



# Coeur d'Alene

## CITY COUNCIL MEETING

*November 4, 2008*

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**MEMBERS OF THE CITY COUNCIL:**

**Sandi Bloem, Mayor**

**Councilmen Edinger, Goodlander, McEvers, Bruning, Hassell, Kennedy**

# CONSENT CALENDAR

**JOINT MEETING BETWEEN THE  
COEUR D'ALENE CITY COUNCIL  
AND THE LAKE CITY DEVELOPMENT CORPORATION  
HELD IN THE CITY LIBRARY COMMUNITY ROOM  
ON OCTOBER 16, 2008 AT 12:00 NOON**

A joint meeting of the Coeur d'Alene City Council and the Lake City Development Corporation was held on October 16, 2008 at 12:00 noon. There being present upon roll call a quorum of both bodies politic.

Mayor Sandi Bloem, Mayor

Al Hassell	)	Members of the Council Present
Deanna Goodlander	)	
John Bruning	)	
Mike Kennedy	)	
Woody McEvers	)	
Ron Edinger	)	

Dennis Davis, Chairman

Jim Elder	)	Members of LCDC Board Present
Dave Patzer	)	
Rod Colwell	)	
Brad Jordan	)	
A. J. Al Hassell, III	)	
Deanna Goodlander	)	

Brad Jordan	)	Members of LCDC Absent
Charles Nipp	)	

STAFF PRESENT: LCDC: Tony Berns, Executive Director. CITY: Susan Weathers, Wendy Gabriel, Troy Tymesen, Mike Gridley.

**STRATEGIC GOALS OF LCDC:** Mr. Berns read the Vision and Mission statements of the Lake City Development Corporation as follows: *LCDC's Vision is to be a catalyst for positive change in the creation of an exemplary 21st Century city; a city in which economic prosperity, quality housing and employment opportunities are available to all; LCDC's Mission is to bring together resources to achieve Coeur d'Alene's vision of a diverse, sustainable community with healthy neighborhoods, a vibrant central city, a strong regional economy, sustainable, superior public open spaces, and quality jobs and housing for all.*

Mr. Berns then presented the Long-Term Strategic Goals as set by LCDC.

EDUCATION: He reported that their goals for education are to facilitate the creation of the Education Corridor in partnership with the City, University of Idaho, North Idaho College, Lewis Clark State College and the Fort Grounds neighborhood, to help support the downtown neighborhood-oriented Sorensen School by providing capital funding for appropriate building improvements and to help support the long-term viability of Winton Elementary School.

In regard to the Education Corridor Mr. Berns noted that also on the Board's to-do list is the development of the 4-corner intersection next to Memorial Field. Councilman Bruning asked if the 4-corners plan is being done in conjunction with the City's Master Transportation Plan. Mr. Berns responded that that is one of the items they will be reviewing with the Education Corridor group.

Councilman McEvers asked if the School District is now asking for more than the ADA requirement funding. Mr. Berns responded, not necessarily. He noted that the school realizes that LCDC had agreed to help with bringing the school up to ADA standards but the School District wanted the LCDC Board to know that there are much more improvements needed to Sorensen in order to maintain this school. Councilman McEvers asked what the school would have done if LCDC did not give them money. Board Member Elder responded that the school would probably have closed Sorensen. Board Member Colwell also noted that LCDC related to the School District that they do not have an unlimited source of funds. Mayor Bloem noted that there is a rumor going around that the School District may change Sorensen and offer the school to students outside its School District zone. Board Chairman Davis noted that he wanted to make sure that the school is open to the children living in this school's zone. Councilman Kennedy asked what if the School Board decided to change their focus and close Sorensen - can LCDC, as part of their funding, require that the School Board keep Sorensen open as a school. Mr. Berns responded that such conceptual conversations have taken place but nothing has been put in writing yet. Board Chairman Davis added there may be an issue of binding future school boards. Councilman Kennedy commented that he still wants to make it clear that the point was to keep that school open to the students in the neighborhood. Councilman McEvers asked if other urban renewal agencies have done this before or is this project a first-time endeavor. Mr. Berns responded that from his research it has not been done very much. Councilman Edinger noted that at last night's LCDC meeting the School Board presentation was for \$485,000 for ADA and that the Sorensen School Principal and Superintendent of Maintenance made a presentation about the need for an additional \$3,000,000. Mr. Berns responded that the School District has not formally requested the \$3,000,000 from LCDC but rather the School Board just wanted LCDC and the public to know the full amount of funding needed to bring the building up to ADA standards and upgrade the existing mechanical systems, etc. Councilman Goodlander reiterated that LCDC has agreed to fund the ADA requirements in concept but the school wanted to let the public know what it costs to truly bring this facility up to date.

WORKFORCE HOUSING: Mr. Berns noted that the midtown project is still a very viable project for IHFA to construct workforce housing in the midtown area. Mr. Berns noted that LCDC has put \$300,000 into the purchase of land as part of the Midtown project, which does not include the purchase cost of the parking lots. Board Member Elder noted that IHFA has purchased the Thrift Store as part of this project. Councilman Kennedy reported that community meetings have been held with IHFA and they will continue to have monthly meetings on the 1st Thursday of each month. Mr. Tymesen announced that the Federal Government has appropriated \$20,000,000 to Idaho for housing. The City in partnership with St. Vincent DePaul are working with IHFA to see how this funding can best be used for helping obtain low-income, workforce and affordable housing and LCDC may be asked to participate in this process. Councilman Kennedy noted that City has offered their help to IHFA who has been given the responsibility of distributing these federal dollars.

PUBLIC SPACE: Mr. Berns reported that LCDC will continue their support of the new Library partnership involving a pledge of \$250,000 and to the Kroc Community Center with a \$500,000 pledge that will go towards public improvements which includes public parking.

LCDC will continue to help effectuate the McEuen Field Plan which in part is to find a place for the American Legion baseball field and they are still looking for a viable alternative location. Councilman Kennedy asked for confirmation that nothing private can be placed on McEuen Field due to the use of Land and Water Conservation funding. Board Member Patzer responded that there is a mechanism for turning it into private ownership but you have to show a replacement value for another recreational endeavor. Chairman Davis affirmed that LCDC is pursuing the McEuen Field Plan as established.

Mr. Berns continued by noting that LCDC continues their partnership with the North Idaho Centennial Trail Foundation and have provided funds to acquire Union Pacific Railroad lines for the Prairie Trail and will also be a partner in a 3-way exchange of railroad right-of-way. City Attorney Mike Gridley noted that following the sale of the mill, the Burlington Northern Railroad will be abandoned from downtown CDA to Huetter Road, with a portion of the land going through the Mill River project. He explained that a lot of the land in the corridor from Riverstone west is not really needed for development along with the fact that I-90 will be widened some time in the future and thus the current Centennial Trail along I-90 will be wiped out, this would be an opportunity to have the trail run along the river instead of along I-90. One of the things would be to keep exploring options to try to purchase/control that railroad corridor for the necessary Centennial Trail connection. He added that the development of the trail is not imminent but is something that will be forming within the near future. Board Chairman Davis noted that it appears that the railroad right-of-way is not conducive to constructing buildings along the river. City Attorney Gridley agreed but noted that the railroad will want to sell it for a certain amount of money with most of the cost being in the configuring and development of the land. He also noted that he believes that the homeowners along this line should be involved in the discussion process.

On a final note regarding open space, Mr. Berns reported that LCDC will continue to obtain ownership for access to the lake and this is a high priority and LCDC looks at each opportunity that arises. In regard to Winton Park, LCDC will continue to partner with the City to define the park's long-term community role.

JOB CREATION AND RETENTION: Mr. Berns noted that LCDC will continue partnership efforts to facilitate job creation and job retention in both redevelopment districts. City Finance Director Troy Tymesen believes that without LCDC's efforts the City would not have the US Bank Call Center or Night Hawk located in the city.

PUBLIC PARKING: LCDC's goal is to work in partnership with the City and the Downtown Association to plan for a downtown mixed use parking facility. Councilman McEvers believes that with the 7th and Sherman project, Parkside and more jobs in the downtown area that the parking facility will be needed sooner than later. He asked what would be the estimated cost for the parking structure. Mr. Berns responded that the land acquisition would be approximately \$1.3 million and the structure would be \$5 million. Board Member Elder added that this project would be a private-public partnership with retail space on the ground floor. Councilman Kennedy noted that Boise has demonstrated the success of a private/public parking facility. Board Member Elder also noted that LCDC is following the Parking Study recommendations, and as we use more and more parking spaces it moves this project forward.

MIDTOWN REDEVELOPMENT: Mr. Berns noted that LCDC will partner with the City, Midtown property owners, Midtown businesses, and Midtown stakeholders to help redevelop the Midtown area by contributing capital funding to the 4th street reconstruction project and promoting a "place making" initiative in the core of Midtown (core area currently defined as Roosevelt Avenue to Boise Avenue). He reported that the 4th Street reconstruction project cost is \$3 million with LCDC paying \$1.02 million of the infrastructure project cost that LCDC agreed to fund the "place making" project for the 2-block core in the amount of \$436,000. Board Member Elder also noted that last night LCDC made the recommendation to fund up to half of the cost of the property owners LID for those owners outside the 2-block placemaking area for an additional funding cost from LCDC of approximately \$200,000. Councilman Kennedy noted that in essence LCDC is funding \$1.6 of the \$3 million cost for the 4th Street Midtown Project. Councilman McEvers thanked LCDC for their support of the Midtown project. Board Member Colwell explained that their discussions were around fairness with who was receiving the most benefit which is the 2-block core and it was only reasonable to help those outside the 2-block areas with their share of the LID costs.

ADJOURNMENT: Motion by Edinger, seconded by Kennedy that there being no further business before the City Council, this meeting is adjourned. Motion carried.

Motion by Goodlander, seconded by Colwell that there being no further business before the Lake City Development Corporation Board, this meeting is adjourned. Motion carried.

The meeting adjourned at 1:00 p.m.

