

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

August 2, 2016

The Mayor and Council of the City of Coeur d'Alene met in a regular session of said Council at the Coeur d'Alene City Library Community Room August 2, 2016 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

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

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

INVOCATION: Pastor Jim Williams with Emmanuel Baptist Church gave the invocation.

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

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

1. Approval of Council Minutes for the July 13 and July 19, 2016 Council Meetings.
2. Approval of Bills as Submitted.
3. Approval of General Service Committee Minutes for July 25, 2016.
4. Setting of General Services and Public Works Committees meetings for August 8, 2016 at 12:00 noon and 4:00 p.m. respectively.
5. Approval of a Beer and Wine License for Grille at Ipanema, 2374 N. Old Mill Loop (transfer) from Grille at Ipanema 601 E. Front Avenue, St. 201
6. **Resolution No. 16-035 - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING AGREEMENTS WITH SID FREDRICKSON, PAT CARDWELL, MIKE CALDERWOOD, JAY HEINTZ, ED WAGNER, KATHY LEWIS, AND TOM HOWARD THROUGH THE VOLUNTARY SEPARATION INCENTIVE PROGRAM**

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

PUBLIC COMMENTS:

David Schreiber, Coeur d'Alene, lives on Park Drive within the Fort Grounds neighborhood. He expressed frustration with the seasonal closure of Fort Ground Drive. He does not believe it would take much staff time to open the bollards during the week when no special events are being held. He noted that it is inconvenience to the homeowners within the neighborhood to have the road closed.

Kathrine Boss, Coeur d'Alene, noted that she is also a resident of the Fort Grounds neighborhood and expressed concern with the summer season closure, as it is an inconvenience to the neighborhood. She said that she attended all the design meetings and the seasonal closure was not discussed. Ms. Boss noted that the choice given to the neighborhood was to have no road or to have a softened road with one lane in each direction. The softened road option was their compromise. She believes that motorists are more confused by the closure on an average weekend, as it would be expected during large events like Art on the Green. She feels that the road was narrowed to address safety concerns, but it is not being used.

MAYOR AND COUNCIL COMMENTS:

Councilmember Miller noted that the Library has been working on a project with the Community Library Network, North Idaho College Library, and the Coeur d'Alene Press to digitize newspapers from 1892 to current. This will allow the archives to be searchable at local libraries and/or remotely free to library cardholders. She announced that it will be completed soon and thanked the Coeur d'Alene Press and members of the group for their hard work and dedication to this project.

Councilmember Edinger asked for clarification regarding the meetings held with the Fort Ground neighborhood regarding the street closure. City Administrator Jim Hammond noted that there were two public meetings held wherein the closure was discussed. Information regarding the seasonal closure has been sent out to the Press and posted to the city website.

Councilmember Gookin explained that he lives within the Fort Ground neighborhood and attended homeowner association meetings approximately two years ago. At one of those meetings an informal poll of the residents was conducted to determine either support of the road closure or to keep it open, which resulted in close to a tie. The design of the street was intended to be traffic calming, pedestrian oriented, and to connect the parks. In the previous state of Mullan Road, people would cross all over the street rather than at the designated crosswalk. During one of the Council meetings it was discussed that the road would include a seasonal closure, from Memorial through Labor Day; although, a formal vote on the closure was not conducted. He noted that when the carousel is running there will be a lot of pedestrian traffic that will fuel the need to connect the parks.

Councilmember English said that he has lived in Coeur d'Alene nearly all his life and when he read in the newspaper that the street would be closed, it was the first time he had heard about the closure. He is not in favor of closing the street for the whole summer as it was engineered to be

traffic calming and it does favor pedestrians. He noted that the drawback is the impact to the neighborhood traveling out and the community's access point into the neighborhood. He believes that providing more egress is better than less.

The Mayor noted that the design is flexible, so the road can be opened if the City determines closure is not working. He has talked to five neighbors that like the layout and who feel it has calmed traffic within the neighborhood.

Deputy City Administrator Sam Taylor noted that the City has reached over 3,700 people with information regarding the street closure through Facebook and no negative comments have been received.

Mayor Widmyer asked for confirmation of appointments.

