY INFORMATION SHOWN HEREON IS BASED ON RECORD DRAWINGS PRODUCED BY TAYLOR ENGINEERING AND DATED 7/31/2007



BELLERIVE FOURTH ADDITION

CONSTRUCTION PLAN
 COEUR D'ALENE, IDAHO



LAKE CITY ENGINEERING

3909 N. SCHREIBER WAY STE 4
 COEUR D'ALENE, IDAHO 83816
 PHONE: 208.676.0230

DESIGNED BY:	DCD		
DRAFTED BY:	GDH		
DATE:	9/3/2014		
JOB NO.:	LCE 13-075.1		
SCALE:	1" = 40'		
0	20	40	80
4			
			5

DATE: NOVEMBER 25, 2014
TO: MAYOR AND CITY COUNCIL
FROM: PLANNING DEPARTMENT
RE: SETTING OF PUBLIC HEARING DATE: DECEMBER 16, 2014

Mayor Widmyer,

The Planning Department has forwarded the following item to the City Council for scheduling of a public hearing. In keeping with state law and Council policy, the Council will set the date of the public hearing upon receipt of recommendation.

<u>ITEM NO.</u>	<u>REQUEST</u>	<u>COMMISSION ACTION</u>	<u>COMMENT</u>
AA-1-14	Requested Administrative Appeal Applicant: Miller Stauffer Properties, LLC Location: 502, 504, 506 & 508 N. 6 th Street Request: An appeal on the Planning Departments' Interpretation to section 17.07.1020 (B)(1): "that If a pocket housing development abuts an alley, Parking for the entire development must be accessed, "exclusively" from the alley.		

In order to satisfy the mandatory 15-day notice requirement, the next recommended hearing date will be **December 16, 2014.**

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

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

[Office Use Only] Amt Pd 100.00
 Rec No 444310
 Date 11-4-2014
 Date to City Council: 11-18-14
 Reg No. 39880
 License No. Wine
 Rv OK

Date that you would like to begin alcohol service _____

Check the ONE box that applies:

<input type="checkbox"/>	Beer only (canned and bottled) not consumed on premise	\$ 50.00 per year
<input type="checkbox"/>	Beer and Wine (canned and bottled) not consumed on premise	\$250.00 per year
<input type="checkbox"/>	Beer only (canned and bottled only) consumed on premise	\$100.00 per year
<input checked="" type="checkbox"/>	Beer and Wine (canned and bottled only) consumed on premise	\$300.00 per year
<input type="checkbox"/>	Beer only (draft, canned, and bottled) consumed on premise	\$200.00 per year
<input type="checkbox"/>	Beer and Wine (Draft, canned, and bottled) consumed on premise	\$400.00 per year
<input type="checkbox"/>	Beer, Wine, and Liquor (number issued limited by State of Id)	\$762.50 per year
<input type="checkbox"/>	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:	NORWAVE Technology Concepts
Business Mailing Address	W 200 HANLEY Ave #1319
City, State, Zip	Coeur d' Alene, Id. 83815
Business Physical Address	W. 200 HANLEY # 1319
City, State, Zip	Coeur d' Alene Id. 83815
Business Contact	Business Telephone: (208) 627-4653 Fax: Email address: SCARLETTSGOLF.COM.
License Applicant	
If Corporation, partnership, LLC etc. List all members/officers	Roger Scarlett JAKE SCARLETT

RESOLUTION NO. 14-051

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 AUTHORIZING THE PURCHASE OF A 1-TON SERVICE TRUCK CAB AND CHASSIS FROM ROBIDEAUX MOTORS.

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" and by reference made a part hereof as summarized as follows:

- A) Authorizing the Purchase of a 1-Ton Service Truck Cab and Chassis from Robideaux Motors;

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" 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 December, 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 EDINGER Voted _____

COUNCIL MEMBER EVANS Voted _____

COUNCIL MEMBER MILLER Voted _____

COUNCIL MEMBER MCEVERS Voted _____

COUNCIL MEMBER ADAMS Voted _____

_____ was absent. Motion _____.

PUBLIC WORKS COMMITTEE STAFF REPORT

DATE: November 24, 2014
FROM: Tim Martin, Street Superintendent
SUBJECT: **AUTHORIZATION TO PURCHASE OF 1-TON SERVICE TRUCK CAB AND CHASSIS**

DECISION POINT:

Direction and approval from Council on the purchase of a new 1 ton 4x4 flatbed cab and chassis that will be used as a replacement service truck

HISTORY:

The Street Department's Capital Vehicle Replacement Plan for 2014- 2015 authorizes the purchase of a 1 ton 4 x 4 truck in the amount of \$45,000.00 to replace a high-mileage, deteriorating service truck.

PERFORMANCE ANALYSIS

The department is looking to "piggyback" off the state bid sheet for a 1-ton cab and chassis 2015 GMC 3500 HD Regular cab 4WD vehicle. Locally, Robideaux Motors is a member of the state contract and has met the pricing of \$24,786.00

FINANCIAL ANALYSIS

The option of looking to the state contract for our needs is a useful and essential tool that gives the department flexibility to find equipment at a good value for the citizens.

DECISION POINT:

Request and authorization from Council to purchase a cab and chassis from Robideaux Motors for \$24,786.

ANNOUNCEMENTS

OTHER COMMITTEE MINUTES
(Requiring Council Action)

November 24, 2014
PUBLIC WORKS COMMITTEE
MINUTES
4:00 p.m., Library Community Room

COMMITTEE MEMBERS PRESENT

Councilmember Woody McEvers
Councilmember Kiki Miller
Councilmember Dan Gookin

STAFF PRESENT

Amy Ferguson, Executive Assistant
Tim Martin, Street Superintendent
Chris Bates, Eng. Project Mgr.
Dennis Grant, Eng. Project Mgr.
Bill Greenwood, Parks & Rec Supt.
Warren Wilson, Deputy City Atty
Jim Hammond, City Administrator
Troy Tymesen, Finance Director
Gordon Dobler, Growth Svcs Director

**Item 1 Authorization for Purchase of 1-Ton Service Truck Cab and Chassis
Consent Calendar**

Tim Martin, Street Superintendent, presented a request for council approval of the purchase of a new 1-ton 4 x 4 flatbed cab and chassis that will be used as a replacement service truck.

Mr. Martin stated in his staff report that the Street Department's Capital Vehicle Replacement Plan for 2014-2015 authorizes the purchase of a 1 ton 4 x 4 truck in the amount of \$45,000 to replace a high-mileage, deteriorating service truck. The department is looking to "piggyback" off the state bid sheet for a 1-ton cab and chassis 2015 GMC 3500 HD Regular cab 4WD vehicle. Locally Robideaux Motors is a member of the state contract and has met the pricing of \$24,786.00. The option of looking to the state contract is a useful and essential tool that gives the department flexibility to find equipment at a good value for the citizens.

Mr. Martin said that the new flatbed cab and chassis would be replacing a 1998 Dodge 1 ton with about 89,000 miles. The truck will be used in the winter as a deicer and in the summer months it will be used as a service truck for the asphalt or stormwater crews. They are going to have a stainless steel bed and deicer built for the truck.

Councilmember Gookin asked what are the determining factors when a truck is retired. Mr. Martin said it is based upon the reliability of the vehicle, and costs to replace versus doing the maintenance and repairs so that the truck can be a "front line player." He also confirmed that the \$24,786 cost is just for the cab and chassis, and the \$45,000 budgeted will include the stainless steel bed and deicer equipment.

MOTION: Motion by Gookin, seconded by Miller to recommend that Council approve Resolution 14-051 authorizing the purchase of a 1-ton 4 x 4 flatbed cab and chassis from Robideaux Motors for \$24,786.00 Motion carried.

Item 2 Job Description / Lead Traffic Technician – Electrician

Tim Martin, Street Superintendent, presented a request to create a job description in the City's Street Department which will allow for cost savings and will better meet the needs of the growing community.

Mr. Martin stated in his staff report that there is an upcoming retirement which allows the department to modify the organizational chart and add a skill set which is needed. The Street Department has maintained the City's traffic control equipment at signalized intersections for the last twenty-five plus years. The proposed job description modification will include an added focus and experience on traffic control equipment at signalized intersections as well as requiring a journeyman electrician license. The department spends an average of \$20,000 a year on contracting our services for electrical traffic control equipment, and street light utility work. There will be additional cost savings to the city as this position can assist with the Building Maintenance Department electrical needs and with Information Technology repairs and upgrades.

