

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

January 19, 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 January 19, 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	)	
Dan English	)	
Woody McEvers	)	
Amy Evans	)	

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

**INVOCATION:** Pastor Ray Duran with the Amor Del Calvario Church provided the invocation.

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

**COEUR D'ALENE FIRE CADET PROGRAM WITH SCHOOL DISTRICT 271 HIGH SCHOOLS PRESENTATION**

Fire Fighter Greg Thaxton explained that the Department has created a cadet program open to School District 271 High School students. This program gives students an alternative elective credit accepted at their respective schools. Cadets will be accruing a minimum of 80 hours per semester in exchange for their credit. Currently there are three students enrolled including John Sells, Seth Ruane, and Michael Graves for the semester starting February 2, 2016. The selection process is a competitive process designed to mirror that of actual entry-level firefighter.

**CLIMATE CHANGE PRESENTATION**

Russell Hersrud explained that he is a concerned citizen with a degree in science. He presented information to the Council regarding weather and climate change and noted that the speed of change is surprising scientists. He described the greenhouse gas effect and its change resulting in global warming. He presented evidence of global warming as changes to the earth's surface temperature over time. He presented the Idaho and Coeur d'Alene mean annual temperature from 1895 to 2015. Mr. Hersrud reviewed sources of CO<sub>2</sub> emissions, which are causing changes to glaciers and plant and animal life. He suggested that the City Council adopt the Complete Street Program encouraging multi-modal transportation options, and revitalize the City's Green

Team. He also requested the Council implement a transportation task force. Mayor Widmyer thanked him for the information and noted that he will get back to him regarding his requests.

## **CDA 2030 UPDATE**

Dr. Charles Buck noted that next month is the third anniversary of the inception of CDA 2030. He noted that the level of community collaboration has been remarkable and has resulted in synergy throughout the community. The roadmap for the team is the formal Implementation Plan that was released in August. The board consists of 21 community leaders. He noted that Nicole Kahler is the Project Manager for CDA 2030 and has been leading projects this year. He reviewed the items noted in the Implementation Plan and the matrix used as a measureable strategic plan. Dr. Buck noted that last year's annual celebration occurred with the Riverstone concert series wherein they connected with approximately 500 citizens. They received a \$5,000 award from the America's Best Communities program and used that grant for micro-grants to support healthy leaving within the community. He reviewed the Gizmo Coeur d'Alene Makerspace successes. Since May 2014, they have served approximately 6,000 community members, and have received over \$140,000 in external grants to enable this activity. Additionally, he reviewed the Kids Camp program that is intended to serve young children and prevent the summer slide. They have actively been involved in the East Sherman Avenue master planning and visioning efforts. He noted that they are still actively listening to the community and asked that the community to follow them on Twitter and like them on Facebook.

**MOTION:** Motion by English, seconded by Gookin to remove item 7 (d) from the Consent Calendar Resolution, Agreement with Murray, Smith & Associates, pursuant to staff request.  
**Motion Carried.**

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

1. Approval of Council Minutes for January 5, 2016.
2. Approval of Bills as Submitted.
3. Approval of General Services and Public Works Committee Meeting Minutes for January 11, 2015.
4. Setting of General Services and Public Works Committees meetings for January 25, 2016 at 12:00 noon and 4:00 p.m. respectively.
5. Setting of Public Hearings for February 2, 2016:
  - a. **A-3-15** - Applicant: Harmony Homes, LLC; 2810 & 2960 W. Prairie Avenue, a proposed annexation from County Agriculture to City R-8 (Residential at 8 units/acre)
  - b. **PUD-1-04.4** - Applicant: Riverwalk Townhomes, LLC; Appeal of Planning Commission Denial without prejudice; Bellerive Lane, requested modification to Riverwalk PUD
  - c. **S-6-15** - Applicant: Riverwalk Townhomes, LLC; Appeal of Planning Commission Denial without prejudice; Bellerive Lane, requested proposed 2-lot preliminary plat "Riverwalk Townhomes"
6. Setting of a Public Hearing for February 16, 2016 regarding substantial amendments to the Community Development Block Grant Plan Year 2014 and 2015 Action Plans.