APPOINTMENTS: **Motion** by Edinger, seconded by McEvers to approve the re-appointments of Dixie Reid, Kelly Ostrum, and Sharmon Schmitt to the Personnel Appeals Board; Sharmon Schmitt to the Civil Service Commission; Mike McDowell and Jim Lien to the Parks and Recreation Commission; and John Bruning to the Pedestrian Bicycle Committee. **Motion carried.**

RESOLUTION NO. 16-036

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH THE COEUR D'ALENE POLICE ASSOCIATION.

STAFF REPORT: Police Chief White explained that the Police Department currently has ten (10) unfilled positions. It can often take up to one year to get a new officer hired, trained, and ready for service as a solo patrol officer. In addition, over the past few years the department has had several new officers fail to complete the field-training program. Hiring officers who already have police experience is beneficial because of the increased training, experience, and knowledge base that a seasoned officer brings to the job. However, incentivizing seasoned officers is difficult because changing jobs often means coming in at or near the bottom of the pay and benefit scale. New officers with no experience are good to hire as they can be trained into the department culture; however, there is a cost of approximately \$15,000 through the field training process. He thinks the money is better spent on a lateral hire. Chief White believes a blend of new and lateral hires brings a good mix to the department. The Police Association agrees that a blend of pay and vacation incentives would be the best recruitment program. He noted that only half of the last group of those that tested passed the test. The Sheriff's Department can bring in laterals at the top of their pay grade on day one. Other agencies across the nation utilize incentives ranging from a sign on bonus, increased pay and benefits. He noted that additional vacation accrual is a sensitive subject, and reviewed how the credit would work based on the size of the agency in which the lateral previously served. This would be in effect until the next contract negotiation comes forward in 2017.

DISCUSSION: Mayor Widmyer clarified that Chief's recommendation is to include the vacation incentive. Councilmember Edinger asked for confirmation that the Police Association

supports this program. Association President Nic Lowry confirmed that the Association is very much in support of the program and believes it would be competitive to recruit lateral officers. Councilmember English supports including the vacation and questioned why it is a pilot program. Chief White explained that the Association Contract expires in 2017 and that this amendment would be added to their current contract. Councilmember McEvers questioned if this change in recruitment would set a precedent for other departments. Chief White noted that no other departments have 10 full time positions vacant. Mr. Hammond noted that other departments do not hire laterals and does not have a concern with other departments doing an enhanced recruitment program if they get better employees. Councilmember Gookin asked what other recruitment efforts they are doing. Chief White explained the recruitments efforts in the past have focused on our region; however, they are now looking at Portland, Seattle, Boise, and Montana. They have produced brochures outlining benefits, are utilizing officers to network, and recruit while at trainings. Councilmember Miller asked for clarity regarding what the cost savings might be, and the washout factor of a new recruit. Chief White explained that it costs approximately \$15,000 for academy and tuition to NIC and it takes approximately four weeks for field training before they can determine if someone is not meeting standards, which all includes several months of salary up to \$15,000. He clarified that a number of people make it through the program, but approximately 25-30% of entry-level applicants washout. Councilmember Miller noted that the national landscape has changed and fewer people are drawn toward law enforcement as a career so this program makes sense. She expressed concern with offering all incentives in the beginning of the program, as it could be an option to add the vacation later if other incentives do not work. Chief White agreed there has to be a cap and it does not make sense to go immediately to maximum pay grade. He believes that both pieces of incentives are needed now because they have ten vacancies. Chief White explained that 80% of officer's time is spent on calls for service and the national level should be 30%. Additionally, overtime costs are up. Councilmember English felt that vacation is important and that people need it, especially in a high stress position.

MOTION: Motion by Miller, seconded by Edinger to approve the **Resolution No. 16-036**, approving Amendment No. 2 to the Contract with the Police Association for the Inclusion of the Lateral Officer Recruitment Program with the vacation incentive.

ROLL CALL: McEvers Aye; Gookin Aye; Evans Aye; English Aye; Edinger Aye; Miller Aye.
Motion Carried.

RESOLUTION NO. 16-037

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ESTABLISHING A NOTICE OF TIME AND PLACE OF PUBLIC HEARING FOR THE PROPOSED BUDGET FOR FISCAL YEAR 2016-2017, AND INCLUDING PROPOSED EXPENDITURES BY FUND AND/OR DEPARTMENT, AND STATEMENT OF THE ESTIMATED REVENUE FROM PROPERTY TAXES AND THE TOTAL AMOUNT FROM SOURCES OTHER THAN PROPERTY TAXES OF THE CITY FOR THE ENSUING FISCAL YEAR, AND LISTING EXPENDITURES AND REVENUES DURING EACH OF THE TWO (2) PREVIOUS FISCAL YEARS, AND PROVIDING FOR PUBLICATION OF THE SAME.