Mr. Martin explained that the number of signals has grown over the years from 21 in 1987 to over 50 today, including the city's contract for services on the Idaho Department of Transportation's 95 thoroughfare. He noted that the job description was reviewed by BDPA, the city's human resource consultant and the pay grade came back as grade 11. The position would replace one of the grade 12's in the department. The department will have one less field supervisor due to a retirement, and then this added position. Mr. Martin said that they will bring forward a department reorganization plan later this spring through the budget and this is just one piece of that reorganization.

Councilmember Gookin commented that this new job description is something that is needed in the city, not only for the signal boxes and lights, but also because of the new requirement that an electrician be used to run cable for the I.T. division.

Councilmember McEvers asked if this person would have fixed the signal box at 5th & Sherman and Mr. Martin responded that they would have. He also noted that they have a protocol in place for fixing outages outside of normal business hours, and that another advantage to this new job description is that the person would be able to help replace the streetlights around town.

MOTION: Motion by Gookin, seconded by Miller, to recommend that Council approve the creation of a job description for Lead Traffic Technician – Electrician in the Street Department and authorize staff to proceed with notice requirements. Motion carried.

Item 3 Vacation of the Undeveloped Alley Adjoining Lots 1 – 8, Secaur's Subdivision of Tract 6, Costello's Acre Tracts
Consent Calendar

Chris Bates, Engineering Project Manager, presented a request on behalf of Pete Roberts, owner of Lot 2 in the noted development, for the vacation of the undeveloped alley that adjoins his easterly boundary and lies between Lots 1 – 8 of the Secaur's Addition.

Mr. Bates stated in his staff report that the 20 foot alley was never developed nor does it contain ny public utilities. The underlying subdivision from which the Secaur's subdivision was replatted, did not make any accommodation for an alley in the subject tract, therefore the alleyway that was platted only extends for one third of the length of the block, without any opportunity for future extension. There are a number of existing encroachments (fences, garages, backyards) into the alley proper, so the vacation would solidify the ownerships and place those on the adjoining properties instead of public property. There is an existing AVISTA utility line that extends the length of the entire block; however, vacation of the alley would not impact it any more than the current conditions. Should the vacation be approved, an easement is retained over the facilities that present exist. Vacation of the noted alley would add approximately 4,600 square feet to the County tax role.

Mr. Bates said that the applicant has obtained signatures of four of the six neighbors and was unable to contact the remaining two. He also confirmed the costs of the certified mailing are deducted from the \$350.00 fee and the remainder goes into the general fund.

MOTION: Motion by Gookin, seconded by Miller, to recommend that Council approve the request to proceed with the vacation process as outlined in Idaho Code Section 50-1306, and recommend Council set a public hearing for January 6, 2015. Motion carried.

**Item 4 V-14-6, Vacation of the Stormwater Easement in the Bellerive Replat
Consent Calendar**

Gordon Dobler, Growth Services Director, presented a request a request on behalf of Riverstone Waterfront, LLC for the vacation of a portion of a 20 foot existing stormwater easement located in Block 1 of Lot 1 of the Bellerive replat.

Mr. Grant stated in his staff report that the stormwater easement on the subject property was originally installed with the Riverstone Plat in 2000 and then kept in place on the Bellerive replat in 2006. The storm drain has been relocated and is no longer in the existing easement. The existing easement encumbers recently created lots in Bellerive 4th & 5th Additions. There is no financial impact to the City and no additional revenue would be generated by the vacation because it is an easement and not property in fee.

Mr. Dobler said that they did have to relocate the outfall on the river by about 40 degrees, but that was done through the Department of Lands and it was approved. He also confirmed that these vacations are normally triggered by developers.

MOTION: Motion by Miller, seconded by DG , to recommend that Council approve the request to proceed with the vacation process as outlined in Idaho Code Section 50-1306, and recommend Council set a public hearing for January 6, 2015. Motion carried.

**Item 5 Three Year Agreement for Food Concession at Independence Point
Consent Calendar**

Bill Greenwood, Parks & Recreation Superintendent, presented a request to extend the food concession agreement with Tiki-Hut for the 2015, 2016, and 2107 season.

Mr. Greenwood stated in his staff report that in 2009 the city entered into an agreement with Tiki-Hut to provide food service for the 2009 season and the city has chosen to renew their contract every season since then. The staff of the Tiki-Hut did a good job of providing food service and information to park visitors.

Mr. Greenwood noted that the only changes to the agreement are a 3% annual increase, and the owner would like to get a little bigger trailer to provide better service. He also explained that some time ago the city council adopted a healthy food options requirement wherein vendors are required to provide healthier food options. Councilmember McEvers said that when council adopted the healthy food options, he did not think that it would be contractual. Councilmember Miller also asked about the waiver regarding any repairs of the city property. Mr. Greenwood explained that the clause was put into the contract with the vendor that was previous to the current vendor, who had paid to have power put in. Mr. Greenwood confirmed that the clause was brought up at the Parks & Recreation Commission meeting regarding the possibility that the city might move forward with the Independence Point project before the contract expired, and the applicant is aware of that possibility.

Councilmember Gookin asked how often this contract goes out to bid. Mr. Greenwood said that it is a renewal contract and the last time it went out for bid was in 2009. Councilmember Gookin also asked why there is a flat rate as opposed to a percentage of sales. Mr. Greenwood said the reason is that it is easier for the city.

Councilmember Gookin commented that the change in the menu concerns him because they are telling people what to do. Mr. Folk (owner) said that upon contract review, he didn't really see any issues regarding the food menu that was asked of them. It really comes down to refrigeration and demand for the product. In the past they have provided muffins, apples, bananas, etc., and it really is at a loss to them as a vendor. He likes the fact that it is a healthier product, but the actual demand is contrary to that. The items that sell the most are the fruit smoothies, lemonade, hot dogs, shave ice, and pretzels. Mr. Folk discussed their plans for expansion and said that their idea is to make it bigger and provide a couple more options in regard to a healthier product. He doesn't know if the demand will be there, but they have reached a point where he can't grow the business any larger. They are still in a healthy position, but he needs to grow the business in some way.

Councilmember Gookin asked about the 3% annual fee increase. Mr. Greenwood said that the 3% annual increase was an agreement at the previous Parks Director and Mr. Folk discussed previously. Mr. Tymesen explained that the CPI does move monthly, but it is typically not greater than 3%, but for calculation purposes, the 3% is much easier to do. Councilman Gookin asked if the city is happy with the services provided, why charge them the annual fee increase?

MOTION: Motion by Gookin, seconded by Miller, to recommend Council approval of Resolution No. 14-051 authorizing an agreement with Tiki-Hut for the 2015, 2016 and 2017 season, May through September, at the designated site at Independence Point, and to fix the rate at \$5,627.54. Motion carried.

The meeting adjourned at 4:45 p.m.

Respectfully submitted,

Amy C. Ferguson
Public Works Committee Liaison

**PARKS & RECREATION COMMISSION
STAFF REPORT**

November 17, 2014

From: Bill Greenwood Park & Recreation Superintendent

**Subject: THREE YEAR AGREEMENT FOR FOOD CONCESSION AT
INDEPENDENCE POINT**

Decision Point: Extend food Concession agreement with Tiki-Hut for 2015, 2016 and 2017 season.

History: In 2009 we accepted RFQ's for food service at Independence Point. We chose the Tiki-Hut Proposal and entered into an agreement to provide food service for the 2009 season and we have chosen renew their contract every season since then. The staff of the Tiki-Hut did a good job of providing food service and information to park visitors.

Financial Analysis: The fee for the 2014 season was \$5463.64. We had based increases on the fee per the CPI similar to how we raise fees at the Independence Point Docks. However it was recommend that each succeeding season receive a 3% annual fee increase. The 2015 season fee will be \$5627.54

Performance Analysis: The food vendor provides a service to the public that we do not provide. It is in a good location that is well known and visible to daily park visitors and new visitors. We received many comments from the park visitors that they were quite pleased with the vendor, the staff and the service. Tiki-Hut will have an outdoor bar-b-q again this season and they will be using a 22 foot trailer at the designed site.

Decision Point: Recommend to General Services to enter into an agreement with Tiki-Hut for the 2015, 2016, and 2017 season; May through September at the designated site at Independence Point.