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Sandi Bloem, Mayor

ATTEST:

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Susan K. Weathers, CMC  
City Clerk

MINUTES OF A REGULAR MEETING OF THE CITY  
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,  
HELD AT THE LIBRARY COMMUNITY ROOM,  
OCTOBER 21, 2008

The Mayor and Council of the City of Coeur d'Alene met in a regular session of said Council at the Coeur d'Alene Library, October 21, 2008 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Al Hassell	)	Members of Council Present
Mike Kennedy	)	
John Bruning	)	
Deanna Goodlander	)	
Loren Ron Edinger	)	

Woody McEvers ) Members of Council Absent

**CALL TO ORDER:** The meeting was called to order by Mayor Sandi Bloem.

**INVOCATION** was led by Pastor Paul Peabody, Grace Bible Church.

**PLEDGE OF ALLEGIANCE:** Councilman Hassell led the pledge of allegiance.

**PUBLIC COMMENTS:**

IRONWOOD TRAFFIC FLOW: Charles Cardarelli, voiced his concern regarding parking along roadways intersecting Ironwood Drive and, in particular, next to two stop signs and a fire hydrant. He commented that drivers are continuing to park up to the intersection which is causing sight obstructions and impeding traffic flow along Ironwood Drive. He asked the Council to restrict parking for 30 feet from the stop sign and hydrant. City Engineer Gordon Dobler will follow up with this request.

MIDTOWN PARKING: Dana Musick, 916 N. A Street, voiced her concern regarding the parking situation in mid-town which she believes is quite a problem. She has been trying to expand her business but without being able to add parking she cannot do so. She asked Council for relief. Councilman Goodlander commented that Council will be addressing this issue later in the meeting through the proposed fee-in-lieu of parking regulations.

KATHLEEN AVENUE IMPROVEMENTS: Larry Spencer, 634 Skyhawk Drive, Spirit Lake, commented on the road re-building project along Kathleen Avenue and commended the Street Department for their excellent work. Jon Ingalls, Deputy City Administrator, noted that street improvements are a shared responsibility which included Chris Bates and Gordon Dobler from the City's Engineering Services Department and commended them for their work on the Kathleen Avenue improvements.



**SIGNALIZATION TIMING REQUEST:** Gordon Dobler, City Engineer, recognized Ford Johnson, a student at Woodland Middle School, who wrote a letter to the Mayor regarding the signalization at Kathleen and Ramsey and asked if the City could do something to make the signalization provide more time for students crossing the intersection. Mr. Dobler received his letter and did change the signalization timing as suggested by Master Johnson.

**STUDENTS LETTERS TO THE MAYOR:** Mayor Bloem expressed her appreciation to Ford Johnson for getting involved and writing a letter. She also noted that because of the letters she received from the students at Skyway elementary, a tether ball will be added to the pole located in Sunshine Meadows Park.

**CONSENT CALENDAR:** Motion by Kennedy seconded by Edinger to approve the Consent Calendar as presented.

1. Approval of minutes for October 7, 2008.
2. Setting General Services Committee and Public Works Committee meetings for October 27<sup>th</sup> at 12:00 noon and 4:00 p.m. respectively.
3. RESOLUTION 08-054: 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 DECLARING CERTAIN COMPUTER HARDWARE & SOFTWARE AS SURPLUS, APPROVING THE ANNUAL WAIVER OF COVERED LOAD REGULATIONS FROM NOVEMBER 1, 2008 THROUGH NOVEMBER 30, 2008 FOR THE ANNUAL FALL LEAF PICKUP AND APPROVAL OF A MEMORANDUM OF AGREEMENT FOR PUD-2-07 "COTTAGE GROVE PUD".
4. Approval of bills as submitted and on file in the City Clerk's Office.
5. SS-8-08 - Final plat approval for Village at Riverstone Condominiums B
6. SS-9-08 - Final plat approval for Village at Riverstone Condominiums C

Councilman Goodlander commented that the reason the City removes the covered load regulations is to allow the City's dump trucks to efficiently haul the leaves picked up during the annual leaf pick up process. She noted that when the leaf pick up has been completed, the city does sweep the streets for any leaves that may be blown off the trucks.

ROLL CALL: Edinger, Aye; Hassell, Aye; Goodlander, Aye; Kennedy, Aye; Bruning, Aye. Motion carried.

**COUNCIL COMMENTS:**

**COUNCILMAN KENNEDY:** Councilman Kennedy welcomed County Commissioner Rick Currie to this evening's meeting. He announced that the homelessness issue has

received not only some local attention but national attention as well noting the headlines in USA Today and the Spokesman Review newspapers. He reminded residents that the City is working towards its goal to end homelessness in the City within the next 10 years. He asked those who have complained about the homelessness issue to join their efforts and invited everyone to attend the next Idaho Housing Coalition on Homelessness meeting to be held Halloween morning, Oct. 31<sup>st</sup>, at 7:30 a.m. in the Library Community Room.

COUNCILMAN BRUNING: Councilman Bruning announced that the week of Nov. 9<sup>th</sup> through the 16<sup>th</sup> is National Homelessness week and St. Vincent De Paul has put together several events during this week including a breakfast, a tour of their facility, a blanket drive, an art show, as well as a vigil will be held for the homeless on Monday, November 10<sup>th</sup> from 5:30 p.m. to 7:00 p.m. at Independent Point. If you would like more information on how to make a donation for the homeless, call 664-3095.

COUNCILMAN EDINGER: Councilman Edinger announced that there will be another opportunity for residents to dispose of their old prescriptions on Saturday, Oct. 25<sup>th</sup>, at Coeur d'Alene High School from 10 a.m. to 2 p.m. The first turn-in event was very successful and hopes are that this one will also be a success. This event is being jointly sponsored by the City of Coeur d'Alene, the Police Department, and Idaho State Police.

COUNCILMAN GOODLANDER: Councilman Goodlander noted that by dumping old prescriptions down the drain it could cause some potential contamination of the chemicals used to process the City's wastewater treatment plant.

COUNCILMAN GOODLANDER: Councilman Goodlander noted that with the difficult times being faced today, there is an increase in anger problems and asked residents to support CASA (Court Appointed Special Advocates).

COUNCILMAN BRUNING: Councilman Bruning noted that an all-night campout will be held on Friday Nov. 14<sup>th</sup>, beginning at 7:00 p.m. at both high schools. Students will be camping out in support of the homeless.

**ADMINISTRATOR'S REPORT:** City Administrator Wendy Gabriel announced that the City's Leaf Pickup will begin Nov. 3<sup>rd</sup> and asked residents to help city crews by not parking their cars in the streets and keeping leaves away from curb. Absentee voting is now available at City Hall, any city or county resident can vote at City hall. There will be a Smithsonian exhibit hosted by the Library from Nov. 7<sup>th</sup> to Nov. 20<sup>th</sup>. The exhibit is called "Between Fences". As part of exhibit the Library will also host an art display. Mrs. Gabriel announced that the COPS academy concludes tonight with 18 residents graduating from this program. Next, the graduates will do a ride-along for a total of five times before they are on their own. Some of the activities that these volunteers will do are block watch, bicycle registration, Centennial Trail patrol, school watch for children enticement and abandoned vehicles – all of which will be a tremendous help to our Police

Dept. She noted that volunteers will have an identifiable uniform. On Oct 22<sup>nd</sup>, Independence Point will be closed beginning at 4:30 a.m. until 11:30 am. to accommodate the delivery of the public safety building to the City park area. She asked residents to use caution if they are interested in watching the process. On Sept. 29<sup>th</sup> the Federal government distributed \$4 billion to help with the housing crisis and the State of Idaho will receive \$19.6 million. The City has partnered with Idaho Housing to help with our community needs and are working with St. Vincent DePaul, Habitat for Humanity and the Idaho Housing Coalition. Councilman Kennedy noted that the reason the City has been able to respond so quickly to this funding is because of the work that has been done and commended Renata McLeod and Troy Tymesen for their quick work on this project.

ORDINANCE NO. 3342  
COUNCIL BILL NO. 08-1020

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 15.24.090 TO AUTHORIZE ON SITE BANNERS WITH CERTAIN RESTRICTIONS AS A TYPE OF PERMANENT SIGNAGE ON PRIVATE PROPERTY; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

Motion by Goodlander, seconded by Bruning to pass the first reading of Council Bill No. 08-1020.

ROLL CALL: Kennedy, Aye; Bruning, Aye; Edinger, Aye; Hassell, Aye; Goodlander, Aye. Motion carried.

Motion by Edinger, seconded by Kennedy to suspend the rules and to adopt Council Bill No. 08-1020 by its having had one reading by title only.

ROLL CALL: Kennedy, Aye; Bruning, Aye; Edinger, Aye; Hassell, Aye; Goodlander, Aye. Motion carried.

**FEES-IN-LIEU-OF PARKING:** City Finance Director Troy Tymesen presented the changes to the Fees-in-lieu-of parking as proposed by the City Parking Commission. The plan is to amend the city code in regard to in-lieu of parking as well as bring forward to the Planning and Zoning Commission a city code amendment to include mid-town as an available area for in-lieu. Mr. Tymesen stated that the city currently has an in-lieu parking fee established in 1993 which has generated \$15,000 in income. What the Parking Commission is proposing is that they modify the existing in-lieu of parking ordinance, modify the fee, and put some limitations on the number of car parking spaces

that are allowed for in-lieu. They are recommending Option 3 from the analysis done by the parking consultant, Rich and Associates, from January 2007.

Dave Yadon, Planning Director, stated that the buildings in mid town are basically wall-to-wall. If they want to change the land use, they are stuck. They cannot make a change due to parking constraints. So how do you get around this? By providing in-lieu-of parking fees or exempt parking for x-amount of square ft. The committee found that in-lieu was a reasonable way to do it as it would generate funds that could be used, for example, for a central parking system.

**DISCUSSION:** Councilman Hassell asked if there is a plan for annual increases in the fees. Mr. Tymesen responded that land value could be looked at annually. Councilman Kennedy noted that he has heard some criticism that in-lieu of parking would create more of a parking problem in the downtown. Mr. Yadon responded that in-lieu of parking does provide for off-site parking and believes that complaints are regarding on-site parking. He noted that currently the downtown area does not have an off-site parking problem in that there are adequate parking spaces available in parking lots. Mr. Tymesen added that the recently completed Parking study showed that on-street parking during the peak hours of the day utilized 63% of the parking spaces available. Off-street parking showed 52% usage at 2 p.m. in the downtown area. He added that these numbers were taken during Ironman week.

