

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT COEUR D'ALENE CITY HALL
JANUARY 4, 2005**

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 January 4, 2005 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Dixie Reid)	Members of Council Present
Woody McEvers)	
Ben Wolfinger)	
A. J. Al Hassell, III)	
Deanna Goodlander)	
Loren Edinger)	

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

INVOCATION: The invocation was led by Pastor Ron Hunter, Church of the Nazarene.

PLEDGE OF ALLEGIANCE: The pledge was led by Councilman Wolfinger.

PRESENTATION –SNOW REMOVAL PROGRAM: Jon Ingalls provided an overview of the City's Snow Plan for 2004/05. He reported that snow removal is about 15% of the \$2,000,000 Street Maintenance Budget. He announced that the City's snow gate program is such a success that other cities have contacted our Street Department to see how the snow gate system works. Mr. Ingalls noted that, with the City's 210 miles of streets, priorities have been set to make sure that first hospital access, arterials, steep hills and curves, major collectors, bus routes are cleared and then residential streets. It is the Street Department's goal to clear all streets within 42 hours after a major snow fall. He did ask citizens to keep cars off the streets to assist in the removal of snow from streets. Jon reviewed some of the changes in the 2004/05 Snow Plan including the purchase of a new snow plow and grader. He indicated that the National Weather Service forecasts a warmer than normal winter with a lower than normal snow fall. Cliff Harris, on the other hand, believes 84" of snow will fall this winter season. Council President Reid commended the Street Department for decreasing the snow removal time by 4 hours although more than 10 miles of new streets were added to the City this past year.

PUBLIC COMMENTS:

Randy Tetzner, 1318 E. Locust Avenue, complained about how he was treated at the County regarding his taking his "service animal", a Chihuahua, to the County.

SANDERS BEACH: Colleen Krajack, 607 S. 14th, thanked the Council for taking the necessary steps regarding the Sanders Beach property issue and asked the Council to continue to pursue a resolution of ownership of Sanders Beach. Paul Derkson, 1212 E. Ash Ave., commended the City for filing the lawsuit to determine the ordinary high water mark in the Sanders Beach area. He believes that the Department of Lands is skirting the issue. David Moseley 621 S. 14th Street, thanked the Council for pursuing a legal high water mark on Sanders Beach and encouraged the Council to hold this course in light of the Attorney General's recent opinion. Councilman Wolfinger thanked the residents for submitting their comments to the Governor regarding this issue. Cathleen Gephart, 924 Young Ave., voiced her concerns of the possible loss of Sanders Beach. Bob Brown, 3692 N. Stevens, Cd'A, commented that he has never been prouder of the City Council that they have taken on the lawsuit to, once and for all, settle the issue of public/private property on Sanders Beach. Linda Jacquot, 1041 N. 2nd Street, Jan Nusckiewicz, 1606 Cd'A Ave., and Jennifer Smith, 1812 E. Cd'A Ave, Post Falls, applauded the Council for what they have done and hope that Sanders Beach can remain open to the public. Robert Cliff, 1301 E. Lakeshore Drive, the newest homeowner on E. Lakeshore Drive stated that it is not his intention to keep family and young children off the beach, but does want to keep the meth users, young beer drinkers from abusing and destroying Sanders Beach. He asked that the Council forget the emotional issues brought up tonight and reminded the Council that the State has already determined that the high water mark is 2,128 feet and therefore the beach belongs to the homeowners. He asked the Council to use some common sense in this issue and that the Land Board has used good judgment. He reminded the Council that they were going to remain neutral and accept the State's determination that the high water mark is at 2,128 feet. Councilman Edinger noted that he has sat on this Council for the past 34 years and Sanders Beach has always been an issue, and the opinion was the opinion of one attorney and not the Land Board. If the Land Board goes along with this opinion, then we need to settle it, once and for all, of who owns Sanders Beach. Gerald Frank, 1315 E. Lakeshore, Coeur d'Alene, believes that the issue isn't who owns the beach but public access. He reminded the Council that the homeowners had been working with the City for over a year to resolve this issue; however, their proposed solutions had not even been presented to the Council. Now, with this lawsuit, the Council has alienated the property owners, which compromises the City's efforts for public access. He questioned the chances of finding a resolution with the homeowners, if the City loses their law suit.

CANFIELD MOUNTAIN: Jim Pearce, 3846 Miners Loop, Cd'A, asked for an update on the purchase of open space on Canfield Mountain. Wendy Hague reported that the City has formed an ad hoc committee to look at funding sources for open space. She noted that this topic will be discussed at the next Parks and Recreation Committee meeting. Doug Eastwood has been assigned this project. Mr. Pearce asked that the City move as quickly as possible as open space on Canfield may be soon gone forever. Laverne Clemens, 5423 N. Martha Loop, spoke about the value of open space.

FREQUENTLY ASKED QUESTIONS: I have read a lot about road salt being used by the State, does the City use road salt on its roadways too? Jon Ingalls, Street Maintenance Superintendent, responded that the City uses primarily a magnesium chloride liquid de-icer; however, when temperatures reach below a certain temperature, other means of ice removal such as sand and, very rarely, salt are used.

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

1. Approval of minutes for December 21, 2004.
2. Setting the Public Works Committee and General Services Committee meeting for January 10, 2005 at 4:00 p.m.
3. Approval of beer/wine licenses for Making Room located at 254 W. Hanley Ave. and for Cd'A Tea Room at 401 N. 2nd.

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

RECREATION DEPARTMENT: Councilman Hassell announced that Youth Basketball Registration is now open for boys and girls in grades 1 and 2 will be from January 3rd through January 14th. The cost is \$20.00 for city residents and \$25.00 for non-residents. The practices begin around January 24th. Additionally, beginning January 15th swimming lessons will be given at the McGrane Center.

