

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT COEUR D'ALENE CITY HALL,
APRIL 1, 2003**

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 Hall April 1, 2003 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Chris Copstead)	Members of Council Present
Dixie Reid)	
Deanna Goodlander)	
Woody McEvers)	
Loren Edinger)	
Ben Wolfinger)	

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

INVOCATION: The invocation was led Rev. Jon Donaldson, Bethel Baptist Church.

PLEDGE OF ALLEGIANCE was led by Councilman Edinger.

PROCLAMATION – CHILD ABUSE PREVENTION MONTH: Council President Reid read the proclamation on behalf of Mayor Bloem who proclaimed the month of April as “Child Abuse Prevention Month”.

PROCLAMATION – WEEK OF THE YOUNG CHILD: Councilman Copstead read the proclamation on behalf of Mayor Bloem who proclaimed the week of April 6th through the 12th as the Week of the Young Child. Leslie Schoch accepted the proclamation and invited the residents to the Silver Lake Mall next week where there will be an art show provided by the children.

PUBLIC COMMENTS:

PUBLIC PARKING LOT IMPROVEMENTS AND MAINTENANCE : Ed Muehlbach, President of the Downtown Association, urged that the Council continue to maintain the parking lot by applying a seal coat, stripe and fill potholes. Merlin Berger, business owner, and past chairman of the Downtown Parking Committee also supported the seal coating, striping and filling of pot holes in the parking lot. Motion by Wolfinger, seconded by Edinger to bring this item forward. Motion carried. Motion by Copstead, seconded by Goodlander to approve the proposed expenses as follows: 1) for striping the entire parking lot in the amount of \$2,100; 2) the cost of loop wiring and gate equipment in the amount of \$4,726; 3) the cost of a smart gate sensor in the amount of \$718; and, 4)

the purchase of a new on-street parking enforcement vehicle in the amount of \$20,800. Motion by Wolfinger, seconded by Edinger to amend the motion to include the seal coating for a cost of \$22,000 which includes the striping of the entire parking lot. Motion by Edinger, seconded by Wolfinger to call for the question. Motion carried. Motion carried on the amendment. Original motion as amended carried.

CONSENT CALENDAR: Motion by Reid, seconded by Edinger to approve the Consent Calendar as presented.

1. Approval of minutes for March 12, 18, 2003.
2. Setting of General Services and Public Works Committee meetings for April 7, 2003 at 4:00 p.m.
3. RESOLUTION 03-035- A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING THE BELOW MENTIONED CONTRACTS AND OTHER ACTIONS OF THE CITY OF COEUR D'ALENE INCLUDING APPROVAL OF A BID AWARD TO KEMIRON COMPANIES, INC., IN THE AMOUNT OF \$40,583.40, FOR THE PURCHASE OF ALUMINUM SULFATE FOR THE WASTEWATER DEPARTMENT; APPROVAL OF A BID AWARD TO THATCHER COMPANY OF MONTANA IN THE AMOUNT OF \$14,512.23 FOR THE PURCHASE OF CHLORINE AND SULPHUR DIOXIDE FOR THE WASTEWATER DEPARTMENT; APPROVAL OF AN IRONMAN USA, COEUR D'ALENE EVENT AGREEMENT WITH IRONMAN NORTH AMERICA TRIATHLON, INC. AND THE COEUR D'ALENE CHAMBER OF COMMERCE TO STAGE AN IRONMAN TRIATHLON EVENT IN AND AROUND THE CITY OF COEUR D'ALENE; APPROVAL OF A BID AWARD TO RAGAN EQUIPMENT IN THE AMOUNT OF \$15,450 FOR THE PURCHASE OF 2 TURF VEHICLES FOR THE PARKS AND CEMETERY DEPARTMENT AND APPROVAL OF A BID AWARD TO ROBIDEAUX MOTORS IN THE AMOUNT OF \$36,139 FOR THE PURCHASE OF 2 PICK-UP TRUCKS FOR THE PARKS AND CEMETERY DEPARTMENT.
4. Setting of a public hearing for Solid Waste Fees and Use of Wheeled Carts for May 6, 2003.
5. Acceptance of proposal for Street Department's Purchase of Utility Trailer
6. SS-1-03 – Final Plat approval of Lake Forest 10th Addition
7. SS-2-03 – Final Plat approval of Lake Forest 9th Addition

ROLL CALL: Goodlander, Aye; Edinger, Aye; Wolfinger, Aye; Copstead, Aye; McEvers, Aye; Reid, Aye. Motion carried.