Motion by Goodlander, seconded by Edinger to authorize staff to move forward with the recommendation of the Parking Commission regarding fees-in-lieu of parking. Motion carried.

**PUBLIC HEARING - V-08-2 - VACATION OF A PORTION OF THE NORTH-SOUTH ALLEY IN BLOCK 10, ARESVIK ADDITION:** Mayor Bloem read the rules of order for this public hearing. Gordon Dobler, City Engineer, gave the staff report.

Mr. Dobler gave the applicant's name as Dave Rucker, who is requesting the vacation of a portion of public alley in Block 10 of the Aresvik Addition that is located under the newly constructed retail complex and parking lot at the northeast corner of 4th Street and Best Avenue. Mr. Dobler noted that Mr. Rucker had previously dedicated an ingress/egress easement at the rear of the facility to the City that provides for public access to both 4th and 5th Streets and to the north/south alley adjoining the rear. Thus, there are no restrictions to public access or to any of the private utilities that use the alley. Mr. Dobler reported that a total of 32 notices of tonight's public hearing were mailed with 5 responses - 3 in favor, 1 neutral and 1 opposed.

**PUBLIC COMMENTS:** Mayor Bloem called for public comments with none being received.

MOTION: Motion by Hassell, seconded by Kennedy to approve the vacation of a portion of the north-south alley in Block 10, Aresvik Addition. ROLL CALL: Bruning, Aye; Edinger, Aye; Goodlander, Aye; Hassell, Aye; Kennedy, Aye. Motion carried.

**PUBLIC HEARING - A-5-08 - ANNEXATION/ZONING OF 2735 FERNAN HILL ROAD:** Mayor Bloem reiterated the rules of order for this public hearing. John Stamos, Senior Planner, gave the staff report.

Mr. Stamos reported that Stephen B. Meyer is requesting annexation and zoning from County Restricted Residential to City R-3 for a +/- .989 acre parcel located at 2736 Fernan Hill Road.

Mr. Stamos noted that the City had recently approved an agreement to allow Mr. Meyer to hook up to the City sewer system because their septic system had failed. This agreement allowed the applicants to immediately hook up to the sewer system but required that they complete the annexation process. He also noted that Panhandle Health required that they hook up to the sewer.

On September 9, 2008 the Planning Commission voted to approve the requested zoning for this property. On October 3, 2008 24 notices of tonight's public hearing were mailed with a total of 5 responses being received - 0 in favor, 2 opposed, and 3 neutral. Written comments were distributed to the Council for their review.

COUNCIL COMMENTS: Councilman Goodlander noted that the agreement is that the owner could hook up to the City sewer if they annexed their property. Councilman Hassell noted that it appears to be quite a distance from the subject property to the City sewer main. City Engineer Gordon Dobler responded that the applicant is running a pressure line from the corner of his property to the manhole and that the 3 homes between the subject property and the manhole will be added to the sewer line. Councilman Edinger asked if Mr. Meyer is paying for all of the extension line costs and if so, will he be reimbursed for the three additional homes being added to the line he is extending. Mr. Dobler responded that it is something that could be reviewed by our Legal Staff.

PUBLIC COMMENTS: Bob Redfearn, representing the applicant, 2735 Fernan Hill Road, noted that the applicant has spent approximately \$35,000 on this project. He also noted that the City is requesting that the applicant add an additional manhole. He commented that he doesn't believe Mr. Meyer would be asking for reimbursement in that he is simply looking to make the current home inhabitable. Glenda Hall, who lives in Hawaii, but owns property on the other side of Fernan Hill, noted that her concern is that the proposal is not in keeping with the design of this area and that the zone change will open the door for future development on small parcels.

COUNCIL DISCUSSION: Councilman Bruning asked what the current density is and what the city's equivalent is. Mr. Stamos responded that the County has a minimum lot size of 3,850 sq. ft. or 5 units per acre, and tonight the applicant is requesting a density equal to 3 units per acre. Councilman Goodlander asked about the non-conforming lot.

Mr. Stamosos responded that the adjacent non-conforming lot could be built on, but other lots in the area would not be able to add buildings to their parcels without a zone change. Additionally, if one goes north of Fernan Hill Road the density is 1 home per 5 acres.

Councilman Kennedy asked if the zoning could be placed at an R-1 which is more in keeping with the county's zoning. Mr. Stamosos responded that the zoning surrounding this property is R-3 on Fernan Hill Road. Councilman Kennedy noted that the Comprehensive Plan noted that the lots should be 1 building for 5 acres except for where the R-3 zoning is compatible. Mr. Stamosos noted that this lot is on the Cherry Hill area which is R-3. Councilman Edinger asked about the easement that would need to be given to the non-conforming lot on the north side of the subject property. Mr. Stamosos responded that he has talked to the applicant and the applicant believes that an easement is doable. Mr. Redfearn confirmed that there is adequate space to provide a driveway easement to the non-conforming lot at the north end of this property. He also noted that they would never ask to build 3 homes on this parcel, but they would like to construct a home on the non-conforming lot. As for the portion of the parcel on the south side of Fernan Hill Road, he is planning on constructing a gazebo. Mr. Redfearn added that he has retained a drainage engineer who is looking at the drainage along this property.

Councilman Kennedy noted that he feels that the applicant is not simply asking for the city sewer in order to correct the failed drainage field but rather it appears that the applicant is looking for annexation to further develop the property for additional homes and a possible bed and breakfast on this site. Mr. Redfearn noted that this location has incentives for cluster housing in the City's zoning regulations. Mr. Stamosos reminded Council that tonight's public hearing is regarding the annexation and zoning of property and not possible future development

Councilman Goodlander asked if changing the zoning to R-1 would change the owner's ability to build on the nonconforming lot. Mr. Stamosos responded that even with an R-1 zoning they could build on the nonconforming lot. Councilman Edinger asked how long Mr. Meyer has owned this property. Mr. Redfearn responded 2 years. Councilman Hassell asked if the lots outside the city are an R-1 zoning or are they more of an R-3 zoning along Fernan Hill Road. Mr. Stamosos responded that some are less than an acre and so they would fit more in line with an R-3 zoning. Councilman Kennedy asked if the subject property were zoned an R-3 would they be able to build three homes. Mr. Stamosos responded that they can only build two buildings with an R-3 zone, one on the main lot and one on the non-conforming lot.

**MOTION:** Motion by Bruning, seconded by Goodlander to approve the annexation and R-3 zoning of the property located at 2735 Fernan Hill Road and to adopt the Findings and order of the Planning Commission and direct staff to negotiate an annexation agreement. **ROLL CALL:** Kennedy, No; Hassell, Aye; Goodlander, Aye; Edinger, No; Bruning, Aye. Motion carried.

**EXECUTIVE SESSION:** Motion by Hassell, seconded by Goodlander to enter into Executive Session as provided by I.C. 67-2345, § F: To communicate with legal counsel

for the public agency to discuss the legal ramifications of and legal options for pending litigation or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel as executive session does not satisfy this requirement; and §J: To engage in communications with a representative of the public agency's risk manager or insurance provider to discuss the adjustment of a pending claim or prevention of a claim likely to be filed. The mere presence of a representative of the public agency's risk manager or insurance provider at an executive session does not satisfy this requirement.

ROLL CALL: Edinger, Aye; Hassell, Aye; Goodlander, Aye; Kennedy, Aye; Bruning, Aye. Motion carried.

The session began at 7:48 p.m. Members present were the Mayor, City Council, City Administrator, City Attorney, Deputy City Administrator.

Matters discussed were those of litigation and claims.

No action was taken and the Council returned to their regular meeting at 8:09 p.m.

**ADJOURNMENT:** Motion by Hassell, seconded by Goodlander to recess this meeting to October 23, 2008 at 12:30 p.m. for a Wastewater Dept. workshop in the Council Chambers and then recess to October 30, 2008 at 12:00 noon for a Ped/Bike Committee workshop in the Council Chambers. Motion carried.

The meeting adjourned at 8:09 p.m.

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Sandi Bloem, Mayor

ATTEST:

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Susan K. Weathers, CMC  
City Clerk

NOTES OF A COEUR D'ALENE CITY COUNCIL WORKSHOP  
HELD ON OCTOBER 23, 2008 IN THE CITY COUNCIL CHAMBERS  
AT 12:00 NOON

The City Council met in a continued session of the City Council on October 23, 2008 at 12:00 noon in the City Council Chambers, there being present a quorum

Sandi Bloem, Mayor

A. J. Hassell III        )       Members of Council Present  
John Bruning            )  
Deanna Goodlander     )  
Mike Kennedy            )

Loren Edinger         )       Members of the Council Absent  
Woody McEvers         )

STAFF PRESENT: Wendy Hague, City Administrator; Jon Ingalls, Deputy City Administrator; Susan Weathers, City Clerk; Troy Tymesen, Finance Director; Sid Fredrickson, WW Superintendent, Dave Shults, Project Manager, Don Keil, Asst. WWTP Superintendent and Dave Clark, Consultant from HDR Engineering.

CALL TO ORDER: Mayor Bloem called the workshop to order.

**WORKSHOP - WASTEWATER TREATMENT PLANT UPGRADES:** Sid Fredrickson noted that the purpose of today's workshop is to provide Council with the proposed plans for facility expansion. Dave Clark, HDR Engineering Consultant, reviewed the following areas: Update on Spokane River Requirements, Facilities Plan Amendment and Key Issues, and Implementation Plan.

Mr. Clark reviewed the key discharge permit issues which include low-effluent limits, mass discharge loadings calculated based on 6 mdg. compliance. Currently the State of Washington standards require a TMDL 2.9 mg/l/depression which, due to the lake bed, will never be met and thus EPA has determined that this is an un-measurable depression; however, EPA has not informed what the City's discharge requirements will be. He also noted that the Washington standards cannot be met even with today's treatment technology. Mr. Clark noted that it might be that the City will need to put a drinking water plant at the end of wastewater treatment plant. He also cautioned Council that the third-party environmentalists are setting these standards which cannot even be met with today's technology and that the City might be faced with no longer being able to discharge into the river. Mr. Clark reported that the City cannot meet the permit requirements with the existing plant facilities.