- 7. Resolution No. 16-002** - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE BELOW MENTIONED CONTRACTS AND OTHER ACTIONS OF THE CITY OF COEUR D'ALENE INCLUDING APPROVING S-1-14.M, LAKE FOREST WEST 2ND ADDITION: FINAL PLAT, SUBDIVISION AGREEMENT & SECURITY APPROVAL; APPROVING AN EVENT AGREEMENT WITH PANHANDLE KIWANIS CLUB FOR THE TASTE OF THE COEUR D'ALENE'S EVENT IN THE CITY PARK; APPROVING A LEASE AGREEMENT WITH LAKE COEUR D'ALENE CRUISES FOR LEASE OF BAYS 1, 2, 3, 6, 7, AND 8 ON THE COMMERCIAL DOCK; ~~APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH MURRAY, SMITH AND ASSOCIATES, INC., FOR THE WELL WATER QUALITY ENHANCEMENT EVALUATION PROJECT;~~ APPROVING AN IDAHO TRANSPORTATION DEPARTMENT - LOCAL PROFESSIONAL SERVICES AGREEMENT WITH WELCH COMER & ASSOCIATES, INC. FOR THE SELTICE WAY SIDEWALK PROJECT.

**DISCUSSION:** Councilmember English wanted to make sure that the Pedestrian and Bicycle Committee and the community gets an opportunity for input on the Seltice Way sidewalk project. City Engineer Gordon Dobler said that he would present the plan to the Pedestrian and Bicycle Committee.

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

**PUBLIC COMMENTS:**

**Transportation Taskforce**

Bill Irving said that he was the President of the Climate Action CDA Group and he would support the creation of a task force on transportation. He noted that he grew up in the Coeur d'Alene area and encouraged people to use alternative modes of transportation to vehicles. He felt a task force would ensure safe travel by pedestrians and bicyclists. Councilmember Gookin asked if Mr. Irving was familiar with the Pedestrian and Bicycle Committee and asked for clarification as to what the differences are from the proposed task force. Mr. Irving noted that the task force would look at all organizations and all activities that are involved in transportation throughout the city. They would recommend healthy transportation options and review the effectiveness of the Pedestrian and Bicycle Committee and all city activities and what needs improvement. He noted that task force members could live in the area.

Carl Sothic said he is a retired professor and urged the Council to take climate change seriously. He noted that he was originally a sceptic and has since studied it throughout the country and now knows it is real. He requested the Council take action.

Craig Cooper, Hayden, moved to the area about three years ago. He noted that he is impressed with the City's leadership that embraced CDA 2030. He is in support of implementing a transportation task force and other ideas to consider climate change's impact to quality of life.

He is a professional environmental scientist and expressed his willingness to talk to anyone about the issue and the reality of climate change. He noted that wild fires are becoming more prevalent and believes small communities coming together to make changes will make an impact.

#### **MAYOR AND COUNCIL COMMENTS:**

Councilmember Miller announced that on February 1, 2016 at 3:00 p.m. is the opening of the Lake City Public Library branch within Lake City High School and encouraged the community to visit the new branch.

Councilmember English noted that he previously committed his attendance to training in Washington D.C. on behalf of Habitat for Humanity, so he will be absent the first week of February.

Councilmember Gookin noted the resolution passed by the previous Council regarding their support regarding gaining public access to the Spokane River. He wanted to reassure those interested in the issue that the existing resolution stands, even though there is a new Council seated. He reassured the community that the Council is still in support of public water access.

#### **APPOINTMENTS:**

**MOTION:** Motion by McEvers, seconded by Edinger to approve the appointment of Walter Melior to the Jewett House Advisory Board and John Schwandt, Steve Bloedel, and Glenn Truscott to the Urban Forestry Committee. **Motion carried.**

#### **REQUEST TO ESTABLISH PARKING ON 4TH STREET, SOUTH OF SHERMAN**

**STAFF REPORT:** Engineering Services Director Gordon Dobler said that the Public Works Committee heard this request on December 7, 2015. He noted that the Downtown Association made the request to allow parking on the west side of 4<sup>th</sup> Street south of Sherman Avenue. Parking was reviewed during the design of McEuen park and reestablishing parking on the west side of 4<sup>th</sup> Street would leave a single lane, 17' to 18' wide, and modify the traffic signal detection at 4<sup>th</sup> Street and Sherman Avenue. There may be some impact to pedestrian visibility when cars are parked, as there is no bulb-out at that intersection. He introduced Terry Cooper, the Downtown Association President, to address questions from the Council.

**MOTION:** Motion by Edinger, seconded by Miller to direct staff to move forward with the formation of parking on the west side of 4th Street, south of Sherman as requested, with the addition of one accessible parking space.