RESOLUTION NO. 14-052

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A LEASE AGREEMENT WITH RANDY AND AKIKO FOLK, D/B/A TIKI HUT FOR FOOD CONCESSION AT INDEPENDENCE POINT FOR A THREE (3) YEAR TERM.

WHEREAS, the Public Works Committee of the City of Coeur d'Alene has recommended that the City of Coeur d'Alene enter into a Lease Agreement with Randy And Akiko Folk, d/b/a Tiki Hut, pursuant to terms and conditions set forth in an agreement, a copy of which is attached hereto as Exhibit "A" 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 Lease Agreement with Randy And Akiko Folk, d/b/a Tiki Hut, in substantially the form attached hereto as Exhibit "A" 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 December, 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 _____

_____ was absent. Motion _____.

LEASE AGREEMENT

THIS CONTRACT, made and entered into this 2nd day of December, 2014, between the **CITY OF COEUR D'ALENE**, Kootenai County, Idaho, a municipal corporation duly organized and existing under the laws of the State of Idaho, hereinafter called "City," and **RANDY and AKIKO FOLK, d/b/a TIKI HUT**, with its principal place of business at 3501 North Buckskin Road, Coeur d'Alene, Idaho 83815 hereinafter called "Folks,"

WITNESSETH:

THAT, WHEREAS, Folks have been awarded the contract for a mobile food concession at a location generally described as: no more than a 22' x 8' (L x W) area on a concrete pad just south of sidewalk along the beach area between Independence Point and the Coeur d'Alene Resort, and immediately east of the sidewalk leading to the City's commercial dock, as shown on Exhibit "A" which is attached hereto and hereby declared and incorporated herein by reference;

NOW, THEREFORE, IT IS AGREED, that for and in consideration of the covenants and agreements set forth herein that, Folks shall operate and maintain a mobile food concession according to the terms set forth herein and under the penalties expressed herein.

Section 1. Definition: For purposes of this agreement the parties agree that the term "employee" shall include Randy Folk and Akiko Folk.

Section 2. Community Relations: The Folks agree they and their employees will be courteous and informed about the community and will assist with questions from tourists and other park users. Particularly, Folks must become familiar with the immediate area including North Idaho College, Coeur d'Alene Resort, Tubbs Hill, McEuen Field and the Visitors Center.

Section 3. Appropriate Attire: Folks agree they and their employees must be appropriately dressed in either an approved T-shirt or polo shirt with identifying logo, and approved shorts, if shorts are preferred instead of pants. Approval must be received from the Parks Director. It will not be permissible to operate the food concession without a shirt or in bikini type swimwear.

Section 4. Staffing: Folks' food concession must be staffed by at least one employee at all times.

Section 5. Health Permit: Folks agree to obtain a health permit as required by law for the said mobile food concession. The permit must be placed in a conspicuous place on the trailer. The permit number must correspond to the number on the trailer. The health permit is required to be provided to the City Clerk by April 15th, 2015 for the 2015 season, and by April 15th, 2016 for the 2016 season and by April 15th, 2017 for the 2017 season. Failure to submit the required health permit within the above stated time can result in the City denying Folks' permit or whatever actions the City deems necessary for the protection of the public.

Section 6. Food: Folks may serve all foods within the scope of the health permit. The Folks must also offer healthy options as part of the “Let’s Move CDA” as adopted by City Council. See Exhibit “B”. The Folks must also display Exhibit “C” on-site during operational hours.

Section 7. Non-food Items: Sunscreen will be the only non-food item allowed for sale. Sale of any other items must have written approval from the Parks Director.

Section 8. Refuse: Folks agree not to dispose of their refuse at a City maintained trash receptacle. Refuse must be removed from site and disposed of at Folks’ expense. Folks’ mobile food concession and immediately surrounding site must be kept clean at all times.

Section 9. Hold Harmless: Folks shall hold the City harmless and shall give up all claims for any incidental or consequential damages or lost profits during the term of the agreement due to construction projects located in or using Memorial Field, Coeur d’Alene Museum, Independence Point parking lots, City parks or docks. Folks further understand and agree that during the term of this agreement that the city or agents of the city may commence projects involving downtown public properties which may result in the city canceling this agreement pursuant to the notice provision in Section 24 below entitled “Lessor's Option to Terminate Lease.” Furthermore, the parties recognize that the city is involved in a process of developing a downtown public properties plan that may modify, move or eliminate some parking in the present downtown public parking lots. Lessee acknowledges and agrees that this may occur and may affect the parking areas presently used by lessee’s customers. In the event of said occurrence lessees hereby release, hold harmless and waive any claim whatsoever lessee may have against the Lessor its employees, agents, elected and appointed officials in the event parking is modified.

Section 10. Not Exclusive: Folks understand and agree that the City from time to time during the term of this permit may allow other food and non-food concessions to operate in the City Park including, but not necessarily limited to, mobile food concessions permitted by bid award, food and non-food concessions permitted as a part of the Summer Concert in the Park Series, food and non-food concessions permitted as part of any special event in the Park including, but again not limited to, Fred Murphy Days, A Taste of the Coeur d’Alene, the Fourth of July, and sports tournaments, or any event involving\or sponsored by the Coeur d’Alene Cultural Center.

Section 11. Waiver: Folks understands that during the term of this agreement, the City may be undertaking repairs to the City’s commercial dock, which may interfere with Folks’ operation or affect persons in the park. Folks specifically waive any claim as to lost profits or business while said repairs are undertaken.

Section 12. Worker’s Compensation: Folks agree to maintain worker's compensation coverage on all employees during the term of this contract as required by Idaho Code Sections 72-101 through 72-806. Should Folks fail to maintain such insurance during the entire term hereof, Folks shall indemnify the City against any loss resulting to the City from such failure, either by way of compensation or additional premium liability. Folks shall furnish to the City, prior to the granting of a permit, such evidence as the City may require affirming worker's compensation coverage or in the alternative submit an affidavit stating that all employees have worker’s compensation coverage as required by Idaho law.

Section 13. Negligent or Wrongful Act: Folks agree to indemnify and hold harmless the City from any and all liability, loss or damage which the City may suffer arising out of, or in connection with the negligent or wrongful acts, errors and omissions of Folks, their agents, or employees. Folks further agree, at Folks' cost, to defend the City against all claims arising out of this agreement, including any claims resulting from the operation of Folks' concession or in connection with the negligent or wrongful acts, errors and omissions of Folks, their agents or employees.

Section 14. Cart Specifications: Folks agree to the following concession specifications, which will be adhered to by Folks:

- A. Length: 22 ft. width: 8 ft. height: 8 ft.
- B. Heat source: propane.
- C. Electricity is available but limited; 2 – 110 outlets and a 20 amp breaker.
- D. Cooling source: battery, ice, or propane.
- E. All concessions must be self-contained. Ice chests, canisters, etc. cannot be stored next to cart.
- F. The concessions must be kept clean throughout the season.
- G. An outdoor bar-b-q on the site.

Section 15. Term: The City shall grant a mobile food concession permit to Folks for the season of May 1, 2015 to September 30, 2015, May 1, 2016 to September 30th, 2016 and May 1, 2017 to September 30, 2017.

Section 16. Consideration: Folks shall in consideration for the permit to operate and maintain said mobile food concession as set forth in Section 15 at the said location, shall pay the sum of Five Thousand Six Hundred Twenty-Seven and 54/100 Dollars (\$5,627.54) for the 2015 season, to be paid on or before April 15, 2015; shall pay the sum of Five Thousand Seven Hundred Ninety-Six and 36/100 Dollars (\$5,796.36) for the 2016 season, to be paid on or before April 15, 2016; shall pay the sum of Five Thousand Nine Hundred Seventy and 25/100 Dollars (\$5,970.25) for the 2017 season, to be paid on or before April 15, 2017. Payment shall be made to the City Parks & Recreation Department.

Section 17. No Alcohol: Folks agree they shall not possess any alcohol or alcoholic beverages in the concession, City Park, or City parking lots.

Section 18. City Ordinances: Folks shall abide by all City Ordinances and resolutions, included but not limited to Municipal Code Sections 5.18.015, 5.18.020, and 5.18.040.

Section 19. Glass Containers: Folks agree not to dispense drinks in glass containers.

Section 20. Violation of Regulations: Folks agree any violation of regulations, contract, ordinance, or any evidence of collusion may result in criminal prosecution and/or in the revocation of the permit, forfeitures of the full consideration, and Folks may not be allowed to rebid or resubmit a proposal for a period of three (3) years.