Councilman Kennedy asked if the downstream State (Washington) could meet their own standards. Mr. Clark responded that no, they cannot meet the standards that they have set.



Mr. Clark reported that the treatment plant has placed some improvements in the treatment process; however, there still needs to be further improvements in order to meet the phosphorous, nitrogen and ammonia discharge standards required by the EPA discharge permit. Long-term improvements include placement of tertiary membrane filters and sand filters. He presented three alternatives for improving plant performance including the land space needed for each alternative. He reported that the costs for the alternatives are between \$40 million-\$78 million. He cautioned that with the escalating costs of materials (concrete, copper, other building material) it makes it difficult to set a specific amount needed to do the expansions.

Mayor Bloem asked if there is an alternative to discharging into the river. Mr. Clark responded that the city could consider piping the discharge water to other sites in town for irrigation during the summer months but there is not a demand for irrigation water during winter months and the cost for constructing a new facility is \$20-25/gallon and the City discharges approximately 1 million gallons per day. Sid Fredrickson also noted that if the city moved to a ground water discharge facility it would be required to obtain 5,000 acres and construct a new facility at an approximate cost of \$300,000,000.

Councilman Goodlander believes that staff needs to meet with those people who keep complaining about discharging into the river and she would also like to have more public education on this topic. Sid Fredrickson responded that they are doing public education. He also noted that the dischargers have been meeting with federal legislators to help educate them on this issue. Councilman Goodlander would like to have a power point presentation that could be developed that is understandable for the average citizen. Mr. Clark suggested having the City look for funding assistance from the federal legislators.

Mr. Clark then presented the Implementation Plan noting that Phase 5A focuses on the ammonia-nitrogen control requirements which are the most urgent item. Phase 5B deals with the solids stream which is a substantial cost but is also planned over a longer period of time. Phase 5C deals with the liquid stream - low phosphorus discharge process. He also noted that as the plant ages additional investments will need to be made to update existing equipment.

**ADJOURNMENT:** Motion by Goodlander, seconded by Bruning to recess this meeting to Thursday, October 30, 2008 at 12:00 noon for a joint City Council/ Bike Pedestrian Committee workshop. Motion carried.

The workshop recessed at 2:05 p.m.

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Sandi Bloem, Mayor

ATTEST:

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Susan K. Weathers, CMC  
City Clerk

RESOLUTION NO. 08-055

A resolution of City of Coeur d'Alene, of Kootenai County, Idaho, initiating the formation of Local Improvement District No. 149, describing the proposed boundaries; describing generally the improvements to be constructed in the proposed district; and providing for other matters properly relating thereto

CITY OF COEUR D'ALENE  
Kootenai County, Idaho

LOCAL IMPROVEMENT DISTRICT NO. 149

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO, as follows:

WHEREAS, the City of Coeur d'Alene, of Kootenai County, Idaho, (the "City"), is a municipal corporation operating and existing under and pursuant to the provisions of the Constitution and laws of the State of Idaho, and as such is authorized and empowered to create local improvement districts and to construct improvements pursuant to Idaho Code, Title 50, Chapter 17; and

WHEREAS, the City Council (the "Council") is desirous of initiating the creation of a local improvement district within the boundaries set forth herein;

NOW, THEREFORE, BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED as follows:

Section 1.    Initiation of LID. The organization of Local Improvement District No. 149 ("LID No. 149") of the City is hereby initiated.

Section 2.    Project. A general description of the improvements to be constructed within the boundaries of proposed LID No. 149 on 4th Street from one block north of Lakeside Avenue to Harrison Avenue (the "Project") is as follows:

- A.    The acquisition, construction and installation of storm sewer service lines to connect to the collection system of the City;
- B.    The acquisition, construction and installation of asphalt, curb and sidewalk improvements; and
- C.    Acquisition of easements and/or rights-of-way, as necessary.

together with engineering, legal, accounting, costs of bond issuance, costs of interim financing, costs of financial advice, and other costs incidental thereto. All work will be performed and all materials supplied after the advertisement for bids therefore by giving notice calling for sealed bids for the construction of work.

Section 3 The boundaries of the proposed LID No. 149 and of the properties to be assessed are particularly described in Exhibit "A" which is attached hereto and by reference incorporated herein.

Section 4. The costs and expenses of the Project to be paid from special assessments to be assessed against the lots and parcels within proposed LID No. 149 according to the front foot method of assessment, all in accordance with Section 50-1707, Idaho Code.

Section 5. This Resolution shall take effect and be in full force from and after its passage and approval.

DATED this 4th day of November, 2008.

CITY OF COEUR D'ALENE  
Kootenai County, Idaho

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

( S E A L )

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I, the undersigned, City Clerk of the City of Coeur d'Alene, of Kootenai County, Idaho, hereby certify that the foregoing Resolution is a full, true, and correct copy of a Resolution duly adopted at a special meeting of the City Council, duly and regularly held at the regular meeting place thereof on November 4, 2008, of which meeting all members of said Council had due notice and at which a majority thereof were present; and that at said meeting said Resolution was adopted by the following vote:

AYES, and in favor thereof, Councilmembers:

NAYS, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

I further certify that I have carefully compared the same with the original Resolution on file and of record in my office; that said Resolution is a full, true, and correct copy of the original Resolution adopted at said meeting; and that said Resolution has not been amended, modified, or rescinded since the date of its adoption, and is now in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of the City on November 4, 2008.

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City Clerk

( S E A L )

RESOLUTION NO. 08-056

A Resolution of intention of the City of Coeur d'Alene, of Kootenai County, Idaho, to create Local Improvement District No. 149; describing the boundaries of the proposed district and the property proposed to be assessed; generally describing the improvements proposed to be constructed; stating the portion of the total cost which will be paid by the levy of assessments and that which will be paid from other sources; describing the method of assessment; stating the time and place when and where protests may be filed and when and where a public hearing will be held to consider any such protests; providing for the effective date of this resolution; and providing for other matters properly relating thereto

CITY OF COEUR D'ALENE  
Kootenai County, Idaho

LOCAL IMPROVEMENT DISTRICT NO. 149

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COEUR D'ALENE, of Kootenai County, Idaho, as follows:

WHEREAS, the City of Coeur d'Alene, of Kootenai County, Idaho, (the "City"), is a municipal corporation operating and existing under and pursuant to the provisions of the Constitution and laws of the State of Idaho, and as such is authorized and empowered to create local improvement districts and to construct improvements pursuant to Idaho Code, Title 50, Chapter 17; and

WHEREAS, Idaho Code Section 50-1707 authorizes the City Council (the "Council") to initiate the formation of a local improvement district by resolution; and

WHEREAS, the City Council is of the opinion that it is in the best interest of the owners of property and of the inhabitants within the proposed Local Improvement District No. 149, and within the City, that the proposed Local Improvement District No. 149 be formed and the proposed improvements as hereinafter described be constructed;

NOW, THEREFORE, BE IT FURTHER RESOLVED, DETERMINED AND ORDERED as follows:

Section 1: Intention to Form LID No. 149. The City hereby determines and states that it is its intention to form a local improvement district to be designated "City of Coeur

d'Alene Local Improvement District No. 149" ("LID No. 149") to make the improvements as hereinafter set forth.

Section 2: Boundaries of LID No. 149. The boundaries of proposed LID No. 149 and of the properties to be assessed are described in Exhibit "A" attached hereto and hereby made a part hereof. The Council is of the opinion that said description is sufficient to inform the owners of the subject property that is proposed to be assessed and the public improvements that are proposed to be constructed therein.

Section 3: Project. A general description of the improvements to be constructed on 4th Street from one block north of Lakeside Avenue to Harrison Avenue (the "Project") is as follows:

- A. The acquisition, construction and installation of storm sewer service lines to connect to the collection system of the City;
- B. The acquisition, construction and installation of asphalt, curb and sidewalk improvements;
- C. Acquisition of easements and/or rights-of-way, as necessary; and together with engineering, legal, accounting, costs of bond issuance, costs of interim financing, costs of financial advice, and other costs incidental thereto. All work will be performed and all materials supplied after the advertisement for bids therefore by giving notice calling for sealed bids for the construction of work.

Section 4: Costs of Project. The estimated total cost of the proposed Project is \$2,904,000, of which approximately \$250,000 shall be borne by and assessed against the properties specially benefited by such improvements. The remaining cost of the Project will be paid with funds from the City and the Lake City Development Corporation. The Council understands that further development of plans, and therefore cost figures, is ongoing and the dollar amount for this Project to be paid by assessments changed be reduced. Additionally, individual assessments for property owners may be reduced or eliminated by grant funds.

Section 5: Assessments. The costs and expenses of the Project to be paid from special assessments shall be assessed against the lots and parcels within proposed LID No. 149 according to a combination the front foot and benefits derived methods of assessment, all in accordance with Section 50-1707, Idaho Code.

Section 6: Objections to LID. All persons who may desire to object to the creation of proposed LID No. 149 are hereby notified to file in writing a protest to the creation of the proposed LID No. 149 with the City Clerk, prior to the date and time set for hearing such protests, December 2, 2008, at 6:00 P.M., at the Coeur d'Alene City Hall, 710 E. Mullan Avenue, Coeur d'Alene, Idaho 83814, is hereby fixed as the time and place for public hearing, at which time the owners of property to be assessed within proposed LID No. 149 may appear before the City Council and be heard as to the propriety and advisability of acquiring and improving the Project and which is the time and place when and where the Council will consider the creation of proposed LID No. 149 and construction of the proposed improvements, and hear all complaints, protests, and objections that may be made in writing and filed with the Council on or before said time, by any owner of any parcel of land to be assessed.

Section 7: Notice of Hearing. Notice of hearing shall be given as follows:

A. By publication of such notice substantially in the form attached hereto as Exhibit "B" and hereby made a part hereof, in the official newspaper of the City, which notice shall be published in three (3) consecutive issues thereof if a daily newspaper, or in two (2) consecutive issues if a weekly newspaper.