PUBLIC HEARING – APPEAL OF DENIAL OF CHILDCARE FACILITY LICENSE: Mayor Bloem read the rules of order for this public hearing. No conflict of interest was declared by any Councilman. Susan Weathers, City Clerk, gave the staff report.

Mrs. Weathers reported that Michelle Base had applied for a Childcare Facility license. Part of that process is to complete a background check. The background check revealed that in 2000, Ms. Base had been found guilty of possession of a controlled substance. M.C. 5.68.060A directs that no license shall be issued to an individual who has been found guilty of a crime listed in this code section.

PUBLIC COMMENTS: Michelle Base, 503 E. Best, spoke as appellant, stating that the conviction was a misunderstanding.

Motion Wolfinger, seconded by Reid finding that on December 13, 2002, Michelle Base applied for a childcare facility license as well as submitted her application and fingerprints for a background check. On February 24, 2003, the background check revealed that Michelle had been found guilty of possession of a controlled substance on October 17, 2000. M.C. 5.68.060A states that no childcare facility license shall be issued where an individual operator has been found guilty of a crime involving a controlled substance. That during this public hearing Michelle Base had not provided sufficient evidence to refute the conviction as being placed upon her and therefore based upon the foregoing evidence, moved that the childcare facility license be denied. **ROLL CALL:** Goodlander, Aye; Edinger, Aye; Wolfinger, Aye; Copstead, Aye; McEvers, Aye; Reid, Aye. Motion carried.

SHADDUCK PARK: Councilman Copstead announced that the development of Shadduck Park is coming along on schedule. He noted that the Parks Department met with the neighbors on March 25th. The Parks Department had held a name the playground contest that the neighborhood children designed. They received several possible names for the playground. The suggested names will be reviewed and the neighborhood children will select a name.

SOFTBALL FIELD AT WOODLAND MIDDLE SCHOOL: Councilman Copstead reported that with the help of the Street Department and the Parks Department a new softball field is being installed at Woodland Middle School.

PUBLIC TRANSPORTATION: Council President Reid announced that beginning today, April 1st, we have had a seamless transition of the public transportation services in Kootenai County to the new organization.

CHILDREN'S VILLAGE: Council President Reid announced that the Children's Village is hosting their Annual Charity Auction and Dinner on April 18th at Cd'A Inn at 6:00 p.m. For reservations please call 664-1189. She also noted that flyers are available at the City Hall reception desk.

EXECUTIVE TEAM REPORT: Troy Tymesen announced that The Municipal Services Department is holding their annual Shoebox Treasures Program. Thanks to the Information Technology team, our city's youth, ages 4 to 14, can now sign up for the Skyhawk Youth Camp on the City's website. The Recreation Dept. has signed up 94

teams with 840 kids for this spring's soccer program. The Police Department's Bike Patrol will begin their Downtown patrol beginning this weekend. On a final note, our K-9 Officer, Justice, fully recovered and is back on duty.

CHILDCARE CODE AMENDMENTS: Motion by Copstead, seconded by Wolfinger to direct staff to prepare an ordinance amending M.C. 5.68.060 – License: Denial Conditions and M.C. 5.68.110 Prohibited Acts and forward to the Council on April 15, 2003. Motion carried.

ORDINANCE NO. 3104

AN ORDINANCE AMENDING SECTIONS 10.22.050, 10.22.070 AND 10.22.100 OF THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, TO PROVIDE THAT THE RESIDENTIAL PARKING DECALS BE PLACED IN THE LEFT REAR WINDOW (DRIVER'S SIDE); TO ADD CHRISTMAS EVE TO THE LIST OF HOLIDAYS EXEMPT FROM THE PERMIT REQUIREMENT; AND TO ADD SUBSECTION 10.22.100(E) TO PROVIDE THAT THE CITY CLERK MAY ISSUE TEMPORARY PARKING PASSES TO THE HOMEOWNER'S ASSOCIATION FOR MANAGEMENT OF SPECIAL EVENTS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Motion by Copstead, seconded by Wolfinger to pass the first reading of Ordinance No. 3104.

ROLL CALL: McEvers, Aye; Reid, Aye; Edinger, Aye; Copstead, No; Goodlander, Aye; Wolfinger, Aye. Motion carried.

Motion by Reid, seconded by Wolfinger to suspend the rules and to adopt Ordinance No. 3104 by its having had one reading by title only.

ROLL CALL: McEvers, Aye; Reid, Aye; Edinger, Aye; Copstead, Aye; Goodlander, Aye; Wolfinger, Aye. Motion carried.