**DISCUSSION:** Councilmember Gookin asked for clarification regarding the limitation of parking within an intersection and pedestrian visibility. Mr. Dobler noted that Idaho Code states that parking is not allowed within 20 feet of an intersection or crosswalk. Those areas are not normally marked which, if someone parks within that area, could cause pedestrian visibility issues. Councilmember Gookin asked if it would be difficult to remove the parking in the future, if it does not work. Mr. Dobler explained that it could be as easy as removing the two hour

parking signs, as this proposal does not include any physical changes. He further explained that if the on-street parking spaces were not marked, then it would not require an accessible stall to be placed. Councilmember Gookin asked if an accessible stall could be added to the plan. Mr. Dobler noted that an accessible space would require modification to the sidewalk or the addition of a curb ramp to ensure an accessible route. Councilmember Edinger asked how many car parking spaces would be added. Mr. Dobler felt that seven or eight cars could fit in that space. Mr. Cooper reiterated that this area was redesigned with the McEuen Park design and it was originally thought it would be an entrance to McEuen, with a walking promenade. This area did not turn out to be a pedestrian area and this block has become a very quiet space with a lack of activity. He noted that the east side of the street is problematic due to the curb cuts for the bank. Mr. Cooper explained that this request is not about the need for additional parking; rather, it is about creating some energy to that block for those businesses. Councilmember McEvers said that he felt that the existing parking study is valid and did not demonstrate significance for this area to have parking. Councilmember Evans clarified that the neighboring businesses have been affected due to the lack of parking in more ways than what was anticipated by the McEuen redesign. She noted that the Parking Commission has heard a request from a business owner in that block stating that it was drastically affecting her business by not having on-street parking. Councilmember Evans believes the additional parking would be a small effort to help businesses and she would support it. Councilmember McEvers said he would not support this request and felt it would be better to put in a bike lane. Councilmember Gookin said that he believes the parking is on the wrong side of the street, but understood if it does not work; it would be a low cost solution to remove the signs. He also noted that he would like more spaces that are accessible.

**Motion carried with McEvers voting no.**

### **RESOLUTION NO. 16-003**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO  
AUTHORIZING A LETTER OF UNDERSTANDING REGARDING MAINTENANCE OF  
THE ROSENBERY LEVEE WITH NORTH IDAHO COLLEGE

**STAFF REPORT:** Mr. Dobler explained that this agreement is the next step in seeking FEMA Certification, as they require ongoing maintenance. He reviewed the accomplishments of certifying the levee and now they need to clarify ongoing maintenance responsibilities. This Agreement will help guide future budgeting and identify anticipated costs for each entity as well as ongoing maintenance responsibilities.

**DISCUSSION:** Councilmember McEvers asked Mr. Dobler to explain the difference between the FEMA and Army Corps certification of the levee. Mr. Dobler explained that the Army Corps was the lead agency; however, their rules did not allow any vegetation on a levee. After Katrina hit, Homeland Security wanted to certify all levees and provided an option for an outside agency to certify. It was beneficial to the City to meet the FEMA requirements, as they would consider recommendations for tree preservation. They did recommend some tree removal and a requirement of ongoing inspection and maintenance of items existing. Mr. Dobler said that certification of the levee provides a flood protection for the neighborhoods surrounding the levee

area. Councilmember McEvers expressed concern that the same rules apply to the City, as the areas hit by Katrina, even though we have a dam and a levee. Councilmember Edinger reiterated that FEMA said that the City has to do this or the neighborhood would not be allowed to be included in the flood protection area. Mr. Dobler noted that costs were split with NIC and no federal funds were received for the certification.

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

#### **RESOLUTION NO. 16-004**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AMENDING THE CLASSIFICATION AND COMPENSATION PLAN TO PROVIDE A TITLE AND CLASSIFICATION CHANGE FOR THE POSITION OF EQUIPMENT SPECIALIST, PAY GRADE 9 TO FLEET MANAGEMENT AND SUPPLY SPECIALIST, PAY GRADE 10.

**STAFF REPORT:** Human Resources Director Melissa Tosi explained that the Equipment Specialist position was reviewed by BDPA in 2006 and leveled at a pay grade 9. Since that time, the duties of that position have changed. Additionally, BDPA reassessed the position and leveled it at a pay grade 10, a 6% increase. The Police Department budget will absorb the additional cost this fiscal year through wage savings.

**MOTION:** Motion by Gookin, seconded by Evans to approve Resolution No. 16-004; approving amendments to Classification/Compensation Plan amending the Equipment Specialist position to reflect a new title of Fleet Management & Supply Specialist at pay grade 10.