B. By mailing a copy of such notice substantially in the form attached hereto as Exhibit "C" and hereby made a part hereof, by the Clerk to each record owner of property, if known, or his agent if known, within the boundaries of the proposed LID No. 149, addressed to such person at his post office address, if known, or if unknown, to the post office in Coeur d'Alene, Idaho. Ownership of property shall be determined as of the date of the adoption of this Resolution.

Said notice by publication and notice by mailing shall be given at least ten (10) days before the date of said hearing for protest of the creation of proposed LID No. 149. Proof of publication shall be by affidavit of the publisher and proof of mailing shall be by affidavit of the Clerk.

Section 9:    Effective Date. This Resolution shall take effect and be in full force from and after its passage and approval.

DATED this 4th day of November, 2008.

CITY OF COEUR D'ALENE  
Kootenai County, Idaho

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Mayor

ATTEST:

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City Clerk

( S E A L )



\* \* \* \* \*

I, the undersigned, City Clerk of the City Council of the City of Coeur d'Alene of Kootenai County, Idaho, hereby certify that the foregoing Resolution is a full, true, and correct copy of a Resolution duly adopted at a special meeting of the City Council, duly and regularly held at the regular meeting place thereof on November 4, 2008, of which meeting all members of said Council had due notice and at which a majority thereof were present; and that at said meeting said Resolution was adopted by the following vote:

AYES, and in favor thereof, Councilmembers:

NAYS, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

I further certify that I have carefully compared the same with the original Resolution on file and of record in my office; that said Resolution is a full, true, and correct copy of the original Resolution adopted at said meeting; and that said Resolution has not been amended, modified, or rescinded since the date of its adoption, and is now in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of the City on November 4, 2008.

---

City Clerk

( S E A L )

NOTICE OF HEARING ON  
CREATION OF LOCAL IMPROVEMENT DISTRICT

CITY OF COEUR D'ALENE  
Kootenai County, Idaho

LOCAL IMPROVEMENT DISTRICT NO. 149

NOTICE IS HEREBY GIVEN that December 2, 2008, at 6:00 P.M., at the Coeur d'Alene City Hall in Coeur d'Alene, Idaho, has been fixed as the time and place for a public hearing at which time the owners of property to be assessed within proposed Local Improvement District No. 149 ("LID No. 149") may appear before the City Council (the "Council") of the City of Coeur d'Alene, Idaho (the "City"), and be heard as to the propriety and advisability of creating LID No. 149 and acquiring and constructing the Project, as hereinafter described, and as the time and place when and where the Council will consider the creation of proposed LID No. 149 and the acquisition and construction of the proposed improvements, and hear all complaints, protests, and objections which may be made in writing and filed with the City Clerk of the City on or before said time by any owner of any parcel of land to be assessed.

The boundaries of the proposed LID No. 149 are described in Exhibit "A" attached hereto and hereby made a part hereof.

A general description of the improvements to be constructed on 4th Street from one block north of Lakeside Avenue to Harrison Avenue (the "Project"), as well as the estimated cost of such Project are as follows:

- A. The acquisition, construction and installation of storm sewer service lines to connect to the collection system of the City;
- B. The acquisition, construction and installation of asphalt, curb and sidewalk;
- C. Acquisition of easements and/or rights-of-way, as necessary; and

together with engineering, legal, accounting, costs of bond issuance, costs of interim financing, costs of financial advice, and other costs incidental thereto. All work will be performed and all materials supplied after the advertisement for bids therefore by giving notice calling for sealed bids for the construction of work.

The estimated total cost of the proposed Project is \$2,904,000, of which approximately \$250,000 (or nine percent 9%) of the cost of the Project shall be borne by and assessed against the properties specially benefited by such improvements. The remaining cost of the Project will be paid with funds from the City and the Lake City Development Corporation.

The estimated assessment for individual property owners is just that, an estimate. Actual assessments may be higher or lower, based upon the actual cost of the project, but in no event can they be higher than the benefit of the improvement to the property.

The costs and expenses of the Project to be paid from special assessments shall be assessed against the lots and parcels within the proposed LID No. 149 according to a combination the front foot and benefits derived methods of assessment.

Written protests and objections to the creation of LID No. 149 or to the manner of assessment or inclusion of property therein may be filed with the City Clerk at or before 5:00 P.M. on November 4, 2008, by mailing or delivery of the written protest to the City Clerk, Coeur d'Alene City Hall, 710 E. Mullan Avenue, Coeur d'Alene, Idaho 83814, by any owner of any parcel of land to be assessed.

DATED this 4th day of November, 2008.

CITY OF COEUR D'ALENE  
Kootenai County, Idaho

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

( S E A L )

Publish: Three consecutive issues of daily newspaper; or  
Two consecutive issues of weekly newspaper.

NOTICE OF HEARING ON  
CREATION OF LOCAL IMPROVEMENT DISTRICT

CITY OF COEUR D'ALENE  
Kootenai County, Idaho

LOCAL IMPROVEMENT DISTRICT NO. 149

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- A. The acquisition, construction and installation of storm sewer service lines to connect to the collection system of the City;
- B. The acquisition, construction and installation of asphalt, curb sidewalk;  
and
- C. Acquisition of easements and/or rights-of-way, as necessary; and

together with engineering, legal, accounting, costs of bond issuance, costs of interim financing, costs of financial advice, and other costs incidental thereto. All work will be performed and all materials supplied after the advertisement for bids therefore by giving notice calling for sealed bids for the construction of work.

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DATED this 4th day of November, 2008.

CITY OF COEUR D'ALENE  
Kootenai County, Idaho

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

( S E A L )

Property Owner:      Parcel Number:

Estimated Assessment: \$\_\_\_\_\_

**PUBLIC WORKS COMMITTEE  
STAFF REPORT**

**DATE:** October 27, 2008  
**FROM:** David E. Shults, Capital Program Manager *DES*  
**SUBJECT:** Solicitation of Bids for WWTP Digester #4 Coating Refurbishment

=====

**DECISION POINT:**

Council approval is requested for the specifications developed by the City's wastewater engineering consultant for refurbishment of the protective coatings on digester #4, and for authorization to request bids.

**HISTORY:**

Digester #4 was constructed in 1994, and due to its corrosive environment, is now in need of coating refurbishment. Interior and exterior coatings are failing and are subjecting the concrete and steel structural components to deterioration. The City's wastewater engineering consultant, HDR Engineering contracted with the City to provide specifications and other engineering services for refurbishment of this process structure, as well as for three other key process structures. The cover for digester #2 was replaced at the beginning of 2008. Because the plant's digester volume is nearing maximum capacity, digester #4 work must be accomplished in the winter months when production of the city's biosolids is at its lowest amount. When work on digester #4 is completed, specifications will be developed for refurbishment of the coatings on secondary clarifiers #1 and #2. Winter work will also be necessary for these structures due to the critical need for their function in the warm weather months. Digester #4 refurbishment specifications are now ready for the contractor bid process. Work should commence as soon as possible in January 2009.

**FINANCIAL ANALYSIS:**

<u>Estimate for Coating Refurbishment on Digester #4</u>	
Engineering	\$40,000
Special Inspection	5,000
Contractor	155,000
Contingency 5%	<u>7,750</u>
Total	\$207,750

Funding                      The current year FY 2008-09 budget includes \$200,000 for this project.

**DISCUSSION:**

Digester #4 is a cylindrical concrete tank 40 feet in diameter, with a sidewall 31 feet tall and a steel dome cover. This anaerobic digester is one of three that process biosolids to reduce harmful bacteria and pathogens. Work will include removal of some of the contents, dismantling and reassembly of exterior piping and equipment, tenting and heating, sand blasting of existing coatings, application of new coatings and insulation, and special NACE inspection to assure adequate surface preparation and coverage. Refurbishment of the digester coatings must be accomplished as quickly as possible to reduce the risk of further deterioration and to restore the critically necessary digester capacity. The work must be done during cold weather to allow taking the digester out of service during the time of least biosolids production. However, work during cold weather will require more expensive painting techniques that

involve tenting and heating. Similarly, the other process structures that require refurbishment are also critically needed during the warm weather months, and will also require work in the winter. That work is anticipated in the winter of 2009.

**DECISION POINT/RECOMMENDATION:**

Council approval is requested for the specifications developed by the City's wastewater engineering consultant for refurbishment of the protective coatings on digester #4, and for authorization to request bids.

(Note: ONE SET of the specifications has been placed in the Council office for review.)

Enclosure

des1260

**PUBLIC WORKS COMMITTEE  
STAFF REPORT**

**DATE:** October 27<sup>th</sup>, 2008  
**FROM:** Terry W. Pickel, Assistant Superintendent, Water Department  
**SUBJECT:** Declaration of sole source procurement.

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**DECISION POINT:** Staff is requesting Council authorization to declare Filtration Technology, Inc. as a sole source and allow purchase of MIOX Chlorine Generation Unit for modification of the 4<sup>th</sup> St. Well disinfection system.

**HISTORY:**

The Coeur d'Alene Water Department has historically utilized gas chlorination for disinfection of the potable water supply. Historically, chlorine gas has been the standard method of disinfection for the water industry. Due to emerging regulatory, environmental, and safety concerns the industry is moving other methods such as on-site generation. Chlorine gas is the least expensive and lowest maintenance method to provide adequate disinfection. However, it is also inherently dangerous if improperly handled. Chlorine gas is extremely poisonous and highly corrosive in concentrations exceeding 10 parts per million in the air. Chlorine gas is also heavier than air, so it does not readily disperse. The so-called "Mustard gas" from World War I was actually Chlorine. Although accidental discharge of chlorine gas is rare, the impacts can be great. The regulations regarding storage and handling of chlorine gas are also becoming more stringent For these reasons staff is looking for viable alternatives.

**FINANCIAL ANALYSIS:**

The 2007–2008 Water Financial Plan includes \$60,000 for well maintenance under which we had included the purchase of the MIOX brand chlorine on-site generation unit as a pilot project to evaluate its effectiveness and maintenance requirements in comparison to traditional gas chlorination. Staff has reviewed the cost of the MIOX system and believe that it is reasonable.