ORDINANCE NO. 3105

AN ORDINANCE OF THE CITY OF COEUR D'ALENE OF KOOTENAI COUNTY, IDAHO, AMENDING ORDINANCE NO. 3094; AUTHORIZING THE AMENDMENT OF THE ASSESSMENT ROLL AND DIRECTING THE FILING OF THE AMENDED ASSESSMENT ROLL; PROVIDING FOR THE EFFECTIVE DATE AND PUBLICATION OF THIS ORDINANCE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Motion by Reid, seconded by Wolfinger to pass the first reading of Ordinance No. 3105.

ROLL CALL: Reid, Aye; Edinger, Aye; Copstead, Aye; Goodlander, Aye; Wolfinger, Aye; McEvers, Aye. Motion carried.

Motion by Wolfinger, seconded by Copstead to suspend the rules and to adopt Ordinance No. 3105 by its having had one reading by title only.

ROLL CALL: Reid, Aye; Edinger, Aye; Copstead, Aye; Goodlander, Aye; Wolfinger, Aye; McEvers, Aye. Motion carried.

ORDINANCE NO. 3106

AN ORDINANCE OF THE CITY OF COEUR D'ALENE OF KOOTENAI COUNTY, IDAHO, DECLARING THE COST OF ACQUIRING CONSTRUCTION, AND INSTALLING IMPROVEMENTS TO CERTAIN ROADWAY AND RELATED IMPROVEMENTS WITHIN THE BOUNDARIES OF LOCAL IMPROVEMENT DISTRICT NO. 146 OF THE CITY; AUTHORIZING THE ISSUANCE AND SALE OF LOCAL IMPROVEMENT DISTRICT NO. 146 BONDS, SERIES 2003, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$676,486.00; PROVIDING THE FORM, TERMS, RATES, MATURITY, CONDITIONS AND COVENANTS OF SAID BONDS; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS OF THEIR SALE; PROVIDING FOR OPTIONAL REDEMPTION OF SUCH BONDS PRIOR TO MATURITY; APPROVING THE OFFER TO PURCHASE THE BONDS; CONFIRMING THE SALE OF SUCH BONDS; PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE; PROVIDING FOR PUBLICATION OF THE SUMMARY OF THE ORDINANCE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Motion by Edinger, seconded by Reid to pass the first reading of Ordinance No. 3106.

ROLL CALL: Edinger, Aye; Copstead, Aye; Goodlander, Aye; Wolfinger, Aye; McEvers, Aye; Reid, Aye. Motion carried.

Motion by Edinger, seconded by Wolfinger to suspend the rules and to adopt Ordinance No. 3106 by its having had one reading by title only.

ROLL CALL: Edinger, Aye; Copstead, Aye; Goodlander, Aye; Wolfinger, Aye; McEvers, Aye; Reid, Aye. Motion carried.

SUMMARY OF ORDINANCE NO. 3106: Motion by Reid , seconded by Copstead to adopt the Summary of Ordinance No. 3106. ROLL CALL: Edinger, Aye; Copstead, Aye; Goodlander, Aye; Wolfinger, Aye; McEvers, Aye; Reid, Aye. Motion carried.

EXECUTIVE SESSION: Motion by Copstead, seconded by Reid to enter into Executive Session as provided by I.C. 67-2345 Subsection A: To consider hiring a public

officer, employee, staff member or individual agent; Subsection B: To consider the evaluation, dismissal or disciplining of or to hear complaints or charges brought against a public officer, employee, staff member or individual agent; Subsection C: To conduct deliberations concerning labor negotiations or to acquire an interest in real property not owned by a public agency; and, Subsection F: To consider and advise its legal representatives in pending litigation or where there is a general public awareness of probable litigation.

ROLL CALL: Goodlander, Aye; Edinger, Aye; Wolfinger, Aye; Copstead, Aye; McEvers, Aye; Reid, Aye. Motion carried.

The session began at 7:15 p.m. Members present were the Mayor, City Council, City Administrator, City Clerk and Acting City Attorney. Matters discussed were those of personnel, labor negotiations, property acquisition and legal issues. No action was taken and the Council returned to regular session at 9:25 p.m.

RESOLUTION 03-036

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH TIMOTHY TROUT.

Motion by Wolfinger, seconded by Goodlander to adopt Resolution 03-036.

ROLL CALL: Reid, Aye; Wolfinger, Aye; Copstead, Aye; McEvers, Aye; Goodlander, Aye; Edinger, Aye. Motion carried.

ADJOURNMENT: Motion by Wolfinger, seconded by Goodlander that there being no further business, this meeting is adjourned. Motion carried.

The meeting recessed at 9:27 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, City Clerk