Section 21. Non-transferable: Folks also agree and understand concession sites cannot be transferred to another vendor without permission of the City.

Section 22. No Truck Parking: Except for parking in lawfully designated parking spaces, neither Folks nor their agent (s) or employees shall park trucks or other vehicles adjacent to the concession site for longer than thirty (30) minutes. Failure to comply with this provision shall be considered a material breach of this agreement.

Section 23. Lessor's Option to Terminate Lease: The Lessor may at any time after ten (10) day's written notice terminate this lease, retake possession of the leased space upon payment to the Lessee of the prorated, unearned portion of the lease payment. The notice of the exercise by the Lessor of its option to terminate the lease for no cause shall be given in the same manner as notice of termination in case of default.

Section 24. Forfeiture of Permit: It is understood that time is of the essence and should Folks fail to perform all of the covenants herein required of them, the City may declare the permit forfeited, Folks shall cease operation of the concession at the location, and any monies paid shall be pro rated as of the date of forfeiture. However, that before declaring such forfeiture, the City shall notify Folks in writing of the particulars in which the City deems Folks to be in default and Folks will have three (3) days to remedy the default.

Section 25. Notice: Any notice including notice of default resulting from failure to perform shall be made by placing the written particulars in the United States Mail addressed to Folks at the address above, with proper postage affixed. Any notice required herein to be given to City shall be written and deemed received by City when personally delivered to the office of the City Clerk, 710 Mullan Avenue, Coeur d'Alene, Idaho 83814. In lieu of service by mail, a notice of default and/or of termination may be served in the manner provided for the service of process under the Idaho Rules of Civil Procedure, Rule 5(b).

IN WITNESS WHEREOF, the Mayor and City Clerk of the CITY OF COEUR D'ALENE have executed this contract on behalf of said City, and Folks have caused the same to be signed, the day and year first above written.

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

LESSEE:
RANDY AND AKIKO FOLK
dba Tiki Hut

By: _____
Steve Widmyer, Mayor

By: _____
Randy Folk

By: _____
Akiko Folk

By: _____
Renata McLeod, City Clerk

STATE OF IDAHO)
) ss.
County of Kootenai)

On this 2nd day of December, 2014, before me, a Notary Public, personally appeared **Steve Widmyer and Renata McLeod**, known to me to be the Mayor and City Clerk, respectively, of the City of Coeur d'Alene and the persons who executed the foregoing instrument and acknowledged to me that said City of Coeur d'Alene executed the same.

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

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

STATE OF IDAHO)
) ss.
County of Kootenai)

On this _____ day of December, 2014, before me, a Notary Public, personally appeared **Randy Folk** whose name is subscribed to the within instrument and acknowledged that such individual executed the same.

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

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

STATE OF IDAHO)
) ss.
County of Kootenai)

On this _____ day of December, 2014, before me, a Notary Public, personally appeared **Akiko Folk** whose name is subscribed to the within instrument and acknowledged that such individual executed the same.

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

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

EXHIBIT "A"

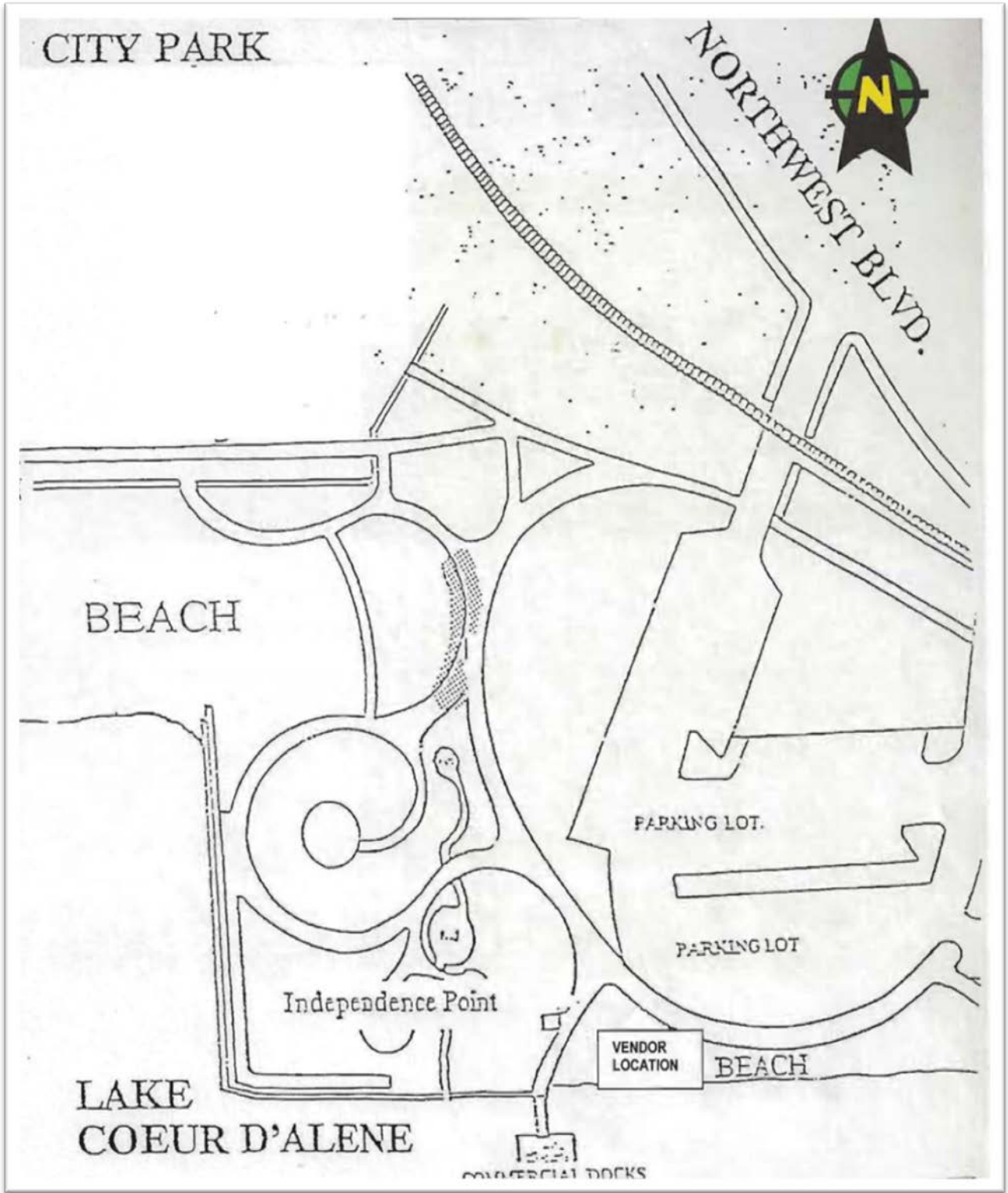


EXHIBIT “B”



let's move
cities, towns & counties

**JOIN LET'S MOVE!
TO BUILD A HEALTHY COMMUNITY
AND RECEIVE NATIONAL
RECOGNITION FOR YOUR EFFORTS**

Let's Move! Cities, Towns and Counties (LMCTC) is part of First Lady Michelle Obama's comprehensive *Let's Move!* initiative, which is dedicated to reversing the childhood obesity epidemic within a generation. With funding from the Robert Wood Johnson Foundation, the National League of Cities (NLC) is providing technical assistance and tools to local elected officials who are participating in LMCTC and striving to build healthy communities.



HOW DOES IT WORK?

LMCTC helps local elected officials develop long-term, sustainable, and holistic strategies that promote improved nutrition and increased physical activity in their communities.

LMCTC unifies the efforts of cities, towns and counties across the country in pursuing five measurable and achievable goals, which were developed with input from local elected officials:

- I. **Start Early, Start Smart:** Provide children in early care and education settings with a healthy start.
- II. **MyPlate, Your Place:** Display MyPlate in city- and county-owned venues that serve food.
- III. **Smart Servings for Students:** Increase participation in school breakfast and lunch programs.
- IV. **Model Food Service:** Adopt healthy food service guidelines at city- and county-owned venues that serve food.
- V. **Active Kids at Play:** Take steps to promote physical activity.

BE RECOGNIZED!

Participating communities are awarded bronze, silver, and gold medals for achieving specific benchmarks pertaining to each goal. Local elected officials from these communities are able to showcase their accomplishments and learn about the progress their peers make by visiting the initiative's website.

