

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 18, 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 18, 2005 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Loren Edinger)	Members of Council Present
Al Hassell)	
Woody McEvers)	
Ben Wolfinger)	
Deanna Goodlander)	
Dixie Reid)	

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

INVOCATION: Pastor Paul VanNoy

PLEDGE OF ALLEGIANCE: Councilman Hassell led the pledge of allegiance.

PRESENTATION – COMMUNITY SERVICE AWARDS FOR ADELPHIA:

Councilman McEvers presented James Uebehler, Adelphia Manager, with a plaque on behalf of the City expressing our appreciation for the cable company's airing of the City Council meetings for the past 26 years. Councilman Edinger presented Bruce Hathaway, a plaque commemorating his work behind the camera for the past 18 ½ years.

PRESENTATION – DISABILITY RIGHTS ADVOCATE AWARDS: Amy Dreps, Community Action Center, presented awards to various businesses and individuals for their work in providing a service to the community's disabled citizens.

PUBLIC COMMENTS:

COEUR D'LANE SWIM TEAM PRESENTATION: Coach Bob Wood and members of the Lake City High School swim team presented Mayor Bloem and Council a check for \$2,500 and pledged their annual pool fees of \$4,500 a year for the Kroc Community Center. Coach Wood noted that the money being contributed was raised by the team through bake sales and car washes over the past several years. Jack Riggs, Chairman of the Ad Hoc Committee for the Kroc Community Center, accepted the check and pledges. Mayor Bloem explained the pledge process whereby you can pledge a one time amount or an annual amount. Robert Cliff, 1301 E. Lakeshore Drive, pledged \$1,000 to the Kroc Foundation.

OUTDOOR EATING PERMITS: Jerry Gogg, owner of Brix Restaurant, requested that the Council rescind the requirement that outdoor eating facilities serve alcoholic drinks in plastic containers. He presented a proposed amendment. Motion by Reid, seconded by Edinger to send the proposal to the General Services Committee. Motion carried.

FREQUENTLY ASKED QUESTION: On February 1, 2005, you are asking voters to decide if they want to approve a General Obligation Bond for Public Safety. What is contained in the Public Safety Bond? Fire Chief Kenny Gabriel explained the value of the General Obligation Bond. The bond is asking for \$7,000,000 over ten years to include upgrading Fire Station 1 and 2, a police/fire training facility, fire engines and equipment.

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

1. Approval of minutes for January 4, 2004.
2. The Public Works Committee and General Services Committee are scheduled for January 24, 2005 at 4:00 p.m.
3. RESOLUTION 05-003: 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 AN AMENDMENT TO THE CITY'S WATER POLICY REGARDING ALLOWING WATER HOOK-UPS OUTSIDE OF THE CITY LIMITS FOR EXISTING RESIDENCES WHOSE CURRENT WATER SERVICE IS FAILING AND WHO CANNOT PRESENTLY ANNEX INTO THE CITY DESIGNATING CLAIMS/CODE ENFORCEMENT/RISK COORDINATOR TO PERFORM THE FUNCTION OF REMOVING ABANDONED/JUNK VEHICLES.
4. Approval to replace spiders at Linden Well.
5. Authorizing changes to the water meter setting standards and setting a public hearing for hookup fee increase for February 15, 2005.
6. Approval of Riverstone West's request to retain some Water Rights.
7. Approval of beer/wine license for Coeur d'Alene Cellars.
8. Approval of bills as submitted and on file in the City Clerk's Office
9. Setting of Public Hearing for Police Department finger printing fees for February 15, 2005.
10. Setting of Public Hearings: ZC-3-04 for February 15, 2005

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

ARTS COMMISSION VACANCY: Councilman Wolfinger announced that Arts Commission member, Sharon Sutherland submitted her letter of resignation from the Arts Commission as she is moving out of the area. This creates a vacancy on the Arts Commission and anyone who is interested in serving on this Commission may contact City Hall.

CITY COUNCIL CHAMBERS: Council President Reid commented on how the Council Chambers is truly the heartbeat of this Community where such activities as people coming to make pledges and offer their proceeds from bake sales occurs on a regular basis.

LIBRARY BOND: Councilman Goodlander urged residents to vote for the Library Bond on February 1, 2005 as well as the Public Safety Bond. Councilman Goodlander also expressed her thanks to Mayor for her efforts with the Kroc Foundation and a proposed Community Center.