BE IT RESOLVED by the Mayor and City Council of the City of Coeur d'Alene that the following be and the same is hereby adopted as an Estimate of Expenditures and Anticipated Revenue of the City of Coeur d'Alene for the fiscal year beginning October 1, 2016:

| | FY 2013-14 | FY 2014-15 | FY 2015-16 | FY 2016-17 |
|---|---------------------|----------------------|---------------------|----------------------|
| | ACTUAL | ACTUAL | BUDGET | PROPOSED |
| GENERAL FUND EXPENDITURES: | | | | |
| Mayor and Council | 231,469 | 233,787 | \$ 247,345 | \$ 242,705 |
| Administration | 293,956 | 282,453 | 305,263 | 379,120 |
| Finance Department | 706,659 | 730,651 | 798,079 | 1,185,287 |
| Municipal Services | 1,404,951 | 1,532,812 | 1,587,774 | 1,670,299 |
| Human Resources | 188,041 | 234,104 | 264,861 | 326,657 |
| Legal Department | 1,497,194 | 1,403,645 | 1,200,180 | 1,207,341 |
| Planning Department | 371,593 | 501,520 | 558,908 | 584,648 |
| Building Maintenance | 416,293 | 461,699 | 497,773 | 605,786 |
| Police Department | 10,331,666 | 11,297,102 | 13,272,575 | 13,140,468 |
| Drug Task Force | 114,452 | 52,324 | 29,710 | 30,710 |
| ADA Sidewalks | 245,279 | 249,852 | | |
| Byrne Grant - Police Dept | 107,459 | 17,486 | | |
| COPS Grant - Police Dept | | | | 190,189 |
| Fire Department | 8,017,461 | 7,796,424 | 13,567,735 | 9,682,938 |
| General Government | 816,806 | 1,125,020 | 49,250 | 94,725 |
| Engineering Services | 2,037,857 | 1,529,433 | 1,306,016 | 1,312,561 |
| Streets/Garage | 2,828,787 | 2,880,709 | 2,898,101 | 3,094,113 |
| Parks Department | 1,789,570 | 1,906,337 | 1,973,062 | 2,019,987 |
| Recreation Department | 696,380 | 774,441 | 723,984 | 721,239 |
| Building Inspection | 810,201 | 838,992 | 937,133 | 952,967 |
| TOTAL GENERAL FUND EXPENDITURES: | \$32,906,074 | \$ 33,848,791 | \$40,217,749 | \$ 37,441,740 |

| | FY 2013-14 ACTUAL | FY 2014-15 ACTUAL | FY 2015-16 BUDGET | FY 2016-17 PROPOSED |
|---|------------------------------|------------------------------|------------------------------|--------------------------------|
| SPECIAL REVENUE FUND EXPENDITURES: | | | | |
| Library Fund | \$ 1,287,479 | \$ 1,368,538 | \$ 1,509,151 | \$ 1,568,148 |
| Community Development Block Grant | 130,824 | 243,103 | 529,424 | 606,873 |
| Impact Fee Fund | 386,665 | 177,385 | 1,842,000 | 904,063 |
| Parks Capital Improvements | 222,784 | 426,524 | 524,000 | 146,500 |
| Annexation Fee Fund | 14,000 | 117,000 | | 193,000 |
| Insurance / Risk Management | 389,045 | 351,581 | 372,000 | |
| Cemetery Fund | 261,509 | 300,001 | 304,272 | 316,735 |
| Cemetery Perpetual Care Fund | 97,102 | 96,935 | 127,500 | 157,500 |
| Jewett House | 31,205 | 66,270 | 29,355 | 25,855 |
| Reforestation/Street Trees/Community Canopy | 116,775 | 58,790 | 103,500 | 103,500 |
| Arts Commission | 5,810 | 6,312 | 7,300 | |
| Public Art Funds | 226,678 | 117,130 | 324,000 | 231,300 |
| TOTAL SPECIAL FUNDS: | \$ 3,169,876 | \$ 3,329,569 | \$ 5,672,502 | \$ 4,253,474 |
| ENTERPRISE FUND EXPENDITURES: | | | | |
| Street Lighting Fund | 627,501 | 626,324 | \$ 584,150 | \$ 622,000 |
| Water Fund | 5,803,925 | 6,128,014 | 8,310,421 | 9,553,005 |
| Wastewater Fund | 8,518,679 | 9,406,602 | 16,265,161 | 24,489,066 |
| Water Cap Fee Fund | 783,477 | 483,467 | 850,000 | 1,950,000 |
| WWTP Cap Fees Fund | 549,458 | 1,807,972 | 2,500,000 | 2,500,000 |
| Sanitation Fund | 3,540,135 | 3,724,820 | 3,737,479 | 3,359,286 |
| City Parking Fund | 562,447 | 738,997 | 167,896 | 374,546 |
| Drainage | 630,234 | 663,314 | 1,257,307 | 1,147,511 |
| TOTAL ENTERPRISE EXPENDITURES: | \$21,015,856 | \$ 23,579,510 | \$33,672,414 | \$ 43,995,414 |
| FIDUCIARY FUNDS: | 2,504,846 | 2,623,969 | \$ 2,661,900 | \$ 2,888,400 |
| STREET CAPITAL PROJECTS FUNDS: | 1,586,777 | 2,725,428 | 2,842,000 | 6,204,039 |
| DEBT SERVICE FUNDS: | 1,254,006 | 2,917,555 | 882,660 | 937,407 |
| GRAND TOTAL OF ALL EXPENDITURES: | \$62,437,435 | \$ 69,024,822 | \$85,949,225 | \$ 95,720,474 |