CITIES PARTICIPATING IN LMCTC BENEFIT BY:

- Receiving national recognition when they achieve LMCTC goals, including opportunities to be recognized by the First Lady
- Gaining access to technical assistance from experts across the federal government and nonprofit sector
- Having a variety of opportunities to learn what works at the local level
- Sharing success stories and discussing challenges with peers in other communities
- Participating in a national movement to build healthy communities for a healthy future

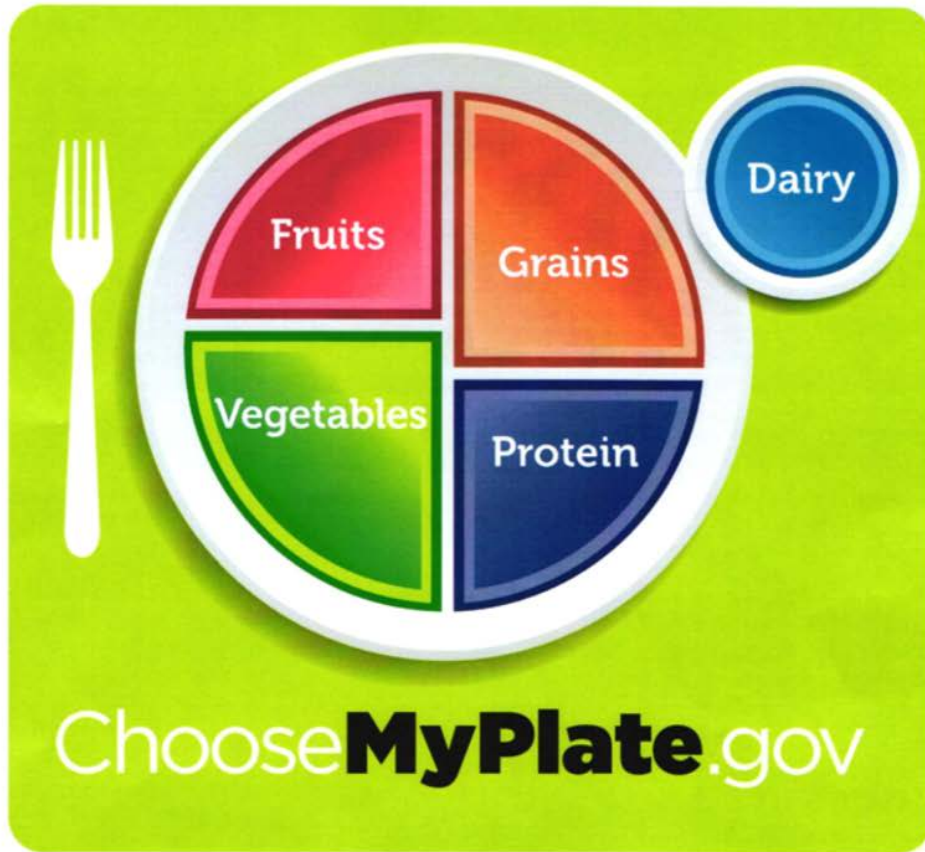
NLC is working in partnership with the U.S. Department of Health and Human Services, and with the support of the U.S. Department of Agriculture, the National Association of Counties and other nonprofit organizations, to assist local elected officials who join LMCTC as they implement policy and environmental changes to prevent childhood obesity.

NATIONAL
LEAGUE
of CITIES 

NACO National Association of Counties


Learn more about *Let's Move!* Cities, Towns and Counties by visiting: www.HealthyCommunitiesHealthyFuture.org

EXHIBIT "C"



PUBLIC HEARINGS

City Council STAFF REPORT

DATE: December 2, 2014
FROM: Christopher H. Bates, Engineering Project Manager 
SUBJECT: Vacation of a Portion Mill Avenue Right-of-Way in Block 17 of the East LaCrosse Addition, and, a Portion of Government Road Adjoining that Mill Avenue Right-of-Way

DECISION POINT

Ron Ayers, Recreational Living, LLC, owner of portions of Lots 8 – 12, Block 17, of the East LaCrosse Addition that adjoin a section of the fifty foot (50') right-of-way of Mill Avenue, west of Northwest Boulevard, is requesting the vacation of the right-of-way that adjoins them, and, the thirty foot (30') remainder portion of Government Road at the west end of Mill Avenue (map attached).

HISTORY

The plat of the East LaCrosse addition (attached), which was a subdivision of Lots 15 and 17 of the original Fort Sherman Abandoned Military Reservation was recorded in January 1907. The subdivision consisted of thirty six lots that have subsequently been bisected by Northwest Boulevard and re-subdivided into numerous other subdivisions.

PERFORMANCE ANALYSIS

This portion of Mill Avenue, west of Northwest Blvd. extends +/- 445' until it dead ends at a portion of the original Government Road that ran northerly from the Fort Sherman area. The portion of Government Road, which is thirty feet (30') in width, is a remainder parcel from the bulk of Government Road that was vacated by Ordinance #3122 (attached) in 2003. The total length of the request would amount to approximately the westerly 257 lineal feet, or, 12,850 square feet of that area west of Northwest Blvd. Mill Avenue is not a through street, and, combined with the portion of Government Road, terminates at the easterly boundary of the Merritt Office Park condominium subdivision. This subdivision has two lots that would prevent any extension of the roadway into the development, and, if for some reason it did extend, it would terminate in a parking lot and not link with another street connection.

The area of request is bordered on the north by vacant properties, and, on the south by an RV park. The applicant owns the properties on both sides of the road. A City water main is located in the roadway and provides service to both sides of the road. Should the vacation of the r/w be approved, an easement would be retained over the waterline to insure the City's interest in the facility.

Should the r/w be vacated in favor of the applicant, he is considering a multi-use residential development that could utilize the site in its entirety and not be divided by a roadway. If the site were to develop in such a manner that the water main needed to be relocated or removed, the retained easement could be relinquished at a future date.

FINANCIAL ANALYSIS

Vacation of the noted westerly 257 lineal foot portion of the fifty foot right-of-way, would add approximately 12,850 square feet to the County tax role. Although a minor amount, it would be a benefit to the municipality as tax revenue, and, eventual development of the site could lead to a more significant taxing entity.

