

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

NOVEMBER 6, 2018

The Mayor and Council of the City of Coeur d'Alene met in a regular session of said Council at the Coeur d'Alene City Library Community Room, November 6, 2018 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

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

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

INVOCATION: Retired Pastor Ron Hunter provided the invocation.

PLEDGE OF ALLEGIANCE: Councilmember McEvers led the Pledge of Allegiance.

POLICE BADGE PRESENTATION: Police Chief Lee White presented a view of the different police badge designs from the early 1900-s through today. He provided a photograph of the newly proposed police badges. He noted the reasons for the update are that the badges are being made smaller which causes them to look like security guard badges. Additionally, in the current system, there is a difference from gold and silver based on rank and he would like them to look the same. The cost of the new badge would be \$75.00 per badge; however, they will offer current officers the ability to purchase their old badge for \$65.00, and that revenue will be used to offset the cost of new badges. They assume that most officers will purchase the badges, which would mean approximately \$1,500.00 will be spent for the new badges. Currently they spend approximately \$1,000 a year on replacement and new badges. Chief White noted that the wallet badges updates would be phased in over the years. Mayor Widmyer asked if the K numbers are reused over the years. Chief White noted that all numbers are reused; however, they have retired two numbers; K-27 in memorial of Greg Moore and K-57, in honor of Mike Kralicek.

PUBLIC COMMENTS:

Susan Snedaker, Coeur d'Alene, noted that recent discussions regarding midtown parking brought forward the need to revisit her request for a dark sky ordinance. She would like to see an ordinance disallowing light trespass and the avoidance of commercial lighting spilling into residential neighborhoods. She requested the city ask staff to draft an ordinance, noting that Sun

Valley has adopted an ordinance that has portions that may work for Coeur d'Alene. Councilmember Gookin noted that staff is working on the Comprehensive Plan and felt this would subject could be blend into that document. Ms. Snedaker noted that the ordinances are what counts; the Comprehensive Plan is a guide and requested it be addressed sooner rather than later.

CONSENT CALENDAR: Motion by McEvers, seconded by Miller, to approve the Consent Calendar.

1. Approval of Council Minutes for the October 16, 2018 Council Meeting.
2. Approval of Minutes for the October 22, 2018 General Services Meeting
3. Approval of Bills as Submitted.
4. Setting of General Services and Public Works Committees meetings for Tuesday, November 13, 2018 at 12:00 noon and 4:00 p.m. respectively.
5. **Resolution No. 18-058-** A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING THE BELOW MENTIONED AGREEMENTS AND OTHER ACTIONS OF THE CITY OF COEUR D'ALENE, INCLUDING: APPROVAL OF FINAL PLAT, ACCEPTANCE OF AN IMPROVEMENTS, MAINTENANCE AND WARRANTY AGREEMENT, AND APPROVAL OF SECURITY FOR COEUR D'ALENE PLACE 30TH ADDITION (S-1-18); APPROVAL OF A GRANT AWARD AGREEMENT WITH TESH, INC., FOR ENERGY EFFICIENCY IMPROVEMENTS TO BUILDINGS ON ITS MAIN CAMPUS SERVING YOUTH AND ADULTS LIVING WITH DISABILITIES TOTALING \$52,251.00 IN CDBG FUNDING; APPROVAL OF A GRANT AWARD AGREEMENT WITH NORTH IDAHO COLLEGE FOUNDATION, INC., FOR SCHOLARSHIP FOR LMI COEUR D'ALENE RESIDENTS TO ATTEND NIC'S WORKFORCE TRAINING CENTER TOTALING \$42,770.40 IN CDBG FUNDING; APPROVAL OF DECLARATION OF SURPLUS OF UNUSED I.T. EQUIPMENT; APPROVAL OF A LEASE AGREEMENT WITH COEUR D'ALENE PARASAIL AND WATERSPORTS, LLC, FOR USE OF BAYS 4 AND 9 OF THE COMMERCIAL DOCK; AND APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH THE IDAHO DEPARTMENT OF PARKS AND RECREATION (IDPR) FOR MAINTENANCE OF THE TRAIL AND PARKWAY LOCATED ALONG EAST LAKESHORE DRIVE.