| | FY 2013-14 ACTUAL | FY 2014-15 ACTUAL | FY 2015-16 BUDGET | FY 2016-17 PROPOSED |
|---|------------------------------|------------------------------|------------------------------|--------------------------------|
| ESTIMATED REVENUES: | | | | |
| Property Taxes: | | | | |
| General Levy | \$16,890,992 | \$ 17,197,814 | \$17,408,461 | \$ 19,268,566 |
| Library Levy | 1,207,557 | 1,318,394 | 1,472,116 | 1,533,398 |
| Policeman's Retirement Fund Levy | 154,349 | 157,569 | 152,000 | |
| Comprehensive Liability Plan Levy | 7 | 345,152 | 339,513 | |
| Fireman's Retirement Fund Levy | 250,000 | 250,000 | 250,000 | 250,000 |
| 2006 and 2008 G.O. Bond Levy | 1,161,372 | 1,185,928 | 875,900 | 875,900 |
| TOTAL REVENUE FROM PROPERTY TAXES: | \$19,664,277 | \$ 20,454,857 | \$20,497,990 | \$ 21,927,864 |

| | FY 2013-14 | FY 2014-15 | FY 2015-16 | FY 2016-17 |
|-----------------------------------|---------------------|----------------------|----------------------|----------------------|
| | ACTUAL | ACTUAL | BUDGET | PROPOSED |
| ESTIMATED OTHER REVENUES: | | | | |
| Interfund Transfers | \$ 3,278,399 | \$ 2,681,674 | \$ 7,992,523 | \$ 7,824,969 |
| Beginning Balance | 30,517,419 | 38,624,211 | 20,465,053 | 22,096,505 |
| Other Revenue: | | | | |
| General Fund | 14,340,232 | 21,815,158 | 19,750,896 | 15,007,408 |
| Library Fund | 39,320 | 42,003 | 37,035 | 34,750 |
| Community Development Block Grant | 130,782 | 243,103 | 529,424 | 606,873 |
| Parks Capital Improvement Fund | 253,978 | 176,234 | 133,500 | 138,500 |
| Insurance/Risk Management | 331 | 14 | | |
| Cemetery | 133,140 | 153,158 | 181,627 | 181,735 |
| Annexation Fee Fund | 116,542 | 31,014 | | |
| Impact Fee Fund | 1,292,842 | 685,775 | 904,000 | 756,000 |
| Cemetery Perpetual Care Fund | 25,786 | 42,742 | 5,200 | 50,000 |
| Jewett House | 25,878 | 9,033 | 18,000 | 21,000 |
| Reforestation | 32,601 | 94,573 | 5,000 | 5,000 |
| Street Trees | 87,109 | 83,958 | 83,060 | 84,250 |
| Community Canopy | 1,123 | 1,723 | 1,500 | 1,500 |
| Arts Commission | 5,531 | 7,096 | 7,300 | |
| Public Art Funds | 122,256 | 131,597 | 113,000 | 100,000 |
| Street Lighting Fund | 505,779 | 514,970 | 510,075 | 520,075 |
| Water Fund | 4,633,704 | 6,685,421 | 4,577,900 | 4,814,000 |
| Wastewater Fund | 7,281,821 | 8,314,105 | 9,324,000 | 18,540,500 |
| Water Capitalization Fees | 1,133,554 | 869,845 | 853,200 | 1,005,000 |
| WWTP Capitalization Fees | 2,591,976 | 1,809,901 | 1,302,500 | 1,508,000 |
| Sanitation Fund | 3,681,654 | 3,858,014 | 3,937,479 | 3,812,228 |
| City Parking Fund | 185,000 | 289,250 | 250,000 | 390,000 |
| Drainage | 1,014,657 | 1,022,407 | 1,019,682 | 1,024,644 |
| Fiduciary Funds | 39,986 | 57,638 | 2,439,600 | 2,640,350 |
| Capital Projects Fund | 1,272,787 | 2,388,530 | 1,315,000 | 5,114,976 |
| Debt Service Fund | 76,251 | 1,786,079 | 6,760 | 12,300 |
| | | | | |
| SUMMARY: | FY 2013-14 | FY 2014-15 | FY 2015-16 | FY 2016-17 |
| | ACTUAL | ACTUAL | BUDGET | PROPOSED |
| PROPERTY TAXES | \$19,664,277 | \$ 20,454,857 | \$20,497,990 | \$ 21,927,864 |
| OTHER THAN PROPERTY TAXES | 72,820,438 | 92,419,226 | 75,763,314 | 86,290,563 |
| TOTAL ESTIMATED REVENUES | \$92,484,715 | \$112,874,083 | \$ 96,261,304 | \$108,218,427 |