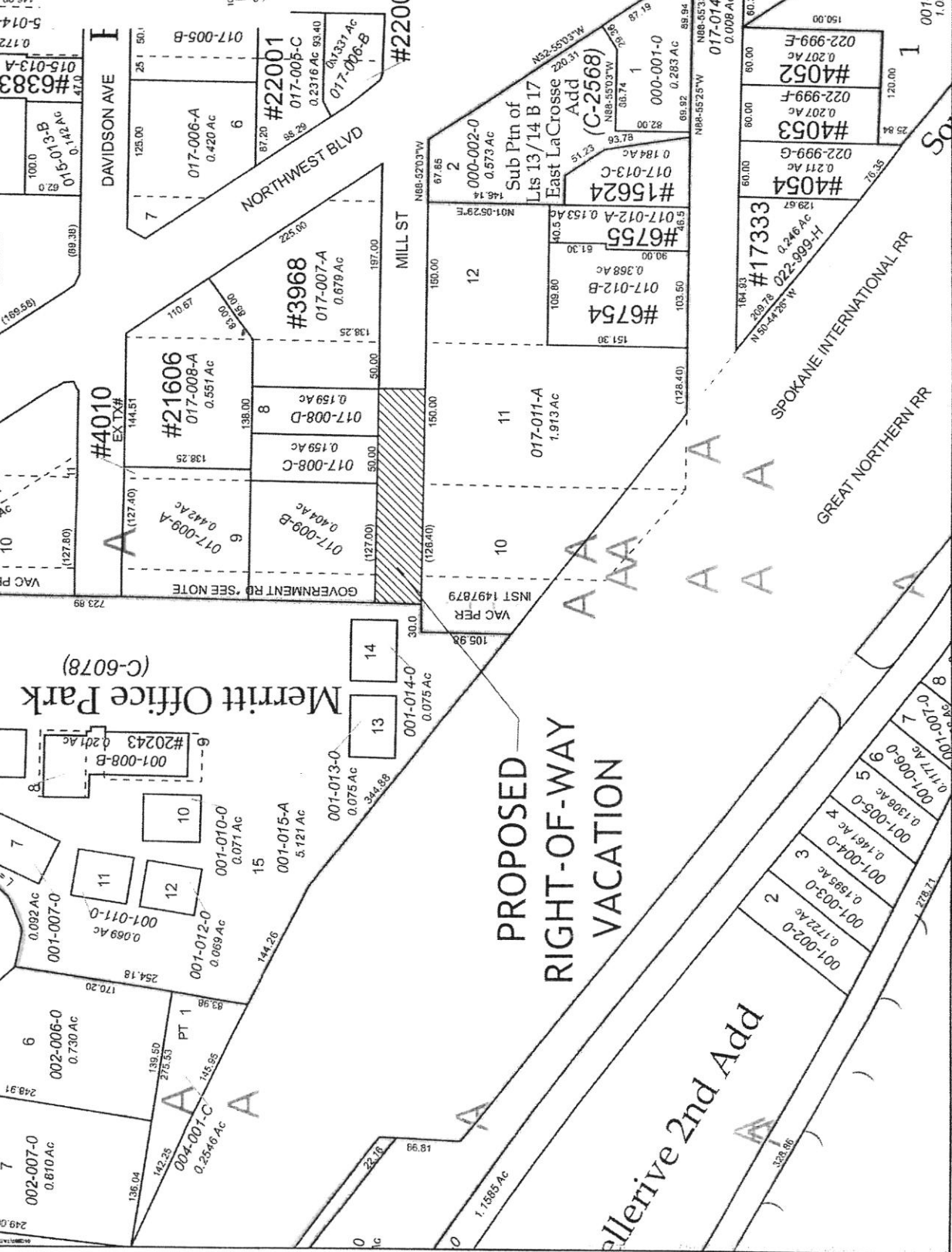
SUMMARY

A request has been put forward to vacate a portion of Mill Avenue and Government Road rights-of-way, situated west of Northwest Boulevard. Ron Ayers, the applicant who owns the adjoining lots, is requesting the vacation in order to eventually develop the property and not have it bisected by a roadway. An easement can be retained for existing City utilities in the right-of-way, which could be relinquished at a later date if their need is deemed no longer necessary for development. The Public Works Committee at its regularly scheduled meeting on Oct. 13, 2014 unanimously agreed in favor of the applicant. Should the Council find merit in this request, vacation of the subject property to the applicant would vest him with the sole ownership of both the Mill Street and Government Road portions.



GRAPHIC SCALE
 Scale: 1" = 100'

017-005-L	0.159 AC
017-004-E	0.159 AC
017-01	0.559

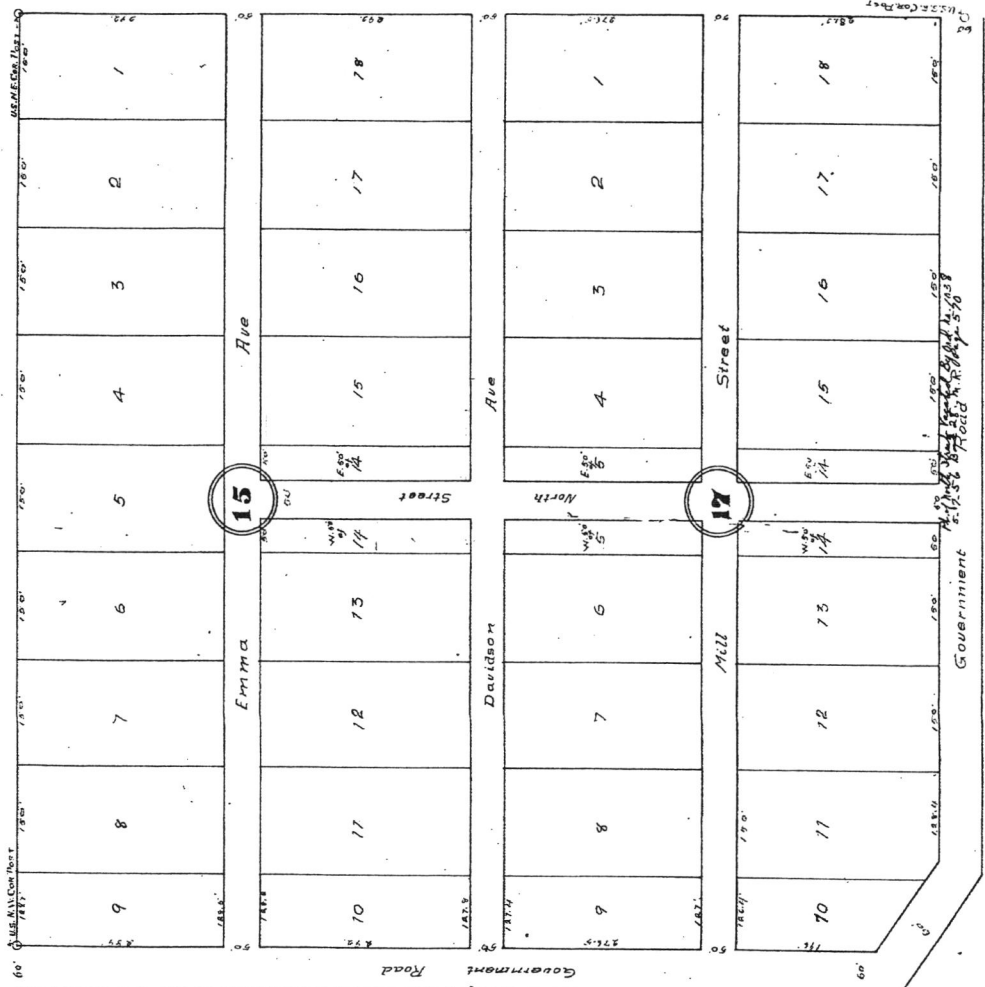


25104

PLAT OF EAST LA CROSSE

DESCRIPTION - Lots 15, 16, 17, Sec. 11, T. 50N. R. 4W. of
B.M. Fort Simpson, 7th. 2nd Military Res.
ervation, Kootenai County, Idaho.

Scale: 100 ft. = 1 inch



Dedication

State of Idaho
County of Kootenai

Know all men by these presents, That we Henry Krogger
Benjamin and Emma Roughton, his wife, all of Coeur d'Alene, County
of Kootenai and State of Idaho, have selected the above described tract of land
to be known as East La Crosse with lots and blocks of the unincorporated town
as shown by the plat hereto annexed and with blocks and avenues with their
respective property marked, and we do hereby give, grant, donate and dedicate
said streets and avenues to the public for public highways.

We ourselves thereof have heretofore set our hands and seals this
_____ day of _____ in the year of our Lord one thousand nine hundred and
_____.

Henry Krogger
Benjamin Roughton
Emma Roughton

State of Idaho
County of Kootenai

I, Robert N. Wainwright, a notary public in and for
said County and State of Idaho, do hereby certify that Henry Krogger
Benjamin and Emma Roughton, his wife, personally appeared to me
in the presence of some other authorized to the foregoing instrument
affirmed before me that they in person and acknowledged that they executed
and delivered the said instrument as their free and voluntary act for the
use and purpose herein set forth.

And I further certify that Emma Roughton wife of said Ben-
jamin, acknowledged in an examination apart from and without
the presence of her husband, and after I had made known to her the con-
tents of said instrument, that she executed the same freely and vol-
untarily, without fear or compulsion or under the influence of her
husband, and that she did not wish to retract the execution of the
same.

Given under my hand and official seal this 10 day of January
1907
(Seal) Robert N. Wainwright
Notary Public

I hereby certify that this is a correct plat of East
La Crosse

C. L. Smith

A. Cook
Jan 17 1907

Plat
T. S. Donner

20. E. County

85

GENERAL SERVICES COMMITTEE

STAFF REPORT

DATE: December 2, 2014
FROM: Ed Wagner, Building Services Director
SUBJECT: **Adoption of 2012 International Residential, Energy, Mechanical, and Fuel Gas Codes**

DECISION POINT – Staff is requesting that Council approve the adoption of the 2012 International Residential, Energy, Mechanical, and Fuel Gas Codes per the attached amended proposed Municipal Code.

HISTORY – The State legislature has mandated jurisdictions currently issuing building permits and performing building code enforcement adopt the 2012 I-Codes prior to January 1, 2015, per Idaho Code 39-4116. This legislation is a continuation of the States' attempt to establish uniformity and consistency of building codes and promote health, safety and welfare of the occupants of homes, businesses, institutions, and entertainment establishments.