**DISCUSSION:** Councilmember McEvers asked if this is a new position. Ms. Tosi explained that this position was filled previously and has been vacant since November. The Police Department has been juggling the duties.

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

#### **ZC-5-15 (QUASI-JUDICIAL HEARING); RON AYERS: 1808 NORTHWEST BLVD., ZONE CHANGE FROM R-17 TO C -17**

**STAFF REPORT:** Planner Mike Behary explained that the applicant has requested a zone change from Residential at 17 units per acre to Commercial at 17 units per acre. The property is a portion of a parcel fronting Emma and Davidson Avenues, east of Northwest Boulevard, and is approximately 1.28 acres. The applicant has disclosed that plans for the property are to combine this parcel with the abutting parcel currently containing the Garden Motel. The combined parcels would provide a 4.5-acre site and be developed with a new 100-room hotel and a bank. He reviewed the area land use and surrounding zoning. The findings needed tonight include the following: that this proposal is or is not in conformance with the comprehensive plan policies; that the 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 suitable for the request at this time; and that the proposal would or would not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character and or existing land use. Mr. Behary reviewed the applicable comprehensive plan sections and staff input regarding the finding categories.

Mayor Widmyer called for public comments and the Clerk conducted the oath for each of those testifying.

**APPLICANT:** Dick Stauffer announced that he is speaking as the applicant's representative. He explained that over the years, the large acreage parcels along Northwest Boulevard have already been developed, and this is the last remaining substantial developable parcel and that Mr. Ayers started assembling this piece in 2004. The current configuration of parcels includes an R-17 buffer zone of almost ½ acre abutting the R-12 residential zone from the commercial use. He reviewed the area land use including the three-story apartments to the north that front Emma Avenue, causing a traffic load on Emma comparable to commercial use. The area to the East is a stable established neighborhood including Davidson Avenue. Davidson Avenue is a very narrow street with parking on both sides and is not a valid short cut for commercial use. All development would be facing out to Northwest Boulevard. Mr. Stauffer presented a drawing of the proposed development, although he recognized that the Council is approving the zone change and not the development. Mr. Ayers has wanted to develop this property for years, and has received a franchise authority for a 100 room, four-story, Marriott Hotel which requires 100 parking stalls. He would like to include additional symbiotic uses such as a bank and/or a restaurant. The elevation of the site will dictate the development, with the tallest building to the lowest part of the parcel. Due to the hotel season, they need to open the hotel by May.

Public testimony was closed.

**MOTION:** Motion by McEvers, seconded by Miller to approve the proposed Zone Change from R-17 to C-17 requested by Ron Ayers: 1808 Northwest Blvd., and adopt the Findings and Order of the Planning Commission.

**DISCUSSION:** Councilmember Gookin expressed concern that the C-17 zoning is the most flexible zoning district and that the staff report talks about this specific project needs rather than considering the highest use of the zone. He is also concerned about the residential zone abutting the project. Mr. Behary explained that the buffer the developer is including is a separate parcel zoned R-17 that would be used to buffer the abutting R-12 zone. Mr. Stauffer explained that the buffer area will be a rounded area and that it is the highest part of the lot. Councilmember Gookin reiterated that he is concerned with C-17 next to an R-12 zone; however, the Comprehensive Plan does call this area an area of transition. Councilmember Miller felt that the effort to buffer the residential zone is very protective of the neighbors, and there is existing high-density use to the north. She believes this is a logical request.

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

**MOTION:** Motion by Gookin, seconded by Evans to enter into Executive Session as provided by Idaho Code 74-206 Sections (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:** McEvers Aye; Gookin Aye; Evans Aye; English Aye; Edinger Aye; Miller Aye. Motion carried.

The City Council entered into Executive Session at 7:52 p.m. Those present were the Mayor, City Council, City Administrator, Finance Director, City Attorney and Deputy City Attorney. Council returned to regular session at 9:05 p.m.

**RECESS: Motion** by Gookin, seconded by English to recess to Tuesday February 2, 2106, in the Old Council Chambers, at 4:00 p.m., for a Workshop with the City Legislative Committee and Staff regarding potential legislation and a potential remodel to City Hall. **Motion carried.**

The meeting adjourned at 9:10 p.m.

ATTEST:

\_\_\_\_\_  
Steve Widmyer, Mayor

\_\_\_\_\_  
Renata McLeod, CMC  
City Clerk