BRUCE HATHAWAY: Councilman McEvers expressed his appreciation for all the years that Bruce Hathaway has been televising the Council meetings and wished him well and how he will be missed. He also reminded everyone to drive carefully during the winter months and to help the street department by moving all vehicles from the streets.

STREET DEPARTMENT COMMENDED: Councilman Edinger commended the Street Department for the fine job they have done so far this winter with plowing and sanding our streets.

COMMITTEE/COMMISSION APPOINTMENTS: Motion by Edinger, seconded by Hassell to appoint Nicholas Lilyquist and Michael Prokop to the Pedestrian Bicycle Advisory Committee, re-appoint Harry Fields, Bill Boughton, and Frank Costello to the Jewett House Advisory Board; appoint John Borass to the Jewett House Advisory Board; appoint Victoria Roberge to the Cemetery Advisory Board; re-appoint David Tester, Kendell Bodkin, Noelle Giddings and Robin Hutchins to the Animal Control Advisory Board; and, appoint Tom Reed to the Animal Control Advisory Board. Motion carried.

EXECUTIVE TEAM REPORT: On behalf of the Executive Team, Troy Tymesen, announced the following: The Coeur d'Alene Fire Department, in partnership with the Northwest Women in Business is sponsoring a benefit dinner for Coeur d'Alene Police Officer Michael Kralicek on Wednesday, January 26th, at the Coeur d'Alene Inn. Tickets are \$20 apiece and can be purchased at all Coeur d'Alene Fire Stations, the Coeur d'Alene Police Station, and Wells Fargo on Appleway. Contact Jake Bieker at the Coeur d'Alene Fire Department – 769-2340, if you have any questions. Aspiring writers are invited to participate in the 17th annual Writers Competition at the Coeur d'Alene Public Library. The official entry form and rules will be available at the Library beginning January 31st. For more information about the competition, contact David Townsend, Public Relations/Volunteer Coordinator, at 769-2315. The Coeur d'Alene Public Library is offering Young Adults, ages 12-16, a fun way to organize photos of friends and family and other mementos. Abi Chase is teaching a young adult scrap-booking class the first Tuesday of each month at 4:00 p.m. in the Youth Department at the Library as part of the Winter Reading Program. 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 Jewett

House, and the Planning & Zoning Commission. Please call 769-2204 for an application and more information. The City is currently advertising for an Assistant Planner position and Utility Worker I. The application deadline for these positions is Friday, January 21st. In addition, the City is advertising for a Building Maintenance Supervisor position – the application deadline is Friday, January 28th.

3RD STREET SEAWALL DOCK REPLACEMENT: Motion by Hassell, seconded by Edinger to accept the proposal from Harrison Dock Builders in the amount of \$74,943.00, based on a \$50,000 grant and previously approved matching funds for the delivery and installation of a new 3rd Street Seawall Dock. Motion carried.

PARKS DEPARTMENT TRACTOR/ATTACHMENTS BID: Motion by Hassell, seconded by Wolfinger to authorize staff to advertise for bids for a Parks Department tractor and attachments. Motion carried.

YOUTH SPORTS LAKE REGISTRATION FEE: Motion by Hassell, seconded by Edinger to set a public hearing to consider establishing late registration fees for youth sports as presented by staff for February 15, 2005. Motion carried.

ORDINANCE NO. 3201
COUNCIL BILL NO. 04-1011

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING 15.08.005 TO ADOPT THE 2003 INTERNATIONAL BUILDING CODE AND INTERNATIONAL RESIDENTIAL CODE WITH AMENDMENTS; AMENDING 15.08.030 TO REQUIRE THAT FOUR SETS OF PLANS BE SUBMITTED WITH A BUILDING PERMIT APPLICATION; AMENDING 15.08.040 TO ALLOW SPECIFICATIONS FOR GROUP U OCCUPANCIES TO BE SUBMITTED WITHOUT BEING STAMPED BY A LICENSED ARCHITECT OR ENGINEER; AMENDING 15.14.010 TO ADOPT THE 2003 INTERNATIONAL MECHANICAL CODE; AMENDING 15.12.010 TO ADOPT THE 2003 UNIFORM PLUMBING CODE WITH AMENDMENTS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

Motion by Wolfinger, seconded by Hassell to pass the first reading of Council Bill No. 04-1011.