**PERFORMANCE ANALYSIS:**

Water Department staff has been researching various other methods of disinfection such as ultra-violet light, liquid sodium hypochlorite, calcium hypochlorite, ozone, etc. An analysis of the various options is attached. The on-site generation system we are looking at was originally developed for the military overseas bases and has since been modified for municipal uses. The unit utilizes salt, water and electricity to produce a very consistent one percent solution of sodium hypochlorite, basically a weak form of household bleach, which in turn is used immediately in the system. The unit is sized to only generate what is immediately needed so there are virtually no storage hazards other than packaged salt. We do expect that material and electricity costs may be higher than with the chlorine gas. We were able to inspect one of these units currently in operation in Post Falls. They are very satisfied with its operation. Of the options available to the City we feel that this is the best one.

**QUALITY OF LIFE ANALYSIS:**

The on-site method of disinfecting water is safer and yet still provides protection for the public health. We will utilize this pilot project to evaluate the MIOX system for efficiency and effectiveness. This process virtually eliminates the potential hazard for the general public.

**DECISION POINT/RECOMMENDATION:**

Staff requests a declaration of the MIOX SAL-80 supplied by Filtration Technology, Inc. as a sole source and authorize staff to purchase a unit as a pilot project. REPORTFORM



# Disinfection Options:

We investigated the following disinfection options. Of the choices available your Water Department feels that the MIOX system has the best combination of operator safety, neighborhood safety, disinfection effectiveness, low o & m costs, and low retrofit costs.

## **Chlorine gas:**

**pros:** Historically industry standard. Easy to use. Inexpensive. Effective. Maintains residual throughout system from the well all the way to the tap.

**cons:** In the event of a significant leak, impacts are high. Future regulations will require expensive “scrubbers” to be installed. Special rules apply to the transport and storage of chlorine. We can expect these regulations to become tighter in the future. Gas Monitors and adequate ventilation currently required.

## **Ultra-violet light or Ozone:**

**pros:** UV is 99% effective. Ozone is 100% effective. Expensive retrofits required to each well house. No gas monitor required.

**cons:** Does not protect water quality after initial treatment. Uses lots of electricity to operate. High maintenance as lights must be frequently cleaned or effectiveness is significantly reduced. Ozone can cause significant odor complaints. Both systems requires post chlorination to establish a downstream residual. Ozone can cause odor complaints and leaves. Expensive operating costs

## **Calcium Hypochlorite:**

**pros:** Very little storage requirements in solid form. In correct dosage, is as effective as gas. No gas monitor required.

**cons:** Difficult to maintain a consistent dosage strength while mixing. Very noticeable taste and odor problems. Minor conversion to buildings required. Considerably more expensive than chlorine gas. Requires additional staff time for operation.

## **Sodium Hypochlorite:**

**pros:** Available in different dosage strengths and various size storage containers. Can be as effective as gas. Very little modifications required.

**cons:** Very short shelf life, especially in higher dosage strengths and larger quantities. Requires constant agitation to maintain dosage strength. Constant vapor lock problems in warm climate. Some taste and odor problems. Approx. twice the cost of gas. High maintenance requirements. Requires significant staff time for operation and maintenance.

## **MIOX:**

**pros:** Very safe to operate. Leaves a disinfectant residual in the system. Effective. Relatively inexpensive. Simple retrofits for our existing facilities. No special storage requirements or gas monitors. Salt is only chemical to purchase.

**cons:** Dependant on unit size required, may require minor modifications to buildings. Higher electrical costs. Requires additional staff time for operation.

**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 190.63  
 Rec No 243048  
 Date 10-21-2008  
 Date to City Council: 11-4-08  
 Reg No. \_\_\_\_\_  
 License No. \_\_\_\_\_  
 Rv \_\_\_\_\_

Date that you would like to begin alcohol service Jan 1, 2009

**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 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 checked="" type="checkbox"/>	Beer, Wine, and Liquor (number issued limited by State of Id)	\$762.50 per year
	<i>Prorated Fee for 3 Months: Jan, 2009 - March, 2009:</i>	<b>\$ 190.63</b>
<input type="checkbox"/>	Transfer of ownership of a City license with current year paid Beer-to go only \$6.25 Beer- Can, Bottled only \$12.50 Beer- Draft, can, bottled \$25 Consumed on premise yes no Transfer from _____ to _____	\$

Business Name	<u>MacKenzie River Pizza Co.</u>
Business Mailing Address	<u>913 Wisconsin Ave, Suite 202</u>
City, State, Zip	<u>Whitefish, MT 59937</u>
Business Physical Address	<u>405 W. Castfield Ave</u>
City, State, Zip	<u>Coeur d'Alene, ID 83815</u>
Business Contact	Business Telephone <u>(406) 863-2060</u> Fax: <u>(406) 863-2065</u>
License Applicant	<u>MRP/Coeur d'Alene, LLC</u>
If Corporation, partnership, LLC etc. List all members/officers	<u>MacKenzie Northwest, Inc., Sole managing member</u>

## STAFF REPORT

DATE: Nov. 4, 2008  
TO: Mayor and City Council  
FROM: Susan Weathers, City Clerk  
RE: Request for Approval to Operate Horse-drawn Carriage Rides

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**DISCUSSION POINT:** Would the City Council approve of allowing the Downtown Association to conduct free horse-drawn carriage rides in the downtown area from November 22nd through December 21st?

**HISTORY:** Attached is a letter from Terry Cooper, representing the Downtown Association, requesting approval to allow the Downtown Association, in association with the Spokane Teacher's Credit Union, to provide free horse-drawn carriage rides in the Downtown area. The route would be begin at the Coeur d'Alene Visitor's Center on 1st and Sherman, east on Sherman to 6th Street, north on 6th Street to Lakeside Avenue and then west on Lakeside Avenue back to 1st Street and the Visitor's Center. The rides will be free of charge and requested to be conducted on each Saturday and Sunday from November 22nd to December 21st from 1:00 p.m. - 5:00 p.m. Previously, the City Council has approved requests for use of City streets for the operation of horse-drawn carriages. Generally, the restrictions placed upon the horse drawn carriages were the use of a slow moving vehicle sign and directing that the operator obey all traffic rules and regulations in regards to slow moving vehicles.

The Police Department has reviewed this request and is supportive as long as the carriages abide by all slow moving vehicle regulations.

**FINANCIAL IMPACT:** There is no financial impact for the City.

**QUALITY OF LIFE ANALYSIS:** As mentioned in Mr. Cooper's letter, the association believes that these carriage rides will enhance the experience of the Downtown Winter Holiday Season for locals and visitors alike.

**PERFORMANCE ANALYSIS:** While the request describes the route as a loop, in the past the City Council has prohibited the carriages from stopping on Sherman Avenue in the lane of traffic to drop off clients as this could cause a possible traffic hazard.

**DECISION POINT:** Staff recommends approval including the requirements set out in the Downtown Association's letter of request and including: 1) That the carriage be posted with the appropriate slow-moving vehicle signage; 2) That all rules relating to slow moving vehicles be adhered to; 3) that picking up or dropping off clients will not be allowed in any lanes of traffic; and 4) Carriage rides are not be allowed on August 2nd and August 30th due to Sherman Avenue being closed to traffic.



105 N. 1st Street,  
Suite 100  
Coeur d'Alene, ID  
83814

October 7, 2008

info@cdadowntown.com *email*  
www.cdadowntown.com *web*  
208-667-5986 *phone*  
208-667-9338 *fax*

Coeur d'Alene City Council

The Coeur d'Alene Downtown Association, in association with the Spokane Teacher's Credit Union (STCU), would like to provide carriage rides in the Downtown area, traveling between the Coeur d'Alene Visitors Center, East on Sherman to 6<sup>th</sup> street, North on 6<sup>th</sup> Street to Lakeside Avenue, West on Lakeside Avenue back to 1<sup>st</sup> Street and the Chamber Building.

These rides would be available each Saturday and Sunday, beginning Saturday, November 22<sup>nd</sup> and continuing through Sunday, December 21<sup>st</sup> from 1pm to 5 pm.

The agreement to provide these rides was formed on the following requirements:

- ❖ Both the STCU and the Coeur d'Alene Downtown Association maintain General Liability insurance coverage limits of at least \$1,000,000.
- ❖ The TnT Muffler parking lot has been allocated for the loading/unloading of the animals and carriages.
- ❖ Any animal wastes to be cleaned up by the carriage operator.
- ❖ The provider/operator of the animals will have final say as to inclement/unsafe conditions for the animals.
- ❖ The carriage rides will be offered free of charge.
- ❖ The carriage rides will be promoted in all of the Downtown advertising for the general holiday events.
- ❖ The Coeur d'Alene Downtown Association reserves the right to cancel the carriage rides if at any time practices detrimental to the general well being of the Downtown are brought to the notice of, and so voted upon by, the Downtown Board of Directors (or Executive Board).

We believe these carriage rides will enhance the spirit of the holiday season Downtown.

Terry Cooper

A handwritten signature in black ink, appearing to read 'Terry Cooper', is written over the typed name.

General Manager  
Coeur d'Alene Downtown Association

*our* vision  
of Downtown  
Coeur d'Alene  
is to remain  
the heart of  
*our* community  
preserving the  
magic of  
the past  
while leading  
the way to  
*our* future.



Spokane Teacher's Credit Union (STCU) agrees to provide Carriage Rides in the Coeur d'Alene Downtown area, traveling between the Coeur d'Alene Resort, the Visitors Center and East on Sherman to 6<sup>th</sup> Street. These rides will be available each Saturday and Sunday afternoon/evening beginning ~~November 29<sup>th</sup>~~ and continuing through December 21<sup>st</sup> from 1 - 5 pm.