FINANCIAL ANALYSIS – We propose to maintain the current adopted fee schedule as currently adopted by resolution.

We have involved the North Idaho Building Contractors Association (NIBCA) in this process with open communication and review of our draft adoption packet.

PERFORMANCE ANALYSIS – Good cause exists to propose amendments to the code adopted by the State Building Code Board. Most of the building departments within our area are consistent with the adoption and amendments within the proposal. Adoption of these Codes will provide consistency and establishes a basis for regulatory authority. In addition, through our local code enforcers' organization, local building officials continue to meet and discuss Code adoption, application, and interpretations. These meetings work toward uniform jurisdictional interpretations and applications of some of the new requirements that are reflected in the proposed code amendments. We continue to meet with NIBCA to encourage open communication between the parties. This has been working very well.

QUALITY OF LIFE ANALYSIS – Adoption of these Codes will establish minimum construction standards to insure the protection of public health, safety, and welfare.

SUMMARY / RECOMMENDATION – Staff recommends that Council finds the amendments are reasonably necessary and approve the adoption of the 2012 International Residential, Energy, Mechanical, and Fuel Gas Codes.

ORDINANCE NO. _____
COUNCIL BILL NO. 14-1021

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING MUNICIPAL CODE SECTIONS 2.96.020, 2.96.050 AND 15.08.005 TO ADOPT THE 2012 INTERNATIONAL RESIDENTIAL, ENERGY CONSERVATION, FUEL GAS AND MECHANICAL CODES AND CLARIFYING THE DUTIES OF THE INTERNATIONAL BOARD OF APPEALS; PROVIDING REPEAL OF CONFLICTING ORDINANCES; PROVIDING SEVERABILITY; PROVIDING THE PUBLICATION OF A SUMMARY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, *after public hearing on the hereinafter provided amendments, and after recommendation by the City Building Official*, 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 2.96.020(A) is amended to read as follows:*

2.96.020: DUTIES:

A. To hear appeals arising from the interpretation and/or enforcement of the international fire, building, residential, existing building, mechanical, fuel gas and energy conservation codes as well as the Idaho state plumbing code and the uniform code for the abatement of dangerous buildings as adopted by the city. ~~code, section 15.05.010 of this code, international building code, section 15.08.005 of this code, international mechanical code, section 15.14.010 of this code, uniform code for the abatement of dangerous buildings, section 15.09.010 of this code, the uniform plumbing code, section 15.12.010 of this code.~~

SECTION 2. *That Coeur d'Alene Municipal Code Section 2.96.050(A) is amended to read as follows:*

2.96.050: ADMINISTRATIVE PROVISIONS; NO AUTHORITY:

A. The international board of appeals shall have no authority to interpret the administrative provisions of the international fire, building, residential, existing building, mechanical, fuel gas and energy conservation codes or the Idaho state plumbing code and the uniform code for the abatement of dangerous buildings as adopted by the city. Further, the board has no authority to waive any of the requirements of the codes referenced in this section. ~~relative to~~

~~the interpretation of the administrative provisions of the international fire code, international building code, uniform code for the abatement of dangerous buildings, uniform plumbing code, or the international mechanical code, nor shall the board be empowered to waive requirements of the international fire code, international building code, uniform code for the abatement of dangerous buildings, uniform plumbing code, or the international mechanical code.~~

SECTION 3. *That Coeur d'Alene Municipal Code Section 15.08.005(A)(2),(3),(4) & (5) are amended to read as follows:*

2. The ~~2012-2009~~ international residential code (IRC), prepared by the International Code Council, Inc., as adopted by the state of Idaho through the Idaho building code board, together with any amendments or revisions to the IRC made by the Idaho building code board through the negotiated rulemaking process, is adopted with the following exceptions or amendments:

Section R101.2. Delete the exception and add the following sentence to the end of the section:

Detached one-and-two-family dwellings and townhouses will be classified as an R-3 occupancy. All garages, shops, and accessory structures will be classified as a U occupancy.

Section R103.2 is not adopted.

Section R103.3 is not adopted.

Section R104.10.1. Delete entire section.

~~Section R105.2. Item 7 is amended to read as follows:~~

~~7. Prefabricated swimming pools that are less than 48 inches deep.~~

Section R106.1 is amended to read as follows:

R106.1 General. Submittal documents consisting of construction documents, statement of special inspections, geotechnical report, structural observation programs and other data shall be submitted in one (1) paper set and one (1) PDF of the plan set on a CD for each application for a permit. The architectural construction documents shall be prepared by an architect licensed to practice by the state of Idaho. The building official shall have the option to stipulate that an Idaho licensed engineer in the appropriate engineering discipline (structural, mechanical, electrical, civil, geotectonic, acoustical, etc.) of his or her expertise may submit supplemental construction documents supportive and complementary to the architect's construction documents.

Where special conditions exist, the building official may authorize a registered professional engineer acting within the discipline of his or her expertise and at the stipulation of the building official acting jointly or in association with a licensed architect to prepare construction documents and require site construction observation for buildings or shelters not intended, designed or constructed for human habitation or occupancy.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional of any architectural or engineering service in the erection, enlargement, alteration or repair of any building where such building to be or is used as a single family residence not exceeding three (3) stories in height and multiple height and multiple family residence of three adjoining dwelling units not exceeding three (3) stories in height. Or as a farm building or for the purpose of out buildings or auxiliary building in connection with such residence or farm premises or if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

Those individuals who furnish only interior design or decoration or space planning or space design services within existing structures which do not involve the construction or adherence to requirements of the international residential code (IRC) including the Americans with disabilities act (ADA) American national standard accessible and usable building and facilities ICC/ANSI-A117 will not be required to be a registered design professional. This exemption only allows the use of moveable partitions, rails, counters, cabinets, space dividers, furniture and similar types of equipment which do not exceed a height of five feet, nine inches above floor in the execution of the plans or design of a particular space or the creation of exits corridors, stairways and disturbances of existing structural components as defined by the IRC.

Section R106.1.3. Delete entire section.

Section R109.1.3. Delete entire section.

Section R301.2.3 Snow Loads. Delete section and replace with the following:

Wood framed construction, cold-formed steel framed construction and masonry and concrete construction in regions with ground snow loads 70 psf (3.35 kN/m²) or less, shall be in accordance with chapters 5, 6 and 8. Buildings in regions with ground snow loads greater than 70 psf (3.35 kN/m²) shall be designed in accordance with accepted engineering practice. The minimum roof design snow load shall be forty (40) pounds per square foot. A ground snow load of sixty (60) pounds per square foot shall be used for roof drifting snow load design. No manufactured home, commercial coach or modular building shall be placed that has not been constructed to withstand a minimum forty (40) pound per square foot roof load, or the owner has provided for a separate roof cover that is constructed to provide the required roof load, except that manufactured homes that are already installed in a location within the city limits at the time

of the passage of this section may remain without having to meet the minimum roof load set forth herein. Any manufactured home allowed to remain under this section may be moved to a different location within the city limits without having to meet the forty (40) pound roof load providing that it meets all zoning requirements contained in [title 17](#) of the city code.

Table R302.1 Exterior Walls. Replace table with the following table:

**TABLE R302.1
EXTERIOR WALLS**

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
Walls	(Fire-resistance rated)	1 hour tested in accordance with ASTM E 119 or UL 263 with exposure from both sides	<3 feet
	(Not fire-resistance rated) -	0 hours	=3 feet
Projections	(Fire-resistance rated)	1 hour on the underside	<3 feet
	(Not fire-resistance rated) -	0 hours	=3 feet
Openings in walls	Not allowed	n/a	<3 feet
	25% maximum of wall area	0 hours	3 feet
	Unlimited	0 hours	5 feet
Penetrations	All	Comply with section R317.3	<5 feet
		None required	5 feet

Section R302.2 Townhouses. Delete the exception and replace with the following:

Exception: A two (2) 1-hour fire-resistance rated wall assembly or a common 2-hour fire-resistance rated wall assembly tested in accordance with ASTM E 119 or UL 263 is permitted for

townhouses. If two (2) 1-hour walls are used, plumbing and electrical installations within the wall cavity shall conform with fire-resistance penetration requirements in accordance with section R302.4 through R302.4.2 for each of the two (2) 1-hour rated walls. The 2-hour fire-resistance rated common wall shall not contain plumbing or mechanical equipment, ducts or vents within its wall cavity. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against the exterior walls and the underside of the roof sheathing. Penetrations of electrical outlet boxes shall be in accordance with section R302.4.