DISCUSSION: Councilmember Gookin noted that concerning the Memorandum of Understanding (MOU) with the Idaho Department of Parks and Recreation, he recently received information regarding trail concerns and asked Mr. Greenwood to clarify the current conditions and maintenance along the shoreline. Mr. Greenwood noted that he reviewed the trail conditions and found one spot in need of repair. Upon discussions with the State Parks Department staff, Randall Butt, they confirmed that the trail is in good condition. There is one location that is in need of a small repair; however, the Street Department Superintendent felt his staff could do a simple curb line fix. In their conversation, Mr. Butt noted that there are other issues that are outside of the City's maintenance area. Mr. Greenwood clarified that the MOU says anything above routine maintenance would be the City's responsibility.

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

ANNOUNCEMENTS: Councilmember Miller noted that she and Community Planning Director Hilary Anderson worked together with 16 community leaders to explore the performing arts center feasibility study in detail. They are adding an addendum to the study to include additional information. She noted that the NIC's event study would soon be linked in one location on the city's website.

Councilmember Edinger encouraged citizens to get out and vote and noted that the polls are open until 8:00 p.m.

APPOINTMENTS: Mayor Widmyer asked for confirmation of the appointment of Bridget Hill to the Parks and Recreation Commission, Scott Hoskins to the ignite CDA Board and Zach MacKimmie as CDA TV Committee Student Rep Alternate.

MOTION: Motion by Edinger, seconded by Evans, to appoint Bridget Hill to the Parks and Recreation Commission, Scott Hoskins to the ignite CDA Board and Zach MacKimmie as CDA TV Committee Student Rep Alternate. **Motion carried.**

MIDTOWN PARKING STUDY

Councilmember Miller noted that she owns property within the boundary of the study area being discussed tonight; however, there is no conflict of interest.

STAFF REPORT: Community Planning Director Hilary Anderson provided a history of the parking study conducted by Rich & Associates, noting the study area included nine blocks along 4th Street from Foster to Harrison Avenues. They held a public meeting on June 12, 2018 and provided the final report dated September 2018. Some of the report highlights included the finding that the highest parking use area was from Montana Avenue to E. Reid Avenue, with peak occupancy from 11:00 a.m. to 1:00 p.m., and an overall daytime surplus of 435 spaces (88 spaces within the core area). The division of public to privately owned parking is at 65% privately owned, and the study recommends having 50% split between public and privately owned parking. They provided several recommended solutions including improvements to existing public parking (such as lighting, striping), provide more public parking in the Reid to Boise Avenue corridor; improved lighting in alley leading to public parking; create residential parking zone and enforcement; create loading zones for deliveries; marketing of parking lots, and work to identify future public parking lots. Another public meeting was held November 5, 2018 and public input received included more analysis of the maps outlining private and public owned parking distribution throughout the area. Ms. Anderson noted that the next steps include a presentation to ignite CDA, staff development of a mid-town parking plan, then a February presentation to the City Council.

DISCUSSION: Mayor Widmyer noted that the study was good but has some flaws, such as the fact that Safeway is included in the parking surplus; however, he felt it was a good base. He also noted that it is the City's responsibility to protect the residential neighborhoods and believes the

action plans seem achievable. He believes that it will take some time to a 50% private/public parking split, but gives a good future goal. Additionally, he has recruited Captain Hagar to assist with the drafting of the plan. Councilmember McEvers asked about the infill regulations, as we are running out of room and wondered if any changes would be made to the parking requirements in those areas. Ms. Anderson Hilary include that parking is included in the infill zone; however, the goal is to not over require parking to the point it is a deterrent to development, rather to seek a balance. Councilmember McEvers ask if the city has a 50/50 of parking in downtown. Ms. Anderson felt that it would be very close with the new parking facility. Mayor Widmyer noted that there are opportunities to reconstruct the midtown public parking lot to add more spaces. Councilmember Miller asked how far into the future would the plan look and how long they feel it would take to achieve the 50/50 public/private parking mix. Ms. Anderson noted that the study is for a 5-10 year period and that staff can look longer if council wants. The Comprehensive Plan is a 20-year plan and will have more focus on neighborhoods and commercial districts. Councilmember English felt that the public meeting held last night included a good process of soliciting input. He felt that on paper the parking surplus looks different from what it feels like for those people who live in the neighborhood and feels there are opportunities for parking improvements in the area. Councilmember Gookin noted that he has three issues that should be addressed including public parking lots marketing; restricting parking within neighborhoods; and creating loading zones and determining how to get delivery trucks to adhere to them.