*November 22*

This agreement is also formed on the following stipulations:

1. STCU will provide a certificate of insurance for the carriage rides showing a General Liability coverage limit of at least \$1,000,000.
2. STCU will agree to utilize the TnT Muffler's parking lot for the unloading, and loading, of animals and carriages used for the rides.
3. STCU, or carriage operator, will provide for the clean up of any animal wastes created during the carriage rides. The carriage will be lighted to be within the guidelines of safety for vehicles.
4. The Coeur d'Alene Downtown Association (DTA) will incorporate the above information into a letter to the City, requesting City Council approval of the program, and deliver said letter to the City Council for approval.
5. Once placed on the agenda, representatives from STCU may need to be available to attend the General Services meeting of the City Council.
6. STCU may post advertising on the carriages and may make available brochures/pamphlets to those undertaking rides. Downtown information (specials, menus, upcoming events, etc.) may also be provided for riders.
7. STCU will not charge for the rides provided. However, the driver may maintain a tip jar if so approved by STCU.
8. The DTA will promote the carriage rides in all Downtown press releases and general holiday advertising. The carriage rides will be named as "Free Carriage Rides, provided by STCU and the Coeur d'Alene Downtown Association".
9. Decisions on inclement/unsafe conditions are the sole right of the provider/operator of the animals.
10. STCU will be considered with favor for any future carriage ride events in the Downtown area.
11. If for any reason, past the date of signing (or, November 1<sup>st</sup>, 2008), STCU cancels out on the sponsoring of this event, the DTA may charge STCU the costs incurred with the replacement of the carriage rides for the event.
12. The DTA reserves the right to cancel the event if at any time practices detrimental to the general well-being of the Downtown are brought to the notice of, and so voted upon by, the Downtown Board of Directors (or Executive Board). This cancellation will not incur any monetary penalties (on either side).

*Kathy Bennett*  
Signature STCU

*10/06/08*  
Date

*TERRY COOPER*  
Signature Coeur d'Alene Downtown Association

*10/10/08*  
Date


<b>ACORD</b> TM	<b>CERTIFICATE OF LIABILITY INSURANCE</b>	DATE (MM/DD/YYYY) 09/24/2008
PRODUCER Phone: 208-667-7485 Fax: 208-668-1426 <b>SCHEDLER MACK INSURANCE</b> 1401 E SHERMAN AVE COEUR D ALENE ID 83814		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
INSURED <b>CLIFF PERCIVAL</b> DBA PAINTED HORSE CARRIAGES 1677 GATEWAY ROAD COEUR D ALENE ID 83814		
		INSURERS AFFORDING COVERAGE
		NAIC #
		INSURER A: <b>CATLIN SPECIALTY INS. CO.</b>
		INSURER B: _____
		INSURER C: _____
		INSURER D: _____
		INSURER E: _____

**COVERAGES**

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR/ ADDL LYR/ INSR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJ <input type="checkbox"/> LOC	PENDING	09/26/08	09/26/09	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED. EXP (Any one person) \$ 1,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS-COMP/OP AGG. \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
	EXCESS / UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE  DEDUCTIBLE \$ RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU- TORY LIMITS   OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE-EA EMPLOYEE \$ E.L. DISEASE-POLICY LIMIT \$
	OTHER:				

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/ SPECIAL PROVISIONS**

<b>CERTIFICATE HOLDER</b>	<b>CANCELLATION</b>
Attention:	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT.
	AUTHORIZED REPRESENTATIVE 

TO: Mayor  
City Council

FROM: Wayne Longo  
Chief of Police

SUBJECT: Request to purchase four (4) vehicles for Patrol

DATE: October 27, 2008

**Decision Point:** Authorization to purchase four (4) Patrol vehicles as listed in the Capital outlay Summary for 2008-2009.

**History:** Four (4) new replacement Patrol vehicles are in the Capital Outlay accounting history as part of our long range replacement schedule. On October 27, 2008 the bid was opened for two (2) cars with a minimum 3.8 liter displacement engine and two (2) cars with a minimum 4.5 liter displacement engine. There were two (2) bids received from Lake City Ford and Knudson Chevrolet. The bids were reviewed and found to meet specifications. I recommend that the City of Coeur d' Alene accept the bid for two (2) 4.6 liter engine vehicles from Lake City Ford and two (2) 3.8 liter engine vehicles from Knudson Chevrolet.

**Financial Analysis:** The desire to produce the best possible price on these vehicles. The Financial Summary for 2008-2009 has allocated a total of \$138,018.00 for four (4) Patrol vehicles to include the purchase and equipping of these vehicles. The bid from Lake City Ford was \$24,991.00 per car for a total of \$49,982.00 for the two (2) vehicles. The bid from Knudson Chevrolet was \$24,867.67 per car for a total of \$49,735.34 for the two (2) vehicles. The total of all four (4) vehicles is \$99,717.34.

**Performance Analysis:** The patrol vehicles are used for a variety of patrol functions. These vehicles obtain a high amount of mileage being used in traffic and patrol-related enforcement. The line patrol vehicles run on a 24-hour, 7-days-a-week basis.

**Quality of Life Analysis:** A properly maintained patrol fleet makes it essential for the efficiency of a Police Department and the many duties tasked to the police officer.

**Decision Point:** Authorization to purchase two (2) Patrol vehicles from Lake City Ford and two (2) Patrol vehicles from Knudson Chevrolet.

Wayne Longo  
Chief of Police

## **Staff Report**

**Date:** October 21, 2008  
**From:** Steve Anthony, Arts Commission Liaison  
**Subject:** Donation of Mudy the Moose Trail

### **Decision Point:**

To recommend that the City Council accept the donation of the Mudy the Moose Trail by the Coeur d'Alene Library Foundation.

### **History:**

The Library Foundation is proposing to donate the five bronze sculptures comprising the Mudy Moose Trail. The sculptures are located at Tubbs Hill, McEuen Field, Sherman Avenue, City Park and Independence Point.

### **Financial Analysis:**

The sculptures were part of the Mudy and Millie literacy and public art project. The foundation raised over \$120,000.00 to fund the project, and would now like to donate the statues to the city. The Arts Commission would be responsible for the maintenance of the statues. There is an Arts Maintenance Budget that would cover these costs.

### **Performance Analysis:**

The donation adds the sculptures to the city art collection. This type of art project is in conjunction with the Arts Master Plan.

### **Recommendation:**

Staff recommends the acceptance of the Mudy the Moose Trail



# Coeur d'Alene Public Library Foundation, Inc.

702 E. Front Avenue Coeur d'Alene, ID. 83814 (208) 769-2380 [www.cdalibrary.org](http://www.cdalibrary.org)

October 13, 2008

## BOARD OF DIRECTORS

Jim Elder  
*President*

Judi Jackson Messina  
*Vice President*

Roberta Larsen  
*Vice President*

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JoAnn Nelson

Susan Nipp

Vickie Roberge

Mary Sanderson

Barbara Spyra

Lora Whalen

Al Williams

---

Ruth Pratt  
*Executive Director*

To: Coeur d'Alene Arts Commission  
From: Coeur d'Alene Public Library Foundation  
Re: Donation of Muddy Moose Trail

Dear Members of the Coeur d'Alene Arts Commission,

It is with great pride and pleasure that we hereby donate the five bronze sculptures which comprise the Muddy Moose Trail to the Arts Commission. As you know, the Library Foundation raised the money to sponsor this unique children's literacy and public art project through private contributions totaling over \$120,000. We now wish to gift the statues to you so that they become a permanent part of the public art for our community.

Please accept our most sincere gratitude for your help and support in making this project a reality. The book and its accompanying sculptures will bring years of recognition and enjoyment for visitors and citizens of Coeur d'Alene--- a wonderful legacy for our entire community!

Sincerely,  


Ruth Pratt, Ph.D.

Executive Director



**CITY COUNCIL  
STAFF REPORT**

**DATE:** November 4, 2008  
**FROM:** Christopher H. Bates, Engineering Project Manager   
**SUBJECT:** Cottage Grove, Final Plat Approval

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**DECISION POINT**

Staff is requesting the following:

1. City Council approval of the final plat document, a 29 lot residential/commercial development.

**HISTORY**

- a. Applicant: Dave Babb  
JHM Investments, LLC  
PO Box 190  
Athol, ID 83801
- b. Location: North side of Canfield Avenue, east of West Pinegrove Drive.
- c. Previous Action: Preliminary plat approval in February 2007.

**FINANCIAL ANALYSIS**

There are no financial agreements associated with this final plat approval.

**PERFORMANCE ANALYSIS**

There are no platting issues related to the subject property and the final plat document is ready for recordation. All of the required infrastructure is installed and pending acceptance.

**DECISION POINT RECOMMENDATION**

1. Approve the final plat document.



DATE: DECEMBER 16, 2008  
TO: MAYOR AND CITY COUNCIL  
FROM: PLANNING DEPARTMENT  
RE: SETTING OF PUBLIC HEARING DATE: DECEMBER 16, 2008

Mayor Bloem,

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>
A-4-08	Proposed zoning in conjunction with annexation from County Restricted Residential to R-1 (Residential at 1 units/acre) Applicant: U.S. Department of Interior Bureau of Land Management Location: 945 Highway 95	Recommended Approval	Quasi-Judicial

In order to satisfy the mandatory 15-day notice requirement, the next recommended hearing date will be **December 16, 2008.**

JS:ss

# ANNOUNCEMENTS

# Memo to Council

DATE: October 29, 2008

RE: Appointments to Boards/Commissions/Committees

The following appointment and re-appointment is presented for your consideration for the November 4th Council Meeting:

IRIS SIEGLER (Reappointment)

ARTS COMMISSION

JIM GRAY (Appointment)

ARTS COMMISSION

Copies of the data sheets are in front of your mailboxes.