RAILROAD SPIKE SALE: Councilman Edinger reminded residents that there are still a few railroad spikes left for sale. If anyone is interested in purchasing one, please contact the Parks Department.

OFFICER MIKE KRALICEK: Councilman McEvers noted that Police Officer Mike Kralicek, who was recently wounded in the line of duty, is in all our thoughts and prayers.

FIREFIGHTER RETIREMENTS: Councilman Edinger announced that there are two Fire Department personnel that retired in the last month. Firefighters Dave Dodson and Glen Harrington both have given 25 years of service to the City.

EXECUTIVE TEAM REPORT: Wendy Hague, representing the Executive Team, announced the following: The Coeur d'Alene Parks Foundation recently received a donation of 10 acres of land located in the Landings Subdivision. The City of Coeur d'Alene is currently advertising for an Assistant City Attorney and an Assistant Planner. Two separate grants recently received by the Coeur d'Alene Public Library from Verizon and Foundation Northwest totaling more than \$10,000 will support projects to assist patrons looking for new careers and local business owners. Children ages newborn to 12 are invited to "Sample the Sounds of Winter," as a new series of weekly reading programs begin at the Coeur d'Alene Public Library on Monday, January 3, 2005. The City is still taking applications for grants from the Ironman Community Fund. Grants will be considered for the promotion of grass roots youth sports programs including, but not limited to: swimming, biking, running, and triathlon. Applications are due to Susan

Weathers, Municipal Services Director, by January 15, 2004. If you would like to share your thoughts about what you'd like to see in a community center, please log on to www.cdavid.org, and click on "Kroc Center Survey." Fill out the on-line survey and let us know your ideas! The city is always looking for interested citizens to serve on its boards, commissions, and committees. Openings are on the Lake City Development Corporation Board, the Urban Forestry Commission, the Arts Commission, the Planning & Zoning Commission and the Arts Commission. Please call 769-2204 for an application and more information. The Coeur d'Alene Police Department is also actively recruiting volunteers. If you are interested in a volunteer position please contact our coordinator Wally Connally at 666-5732 or 769-2291.

ORDINANCE NO. 3199
COUNCIL BILL NO. 04-1008

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADDING A NEW CHAPTER ENTITLED YOUTH COUNCIL; ADDING A NEW SECTION 2.50.010 TO ESTABLISH MEMBERSHIP AND TERMS; ADDING A NEW SECTION 2.50.020 TO APPOINT A COORDINATOR; ADDING A NEW SECTION 2.50.030 TO ESTABLISH THE CONDUCT OF MEETINGS AND OFFICERS AND ADDING A NEW SECTION 2.50.040 DESCRIBING THE DUTIES AND RESPONSIBILITIES; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

Ann Echhart, reported that the young volunteers have put in several hours in developing ways that the city youth can participate in our community. Kate Henry thanked the Council for providing them the opportunity to participate in creating this Youth Council.

Motion by Wolfinger, seconded by Goodlander to pass the first reading of Council Bill No. 04-1008.

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

Motion by Wolfinger, seconded by Edinger to suspend the rules and to adopt Council Bill 04-1008 by its having had one reading by title only.

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

Councilman Wolfinger reminded everyone that the creation of this Council does not eliminate youth from participating in the other committees/commissions/boards.

RESOLUTION 05-001

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A FACILITIES USE AGREEMENT TO CONDUCT CLASSES IN CERTAIN INSTITUTION OF HIGH EDUCATION, ORGANIZED PURSUANT TO THE LAWS OF THE STATE OF IDAHO, WHOSE ADDRESS IS 500 8TH AVENUE, LEWISTON, IDAHO.

Motion by Reid, seconded by Wolfinger to adopt Resolution 05.001.

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

RESOLUTION 05-002

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ADOPTING CERTAIN AMENDMENTS TO THE CLASSIFICATION AND COMPENSATION PAY PLANS ADOPTED PURSUANT TO RESOLUTION 03-007 ON THE 29TH DAY OF OCTOBER 2002.

Motion by Wolfinger, seconded by Edinger to adopt Resolution 05-002.

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

ORDINANCE NO. 3200
COUNCIL BILL NO. 05-1000

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, REPEALING SECTIONS 1.16.030, 1.16.070, 1.16.160 AND 1.16.260 AND ADDING NEW SECTIONS 1.16.030, 1.16.070, 1.16.170 AND 1.16.260 TO UPDATE THE BOUNDARIES OF THE VOTING PRECINCTS AND ADDING NEW SECTIONS 1.16.025 PRECINCT NO. 28 AND SECTION 1.16.265 PRECINCT NO. 61 TO PROVIDE FOR NEW PRECINCT BOUNDARIES FOR THE CITY OF COEUR D'ALENE; 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 by Edinger, seconded by Wolfinger to pass the first reading of Council Bill No.

05-1000.

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

Motion by Wolfinger, seconded by Goodlander to adopt Council Bill No. 05-1000 by its having had one reading by title only.

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

EXECUTIVE SESSION: Motion by Reid , seconded by Wolfinger to enter into Executive Session as provided by Idaho Code 67-2345 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: McEvers, Aye; Reid, Aye; Wolfinger, Aye; Hassell, Aye; Goodlander, Aye. Motion carried.

The session began at 7:45 p.m. Members present were the Mayor, City Council and Assistant City Administrator and City Attorney.

Matters discussed were those of pending litigation. No action was taken and the Council returned to regular session at p.m.

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

The meeting adjourned at p.m.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, City Clerk