Section R302.3 Two-Family Dwellings. Delete exception 1.

Section ~~R302.5.1~~ R302.6 Separation Required. Delete section and replace with the following:

The private garage shall be separated from the dwelling unit or any conditioned space, including attic areas and supporting members with no less than one (1) layer of $\frac{5}{8}$ " type 'X' gypsum wallboard or equivalent on the garage side. The garage side of a roof/ceiling assembly, floor/ceiling assembly, and steel supporting members shall be protected with not less than two (2) layers of $\frac{5}{8}$ " type 'X' gypsum wallboard or equivalent. If a common door is provided, it shall be a self-closing, tight-fitting solid-wood door $1\frac{3}{8}$ inches in thickness, or a self-closing, tight-fitting 20-minute fire-rated door, or solid or honeycomb steel doors not less than $1\frac{3}{8}$ inches (34.9 mm) thick.

Openings from a private garage directly into a room used for sleeping purposes shall not be permitted.

Garages, including the attic space, located less than 3 feet from a dwelling unit on the same lot shall be protected with not less than one (1) layer of $\frac{5}{8}$ " type 'X' gypsum wallboard or equivalent on the garage side.

Section R302.5.3. Delete section and replace with the following:

Penetrations through the separation required in section R302.5.1 shall be protected with approved materials to resist the passage of flame and products of combustion. The materials filling the penetration annular space shall meet the requirements of ASTM E 814 or UL 1479.

~~Section R302.6. Delete section and replace with the following:~~

~~The garage shall be separated as required by section R302.5.1.~~

~~Table R302.6 is deleted.~~

Section R302.7 Under Stair Protection. Delete section and replace with the following:

Enclosed accessible space under stairs shall have walls, under stair surface and any soffits protected on the enclosed side with ⁵/₈-inch type X gypsum board.

Section R313.1 Townhouse Automatic Fire Sprinkler Systems. Delete the exception and replace with the following:

Exception: Automatic residential fire sprinkler systems shall not be required in townhouses where either two (2) 1-hour fire-resistance rated walls or a common 2-hour fire-resistance rated wall is installed between dwelling units or when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.

~~Section R313.2 is deleted.~~

Section R322 Flood-Resistant Construction is deleted.

Section R403.1.4.1 Frost Protection. Delete method 1 and replace with the following:

1. Extending below the frost line specified in table R301.2(1); with a minimum twenty-four (24) inches from ground surface to the bottom of a footing.

Delete tables R404.1.1(1), R404.1.1(2), and R404.1.1(3).

Section R404.1.2 Concrete Foundation Walls. Delete section and replace with the following:

Concrete foundation walls shall be designed and constructed in accordance with the provisions of this section, ACI 318, ACI 332 or PCA 100. Minimum reinforcement for foundation walls (unless closer spacing is specified by design or engineering specifications) which do not exceed four (4) feet in height shall be four (4) feet on center for vertical reinforcement and two (2) feet on center for horizontal reinforcement. Foundation walls over four (4) feet in height (unless closer spacing is specified by design or engineering specifications) shall be eighteen (18) inches minimum on center for horizontal and vertical reinforcement. All continuous footings will require a minimum two (2) continuous horizontal reinforcing bars. Reinforcing bars shall be a minimum size of #4 and may be a minimum grade forty (40).

Section G2406.2. Delete items 3 and 4.

Section G2445 is not adopted.

Part VII. Plumbing and ~~P~~part VIII. Electrical are not adopted.

Appendices are not adopted except for:

Appendix G as it applies to swimming pools only; and

Appendix K Sound Transmission with the STC rating of 45 in sections AK102.1 and AK103 amended to: 50 (45 if field tested).

~~Section AG102 Definitions. The definition of Swimming Pool is amended to read as follows:~~

~~Any structure intended for swimming or recreational bathing that contains water over 48 inches deep.~~

3. The ~~2009~~ 2012 international energy conservation code (IECC), prepared by the International Code Council, Inc., together with any amendments or revisions to the IECC made by the Idaho building code board through the negotiated rulemaking process, is adopted and shall be the energy conservation code of the municipality with the following amendments or exemptions:

~~Table 402.1.1 Insulation And Fenestration Requirements By Component. Add a footnote k to the title of the table as follows:~~

~~k. For residential log home building thermal envelope construction requirements see section 402.6.~~

~~Section 402. Add the following section:~~

~~**402.6 Residential Log Home Thermal Envelope.** Residential log home construction shall comply with sections 410 (General), 402.4 (Air Leakage), 402.5 (Maximum Fenestration U-Factor And SHGC), 403.1 (Controls), 403.2.2 (Sealing), 403.2.3 (Building Cavities), sections 403.3 through 403.9 (referred to as the mandatory provisions), section 404 (Electrical Power And Lighting Systems), and either subparagraph (i), (ii), or (iii) as follows:~~

~~i. Sections 402.2 through 402.3, 403.2.1, 404.1, and table 402.6;~~

~~ii. Section 405 Simulated Performance Alternative (Performance); or~~

~~iii. REScheck (U.S. department of energy building codes program).~~

~~Section 402. Add table 402.6 Log Home Prescriptive Thermal Envelope Requirements By Component to be used only in accordance with section 402.6(i) as follows:~~

**TABLE 402.6
LOG HOME PRESCRIPTIVE THERMAL ENVELOPE
REQUIREMENTS BY COMPONENT**

Climate Zone	Fenestration U-Factor^a	Skylight U-Factor	Glazed Fenestration SHGC	Ceiling R-Value	Min. Average Log Size In Inches	Floor R-Value	Basement Wall R-Value^d	Slab R-Value & Depth^b	Crawl Space Wall R-Value^d
5, 6 High efficiency equipment path^e	0.32	0.60	NR	49	5	30	15/19	10, 4 ft -	10/13
5	0.32	0.60	NR	49	8	30	10/13	10, 2 ft -	10/13
6	0.30	0.60	NR	49	8	30	-	10, 4 ft -	10/13

~~a. The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.~~

~~b. R-5 shall be added to the required slab edge R-values for heated slabs.~~

~~e. 90% AFUE natural gas or propane, 84% AFUE oil, or 15 SEER heat pump heating equipment (zonal electric resistance heating equipment such as electric base board electric resistance heating equipment as the sole source for heating is considered compliant with the high efficiency equipment path).~~

~~d. "15/19" means R-15 continuous insulated sheathing on the interior or exterior of the home or R-19 cavity insulation at the interior of the basement wall. "15/19" shall be permitted to be met with R-13 cavity insulation on the interior of the basement wall plus R-5 continuous insulated sheathing on the interior or exterior of the home. "10/13" means R-10 continuous insulated sheathing on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement wall.~~

4. The ~~2009~~ 2012 international fuel gas code (IFGC), prepared by the International Code Council, Inc., is adopted and shall be the fuel gas code of the municipality with the following amendments or exemptions:

Section 103.2 is not adopted.

Section 103.3 is not adopted.

Section 303.3 Prohibited Locations. Delete items 3 and 4.

Section 621.4 Prohibited Locations. Add group R to the prohibited locations that includes groups A, E, I.

5. The ~~2009~~ 2012 international mechanical code (IMC), prepared by the International Code Council, Inc., is adopted and shall be the mechanical code of the municipality with the following amendments or exemptions:

Section 103.2 is not adopted.

Section 103.3 is not adopted.

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

SECTION 5. 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 6. 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 7. 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 shall be in full force and effect on January 1, 2015.

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 December 2, 2014.

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

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING MUNICIPAL CODE SECTIONS 2.96.020, 2.96.050 AND 15.08.005 TO ADOPT THE 2012 INTERNATIONAL RESIDENTIAL, ENERGY CONSERVATION, FUEL GAS AND MECHANICAL CODES AND CLARIFYING THE DUTIES OF THE INTERNATIONAL BOARD OF APPEALS; PROVIDING REPEAL OF CONFLICTING ORDINANCES; PROVIDING SEVERABILITY. THE ORDINANCE SHALL BE EFFECTIVE JANUARY 1, 201. 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 Municipal Code Sections 2.96.020, 2.96.050 - International Board of Appeals and 15.08.005 - Building Code, 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 December, 2014.

Warren J. Wilson, Chief Deputy City Attorney