STAFF REPORT: Mr. Tymesen explained that this request is to set the public hearing for September 6 and set the high water mark (\$95,720,474) in expenditures for the 2016-2017 Fiscal Year Financial Plan (Annual Appropriation). He explained that the purpose of the Resolution is to establish a ceiling for expenditures and to disclose the potential property tax revenue necessary to balance the budget at this time. The revenue includes 3% in property tax revenue, new growth, with no foregone property taxes. He reviewed the status of the City's foregone tax balance and the amount the City has taken over the past 6 years; to include 1% in 2010 and 2% in 2013, all other years were 0%. He explained that the Fund Balance is at \$7,663,870, which is 20.47% of General Fund expenses. New construction dollars are estimated at \$533,706 (lower than last year). This budget proposed 17 additional FTE's and 84% of the General Fund is spent on personnel expenses. Increases in expenses include health insurance, COLA, Merit increases, new positions, and a wastewater capital outlay over \$7.9 Million. Cash flow includes new growth, highway/sales/liquor taxes, and 3% increase in property tax. He reviewed the General Fund capital outlay included in the budget proposal. He noted that as positions in the Police Department are slow hired, funds are saved, which can be used to purchase patrol vehicles throughout the year.

The Citywide valuation provided by the County is \$3.6 Billion, with a forecasted levy rate of \$6.05/\$1,000 of valuation with the 3% increase included; which is lower than the \$6.09/1,000 valuation from last year. Mr. Tymesen provided examples of property taxes based on home valuations. He clarified that the changes to the budget presented were suggested to provide a comfortable cash flow.

DISCUSSION: Councilmember Gookin noted that there are 10 unfilled positions, but no cars funded at that time. Mr. Tymesen confirmed and noted that some vehicles are purchased through personnel cost savings. Cars must be ordered in advance, as they are only produced once a year. If the Fund Balance has growth, the City can buy cars and amend the budget for it later. Mayor Widmyer asked about the leasing programs and how they may help with cash flow. Mr. Tymesen explained that it makes sense to lease certain equipment like heavy equipment, but other vehicles are moved through the organization and leasing companies specifically do not want patrol cars back. Councilmember English asked what the current ratio of cars to officers is. Chief White explained that it depends on the time of day, during the morning the lot is full of cars, but Friday afternoon or Saturday evenings there are very few vehicles available. Even fewer cars are available during the school year, which means as one Patrol Officer unloads a car at the end of the shift; another Officer begins loading the car for a new shift. He believes that the best fleet management is to have two officers on separate shifts share a vehicle. Councilmember McEvers asked how many Building Inspector vehicles are budgeted. Mr. Tymesen noted the budget includes two building inspector vehicles. He reiterated that he would assume personnel cost savings would provide an opportunity to purchase vehicles throughout the year.