MOTION: Motion by Evans, seconded by English, to direct staff to develop a Parking Plan for Midtown. **Motion carried.**

RESOLUTION NO. 18-059

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A DESIGN, FABRICATION AND INSTALLATION SERVICES AGREEMENT WITH DAVID BOYER FOR THE SELTICE WAY "SWIMMING WITH FRIENDS" AND "SOARING WITH FRIENDS" ARTWORKS.

STAFF REPORT: City Administrator Troy Tymesen noted that a national request for art proposals opened on March 26, 2018. The City received a total 130-artist qualification submissions through an online system called CallforEntry.org (CaFE) and after initial review, the artists who met the minimum qualifications were narrowed down to 97 artists. The selection committee consisted of seven voting members, who narrowed the selection down to six finalists. The finalists were requested to prepare proposals, budgets and maquettes. The artist finalists were Wenxia Zhang, David Boyer, Allen & Mary Dee Dodge, Ilan Averbuch, John Davis, and Ken McCall. Each artist was provided with a proposal preparation fee of \$1,000, and the maquettes and proposals were due by August 17, 2018. After receipt of the maquettes by the City, they were placed on display in three separate locations (City Hall, Coeur d'Alene Public Library, and the Kroc Center), for a period of approximately one week in each location, to allow for public comment. Over 1,100 public comments were received and the comments were overall extremely positive. Following the close of the public comment period, the selection committee

met again on October 1, 2018 to review the public comments and other considerations. Also in attendance at that meeting was Matt Gibb, of Welch Comer Engineers, the designer of the roundabouts, who was available to answer engineering-related questions. Skype interviews with each artist were conducted and the artists were asked about their experience and their vision for the Seltice Way Roundabouts. The rating score sheets were tallied, and the high score was received by artist David Boyer, of Reno, NV, and his art proposals entitled “Swimming with Friends” and “Soaring with Friends.” The selection committee was especially impressed with Mr. Boyer’s Skype interview, the research he conducted on the project, and the extremely positive responses received from his previous project references. Public comments received for Mr. Boyer’s maquettes were also very positive, and his proposal came in as one of the top three favorites. The recommendation of the selection committee was then presented to the Arts Commission at their meeting on October 23, 2018. The Commission voted unanimously to accept the recommendation of the selection committee, with a couple minor amendments regarding kinetics and that the bird piece look more like a bird than a plane, which the artist was amenable to. The Commission recommends that Council approve a contract with David Boyer for “Swimming with Friends” and “Soaring with Friends” in the amount of \$160,000. Pursuant to the Request for Qualifications timeline, the artwork would be scheduled for completion and installation in May or June of 2019.

DISCUSSION: Mayor Widmyer noted that there has been a lot of public input and staff work on this process and expressed appreciation to all. Councilmember Evans thanked the Committee for their dedication to reviewing the pieces and sitting through Skype interviews of artist. She thanked Teresa Runge, who led the project, for her time and being extremely thorough.

MOTION: Motion by Miller, seconded by Evans, to approve the **Resolution No. 18-059**, approving a Contract with David Boyer for public art on the Seltice Way Roundabouts.

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

(LEGISLATIVE PUBLIC HEARING) A-3-18: A PROPOSED 7.18 ACRE ANNEXATION FROM COUNTY AGRICULTURAL TO CITY R-8, LOCATED AT: 2008, 1950 & 1914 PRAIRIE AVENUE APPLICANT: COEUR D’ALENE SCHOOL DISTRICT 271