Sincerely,

Amy Ferguson  
Executive Assistant

cc: Steve Anthony, Arts Commission Liaison  
Susan Weathers

OTHER BUSINESS

COUNCIL BILL NO. 08-1021  
ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, VACATING PORTIONS OF PUBLIC ALLEY IN BLOCK 10 OF THE ARESVIK ADDITION TO COEUR D'ALENE IDAHO, RECORDED IN BOOK "C" OF PLATS, PAGE 251, RECORDS OF KOOTENAI COUNTY, COEUR D'ALENE, KOOTENAI COUNTY, IDAHO , GENERALLY DESCRIBED AS A PORTION OF THE NORTH/SOUTH ALLEY THAT LIES BETWEEN LOTS 3 AND 4, AND, THE REMAINDER PORTION OF THE EAST/WEST ALLEY THAT ADJOINS THE NORTHERLY BOUNDARY OF LOTS 6 AND 7; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

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

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

**SECTION 1.** That the following described property, to wit:

Portions of alley in the Aresvik Addition, recorded Book "C" of plats, Page 251, situated in the SW ¼ of Section 1, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

The south thirty two feet (32') of the north-south alley adjoining the easterly boundary line of Lot 3, and the westerly boundary line of Lot 4, Block 10 of said Aresvik Addition; and,

That portion of the east-west alley beginning at the southwest corner of Lot 4, Block 10 of said Aresvik Addition, thence southerly, twenty feet (20') to a point on the northerly boundary line of Lot 6, thence westerly, along the northerly boundary line of Lot 6 and Lot 7, twenty four feet (24') to a point, thence northerly, twenty feet (20') to the southeast corner of Lot 3, thence easterly, twenty four feet (24') to the southwest corner of said Lot 4.

be and the same is hereby vacated.

**SECTION 2.** That said vacated portions of alley shall revert to the adjoining property owner to the east, west and south.



**SECTION 3.** That the existing rights-of-way, easements, and franchise rights of any lot owners, public utility, or the City of Coeur d'Alene shall not be impaired by this vacation, as provided by law, and that the adjoining property owners shall in no manner pave or place any obstruction over any public utilities.

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

**SECTION 5.** After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

APPROVED by the Mayor this 4<sup>th</sup> day of November, 2008.

\_\_\_\_\_  
Sandi Bloem, Mayor

ATTEST:

\_\_\_\_\_  
Susan K. Weathers, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. \_\_\_\_\_  
V-08-2 ARESVIK ADDITION - RIGHT-OF-WAY VACATION

The City of Coeur d'Alene, Idaho hereby gives notice of the adoption of Coeur d'Alene Ordinance No. \_\_\_\_\_, vacating portions of alley in Block 10, Aresvik Addition to Coeur d'Alene, Idaho.

Such right-of-way is more particularly described as follows:

Portions of alley in the Aresvik Addition, recorded Book "C" of plats, Page 251, situated in the SW ¼ of Section 1, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

The south thirty two feet (32') of the north-south alley adjoining the easterly boundary line of Lot 3, and the westerly boundary line of Lot 4, Block 10 of said Aresvik Addition; and,

that portion of the east-west alley beginning at the southwest corner of Lot 4, Block 10 of said Aresvik Addition, thence southerly, twenty feet (20') to a point on the northerly boundary line of Lot 6, thence westerly, along the northerly boundary line of Lot 6 and Lot 7, twenty four feet (24') to a point, thence northerly, twenty feet (20') to the southeast corner of Lot 3, thence easterly, twenty four feet (24') to the southwest corner of said Lot 4.

The ordinance further provides that the City of Coeur d'Alene shall retain drainage easements, utility easements and easements for sidewalk/pedestrian access within the rights-of-way hereby vacated and provides that the ordinance shall be effective upon publication of this summary. The full text of the summarized Ordinance No. \_\_\_\_\_ is available at Coeur d'Alene City Hall, 710 Mullan Avenue, Coeur d'Alene, Idaho 83814 in the office of the City Clerk.

---

Susan K. Weathers, 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. \_\_\_\_\_, V-08-2 ARESVIK ADDITION - RIGHT-OF-WAY VACATION, 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 4<sup>th</sup> day of November, 2008.

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Warren J. Wilson, Chief Civil Deputy City Attorney

COUNCIL BILL NO. 08-1022  
ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, VACATING A STRIP OF PUBLIC RIGHT-OF-WAY FROM THE PLAT OF NORTHGATE MALL, RECORDED IN BOOK "F" OF PLATS, PAGE 195, RECORDS OF KOOTENAI COUNTY, COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, GENERALLY DESCRIBED AS A STRIP OF LAND ALONG THE SOUTHERLY BOUNDARY OF SAID PLAT THAT IS NOTED AS ROAD RIGHT -OF-WAY; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

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

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

**SECTION 1.** That the following described property, to wit:

That road right-of-way from the plat of Northgate Mall, recorded Book "F" of plats, Page 195, situated in the NW ¼ of Section 1, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

The strip of land noted as "road right-of-way" that is 30.01 feet in width and 329.38 feet in length, adjoining the southerly boundary of said plat.

be and the same is hereby vacated.

**SECTION 2.** That said vacated road right-of-way shall revert to the adjoining property owners to the north.

**SECTION 3.** That the existing rights-of-way, easements, and franchise rights of any lot owners, public utility, or the City of Coeur d'Alene shall not be impaired by this vacation, as provided by law, and that the adjoining property owners shall in no manner pave or place any obstruction over any public utilities.

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

**SECTION 5.** After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

APPROVED by the Mayor this 4<sup>th</sup> day of November, 2008.

\_\_\_\_\_  
Sandi Bloem, Mayor

ATTEST:

\_\_\_\_\_  
Susan K. Weathers, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. \_\_\_\_\_  
V-08-3 NORTHGATE CONDOMINIUM PLAT - RIGHT-OF-WAY VACATION

The City of Coeur d'Alene, Idaho hereby gives notice of the adoption of Coeur d'Alene Ordinance No. \_\_\_\_\_, vacating "road right-of-way" on the plat of Northgate Mall, Coeur d'Alene, Kootenai County, Idaho.

Such right-of-way is more particularly described as follows:

That road right-of-way from the plat of Northgate Mall, recorded Book "F" of plats, Page 195, Records of Kootenai County, situated in the NW ¼ of Section 1, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

The strip of land noted as "road right-of-way" that is 30.01 feet in width and 329.38 feet in length, adjoining the southerly boundary of said plat.

The ordinance further provides that the City of Coeur d'Alene shall retain drainage easements, utility easements and easements for sidewalk/pedestrian access within the rights-of-way hereby vacated and provides that the ordinance shall be effective upon publication of this summary. The full text of the summarized Ordinance No. \_\_\_\_\_ is available at Coeur d'Alene City Hall, 710 Mullan Avenue, Coeur d'Alene, Idaho 83814 in the office of the City Clerk.

---

Susan K. Weathers, 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. \_\_\_\_\_, V-08-3 NORTHGATE CONDOMINIUM PLAT - RIGHT-OF-WAY VACATION, 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 4<sup>th</sup> day of November, 2008.

---

Warren J. Wilson, Chief Civil Deputy City Attorney

INFORMATION SECTION

Including

Correspondence

Board, Commission, Committee Minutes



**October 27, 2008**  
**PUBLIC WORKS COMMITTEE**  
**MINUTES**

**COMMITTEE MEMBERS PRESENT**

Council Member Mike Kennedy  
Council Member Al Hassell

**STAFF PRESENT**

Jon Ingalls, Deputy City Administrator  
Sid Fredrickson, WW Supt.  
Jim Markley, Water Supt.  
Dave Shults, Capital Program Mgr.  
Terry Pickel, Asst. Water Supt.  
Warren Wilson, Deputy City Atty.  
Amy Ferguson, Exec. Assistant

**Item 1            WWTP Digester 4 Coating and Refurbishment**  
**Consent Calendar**

Dave Shults, Capital Program Manager, requested approval of the specifications developed by the City's wastewater engineering consultant for refurbishment of the protective coatings on Digester #4, and for authorization to request bids. He indicated that they would like to get started just as quickly as they can this winter and have the project completed before February or March. Mr. Shults said that they are hoping that the project will take two (2) months, but they have set aside 90 days for completion. He explained that it is a complicated process and it is a project that will take an industrial coating special inspection. Mr. Shults is anticipating that the total project cost will be under \$200,000.00, but it could be greater than that.

**MOTION by Kennedy, seconded by Hassell to recommend that Council approve the specifications for refurbishment of the protective coatings on Digester #4, and authorize staff to proceed with the solicitation of bids.**

**VOTE:** Motion carried.

**Item 2            Sole Source Declaration for MIOX Chlorine Generation System**  
**Consent Calendar**

Terry Pickel, Assistant Water Superintendent, requested Council authorization to declare Filtration Technology, Inc. as a sole source and allow the purchase of a MIOX Chlorine Generation Unit for modification of the 4<sup>th</sup> Street Well disinfection system. Mr. Pickel explained that, historically, the Water Department has used chlorine gas for disinfection of the water system. It has been the industrial standard but there are some safety problems with it. As a result, the Water Department has been looking at other methods. We anticipate that in the future, chlorine "scrubbers" will be required at every well. These will cost approximately \$55,000.00 each. The MIOX system was originally developed for the military and was redesigned in 1998 for municipal uses. Mr. Pickel stated that he has reviewed some of the pilot tests around the country and the MIOX system has been outperforming chlorine gas and leaves a better residual and fewer harmful byproducts. This is the only system that is actually made and assembled by one company and put on site. The system generates just enough disinfectant to be used during the day, with 30 hours of storage maximum. It preserves the quality of the chemical and there is no alarm system required and no storage containment issues. The MIOX unit has regional

distributors, including one here in Idaho which covers the 7 western regional states. They are looking at purchasing and installing the unit as a pilot study at the 4<sup>th</sup> Street Well.

Councilman Kennedy asked if the pilot study works, would the unit at the 4<sup>th</sup> Street well have to be replaced. Mr. Pickel responded that it would still be of value and is not a temporary system. He further commented that the City of Post Falls is using two of the units right now and have had very few problems with it and good service from the company.

Councilman Hassell asked if the taste or odor less than with chlorine gas. Mr. Pickel responded that there is no odor. In addition, the MIOX system strips bio film off of the pipes, with better residual downstream.

**MOTION: Motion by Kennedy, seconded by Hassell, to recommend council authorize the sole source procurement of a pilot unit of the MIOX SAL-80 supplied by Filtration Technology, Inc. and to publish public notification in this regard.**

**VOTE:** Motion carried.

The meeting adjourned at 4:08 p.m.

Respectfully submitted,

Amy C. Ferguson  
Public Works Committee Liaison