Councilmember Edinger asked how it would affect the budget to propose a 2% rather than a 3% increase in property taxes. Mr. Tymesen explained that his concern is that they will continue to either cut capital or use Fund Balance for on-going operations, which will not be sustainable, especially with the 9-firefighter positions coming onboard. Mayor Widmyer reiterated that tonight's action is to propose a high-water mark and he encouraged Council to ask Mr. Tymesen questions over the next month, as the final budget will need to be set in September.

Additionally, the Mayor clarified that with the urban renewal de-annexation process; there is a certain amount of money that will flow back for tax relief to the entire County. Mr. Hammond confirmed that new growth could be placed on the rolls of the taxing agencies. This will reduce the levy to the tax districts and will not be received in cash. He explained that if the City takes the 3% increase the de-annexation would lower the amount due as the de-annexation funds lower the levy rate. Councilmember Gookin said he would like staff to look at a 2% increase instead of a 3%. Mr. Tymesen explained that a high-water mark is required to be set by Idaho Code to disclose potential property tax increases and that the final budget cannot be above that amount. Councilmember Gookin noted that the difference between 2-3% is a \$200,000 difference that could be accomplished through a change in the amount of the overlay, and removal of the two cars for the Building Department. Councilmember McEvers expressed support for leaving the overlay budget as proposed, as the City should have pride in their street conditions. He also noted that the City gave up two years of overlay funding for the McEuen Park project and now is the time to pay it back. Councilmember Gookin said it would be important to look for things to cut, as he is concerned with people on a fixed income. Councilmember McEvers noted that this is the first time that the City could take 3% and he would pay less in taxes and believes it is the right time to do it. Councilmember Miller asked for clarification regarding police and other department retirements and how that affects the overall budget. Mr. Tymesen explained that the retirement costs are absorbed in each department's budget that is affected. Councilmember English supports the 3% tax, as the bottom line is that most people will break even or come out ahead. In his 20 years of experience, it has been proven that if you keep up on overlay and do a little bit on a regular basis you have better maintenance. He noted that he is comfortable with the high-water mark. Mayor Widmyer requested more information as to where the overlay funding will be spent. Mr. Hammond clarified that part of overlay will include chip seal and streets are very expensive and he will provide the five-year overlay plan to Council soon. Councilmember Edinger reiterated that he would like department heads to try to cut \$200,000 from the final budget. Mr. Hammond clarified that staff has already cut approximately \$2 Million from the budget before it was presented to the Council. He clarified that there are legitimate items such as lifts used to maintain traffic signals, cherry pickers, and personnel that were cut; as staff is trying to make due as long as possible. Mr. Tymesen noted that there was \$500,000 in service and supplies cut this year from last year and capital is as low as it has been in years. He reiterated that he needs cash flow to take care of the General Fund personnel costs and he cannot continue to fund operations out of the Fund Balance. Councilmember Gookin noted that the Fund Balance is just over 20%, which is high; and the County sets a maximum amount with anything over being used for capital items. With GASB recommending 12% or more he thinks the City should do the same as the County. Mr. Tymesen agreed that the Fund Balance could be used for capital expenses and explained that the City is funding more than capital in the budget this year, which is problematic. Additionally, a \$1 Million railroad right-away loan is due from the General Fund to Wastewater. He has not received annexation fees for that property either. Councilmember Evans thanked staff for being conscientious in working with Finance on the budget proposal.

MOTION: Motion by Evans, seconded by English to approve the **Resolution No. 16-037**, approving the Setting Preliminary Budget for Fiscal Year 2016-2017 and scheduling a public hearing for September 6, 2016.

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

MOTION: Motion by McEvers, seconded by Miller to enter into Executive Session as provided by Idaho Code 74-206 Sections (d) To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code and (f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

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

The City Council entered into Executive Session at 7:55 p.m. Those present were the Mayor, City Council, City Administrator, Deputy City Administrator, Finance Director, City Attorney, Deputy City Attorney Tinkey, and Chris Bromley. The session was held to communicate with legal counsel regarding pending litigation regarding water rights and to consider with legal counsel written records that are exempt from disclosure.

Council returned to regular session at 10:02 p.m.

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

The meeting adjourned at 10:04 p.m.

ATTEST:

Steve Widmyer, Mayor

Renata McLeod, CMC, City Clerk