STAFF REPORT: Senior Planner Sean Holm explained that Coeur d’Alene School District 271 is requesting annexation of 7.18 acres from County Agricultural to City R-8 (Residential 8 units/acre) zoning on the property located at 2008, 1950 & 1914 Prairie Avenue. Mr. Holm noted that the reason for the request is to build a school in the fast growing area of the community. The Planning Commission heard the request for special use permit for community education and it was approved. Mr. Holm noted that there are four findings required for this annexation as follows: that the request is or is not in conformance with the Comprehensive Plan; that public facilities and utilities are or are not available and adequate for the proposed use; that

the physical characteristics of the site do or do not make it an acceptable request at this time; and that the proposal would or would not adversely affect the surrounding neighborhood. He presented the surrounding zoning, land uses, and applicable Comprehensive Plan objectives and provided staff input regarding the finding categories. He noted that staff recommends the annexation agreement include language to confirm the entities described within this staff report, including but not limited to: Lakes Highway District, Hayden Lake Irrigation (HLID), and the developer of Vista Meadows & CDA Place, provide assurance that their needed services and access are in place to ensure a high quality and safe asset for the School District and the citizens of Coeur d'Alene. He noted that the access off Prairie Avenue was intended to emergency services access and/or deliveries and could be redesigned to meet those needs elsewhere.

DISCUSSION: Councilmember Gookin asked if there are any other planned street accesses on the property. Mr. Holm noted that Moselle Avenue would be the access road, which will be across Prairie Avenue and aligns with Vantage Drive in Hayden. Then the south entrance would be created as Coeur d'Alene Place develops to the north. Councilmember Gookin noted that there was concern regarding Lakes Highway District having issue with access to Prairie Avenue and he noted that he spoke to the School Superintendent and the Lakes Highway District Commissioners, as it is a big deal and will likely be in the paper tomorrow. Councilmember Edinger asked if there would be any signal installed with the project. Mr. Holm noted that the City is not requiring one but the Highway District would have jurisdiction on Prairie Avenue.

APPLICANT: The Clerk swore in the applicant's representative. Attorney Megan O'Dowd spoke on behalf of the school district and provided an area map explaining the location of the future development. She noted that the voters have already approved the bonding for the funding of the construction of the elementary school. She reiterated the available public facilities and utilities within the area. Ms. O'Dowd said that the School District would continue to meet with the Lakes Highway District and work on issues regarding Prairie Avenue access and street light needs. The Vista Meadows subdivision is required to bring in public improvements through prior to development of the subdivision. She reviewed the roadway site plan for the Vista Meadows development and noted that the proposed use would be consistent with the surrounding neighborhoods.

DISCUSSION: Councilmember McEvers asked if the only access to the School would be coming through a subdivision. Ms. O'Dowd confirmed that the primary access will not be off Prairie Avenue and that they only envisioned that access as a service access with right in right out only. Councilmember McEvers felt that access through the subdivision does not look right. Councilmember Gookin explained that the issue is that a traffic signal on Prairie Avenue would be a major impact, even though it is a major arterial, as when traffic is rerouted from I-90 for whatever reason it would go to Prairie Avenue. Prairie moves traffic efficiently east to west and if another signal in install it would be 1,600 feet from Ramsey and would affect traffic. Councilmember Gookin noted that Prairie Avenue is an \$11 Million investment and it would need careful consideration for another signal. Mayor Widmyer clarified that the issue of the signal is not within the City's purview.

PUBLIC TESTIMONY: The Mayor opened the meeting for additional public comment. There was none, so public comment was closed.

MOTION: Motion by McEvers, seconded by Gookin to approve A-3-18: A proposed 7.18 acre Annexation from County Agricultural to City R-8, located at: 2008, 1950 & 1914 Prairie Avenue Applicant: Coeur d'Alene School District 271, to direct staff to negotiate an annexation agreement, and to develop the necessary Findings and Order.

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

(LEGISLATIVE PUBLIC HEARING) V-18-06; VACATION OF RIGHT-OF-WAY, ADJOINING LOTS 1-3, BLOCK 1, BOOTHE ADDITION, CITY OF COEUR D'ALENE

STAFF REPORT: Engineering Project Manager Dennis Grant explained that the applicant, Shelley R. Bruna, Trustee for the Ralph Rudolph Rash Irrevocable Trust, is requesting the vacation of a portion of Annie Avenue right-of-way that adjoins the northerly boundary of the property located at 1941 N. 9th Street. The requested right-of-way was originally dedicated to the City of Coeur d'Alene in the Borah Third Addition plat in 1954. The purpose of this request is to vacate the unused street right-of-way. Annie Avenue is a dead-end street that was cut off when Interstate 90 was built. It is unimproved and not needed by the City as there is no foreseeable use for this additional right-of-way. Therefore, the vacation of this portion of street right-of-way adjoining this lot would not impact the City and would be a benefit to the property owner. Mr. Grant noted that he sent out 33 notices and received three responses with one opposed and two neutral.

PUBLIC TESTIMONY: The mayor opened the meeting for public comment.

Jackie Foster noted that she owns Lot 12 in the Booth Addition and expressed concern that their neighbor to the north thought she would be given half of the vacation when this request was made. Mr. Grant explained that last year Carolyn Curtis asked for a vacation for a triangle piece that was a portion of alley and Annie Avenue. He spoke with her today and she expressed that she did not want to take half of the parcel near her property, as there was a verbal agreement between the parties that she would get the triangle and they would get this vacated piece.

Roger Foster asked if Annie Avenue was vacated, would he lose access. Mr. Grant confirmed there would still be access via Annie Avenue.

COUNCIL BILL NO. 18-1025

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, VACATING A PORTION OF ANNIE AVENUE RIGHT-OF-WAY, ACCORDING TO THE PLAT OF BORAH THIRD ADDITION, RECORDED IN BOOK D, PAGE 52 IN THE OFFICE OF THE RECORDER OF KOOTENAI COUNTY, IDAHO, GENERALLY DESCRIBED AS THAT PORTION OF THE ANNIE AVENUE RIGHT-OF-WAY ADJOINING THE NORTH LINE OF LOT 1, BLOCK 1, BOOTH ADDITION IN THE CITY OF COEUR D'ALENE LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE,

KOOTENAI COUNTY, IDAHO; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

MOTION: Motion by McEvers, seconded by Evans, to dispense with the rule and read **Council Bill No. 18-1025** once by title only.

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

MOTION: Motion by McEvers, seconded by Evans, to adopt **Council Bill 18-1025**.

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

(LEGISLATIVE PUBLIC HEARING) V-18-08, VACATION OF RIGHT-OF-WAY, SELTICE WAY, ADJOINING A PORTION OF GOV'T LOTS 1 & 2 AND THE NE ¼ OF SEC. 10, T. 50 N., R. 4 W. IN THE CITY OF COEUR D'ALENE

STAFF REPORT: Mr. Grant explained that the applicant, City of Coeur d' Alene and Ignite CDA, are requesting the vacation of right-of-way along the south side of Seltice Way, East of Atlas Road. The four (4) lane divided highway known as Seltice Way was originally constructed in 1926 as US Highway 10, with the portion from Coeur d'Alene to the Idaho/Washington boundary being replaced by I-90 in 1971. The right-of-way width adjoin the subject property varies in width from +/- 260'. The purpose of this request is to vacate the unused portion of right-of-way along the south side of Seltice Way, East of Atlas Road. Seltice Way was recently reconstructed, widened and rebuilt. As part of this construction, a bike path was added along the south side of Seltice Way. The applicants are proposing to vacate a portion of Seltice Way, which is 2 feet south of the current trail. The request would not have any impact on future expansion of the Seltice Way corridor since the current project is almost complete and does not have any financial impact to the City. He noted that he sent out 23 notices and received zero return comments.

PUBLIC TESTIMONY: The mayor opened the meeting for public comment. There was none, so public comment was closed.

COUNCIL BILL NO. 18-1026

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, VACATING A PORTION OF SELTICE WAY RIGHT-OF-WAY, GENERALLY DESCRIBED AS A PARCEL OF LAND ADJOINING THE NORTHERLY BOUNDARY OF GOVERNMENT LOTS 1 AND 2 AND THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE

PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE
HEREOF.

MOTION: Motion by McEvers, seconded by Edinger, to dispense with the rule and read
Council Bill No. 18-1026 once by title only.

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

MOTION: Motion by McEvers, seconded by English, to adopt **Council Bill 18-1026**.

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

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

The meeting adjourned at 7:52 p.m.

ATTEST:

Steve Widmyer, Mayor

Renata McLeod, CMC, City Clerk