DISCUSSION: Councilman McEvers asked about electronic plans. Chief Building Official, Ed Wagner, responded that the City is working on this process.

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

Motion by Wolfinger, seconded by Goodlander to suspend the rules and to adopt Council Bill No. 04-1011 by its having had one reading by title only.

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

RESOLUTION NO. 05-004

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN ADDENDUM TO THE PROFESSIONAL SERVICES AGREEMENT WITH J-U-B ENGINEERS, INC.

Motion by Reid, seconded by Edinger to adopt Resolution 05-004.

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

RESOLUTION NO. 05-005

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN AGREEMENT FOR THE TUBBS HILL RESERVOIR REPLACEMENT PROJECT, WITH J-U-B ENGINEERS, INC. ITS PRINCIPAL PLACE OF BUSINESS AT 7825 MEADOWLARK WAY, COEUR D' ALENE, IDAHO 83815.

Motion by Edinger, seconded by Wolfinger to adopt Resolution 05-005.

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

BICYCLE PEDESTRIAN COMMITTEE GRANT APPLICATIONS TO ITD:
Motion by Wolfinger, seconded by Reid to authorize staff to submit a grant application to ITD to fund a driver's training program and implementation of the Coeur d'Alene Bikeways Plan. Motion carried. Mike Gridley reported that one of the grants is for the production of a video tape that shows drivers how to yield to pedestrians and bicyclists. The other grant is for implementing the City's Bikeways Plan.

PUBLIC HEARING – O-1-04 – AMENDING DEVELOPMENT REVIEW FEES:
Motion by Wolfinger, seconded by Goodlander to continue this public hearing to February 1, 2005. Motion carried.

PUBLIC COMMENTS: Mayor Bloem called for public comments with none being

received.

PUBLIC HEARING – O-5-04 – AMENDING SUBDIVISION RE-PLAT FEES:

Motion by Wolfinger, seconded by Goodlander to continue this public hearing to February 1, 2005. Motion carried.

PUBLIC COMMENTS: Mayor Bloem called for public comments with none being received.

PUBLIC HEARING - ZC-9-04 – ZONE CHANGE AT 1421 N. 5TH: Mayor Bloem read the rules or order for this quasi-judicial public hearing. No conflicts of interest were declared by any Council member. John Stamsos, Associate Planner, gave the staff report.

Mr. Stamsos gave the applicant's name as School District # 271, the location as 1421 N. 5th Street and the request as a zone change from R-12 to C17L.

He went on to give the staff analyses for land use, neighborhood characteristics, zoning, utilities and traffic/streets. He reported that on December 14, 2004, the Planning Commission recommended approval of the proposed zone change.

He noted that on December 31, 2004, 79 notices of this public hearing were mailed with one response opposing the zone change.

PUBLIC COMMENTS: Brian Martin, 5679 N. 16th, representing the Coeur d'Alene School District, reported that the School District would like to use the house for Special Education. Councilman McEvers asked if the School District considered the buffering for the surrounding neighborhood. Mr. Martin noted that the School is currently cleaning the property which is enhancing the neighborhood. If Special Education is not placed there, then the building would be used as office space.

MOTION: Motion by Edinger, seconded by Reid to approve the zone change and to adopt the Findings and Order of the Planning Commission. ROLL CALL: Edinger, Aye; Goodlander, Aye; Hassell, Aye; McEvers, Aye; Reid, Aye; Wolfinger, Aye. Motion carried.

PUBLIC HEARING – ZC-11-04 – ZONE CHANGE AT 3400 N. FRUITLAND

LAND: Mayor Bloem reiterated the rules of order for this public hearing. No conflicts of interest were declared by any Council member. John Stamsos, Associate Planner, gave the staff report.

Mr. Stamsos gave the applicant's name as Magnolia Enterprises, LLC, the location as 3400 N. Fruitland Lane and the reason for the request as a zone change from R-12 to C-17.

He went on to give the staff analyses for land use, neighborhood characteristics, zoning,

utilities and streets/traffic. He reported that on December 14, 2004, the Planning Commission recommended approval of the proposed zone change.

He noted that on December 31, 2004, 89 notices of this public hearing were mailed with 2 responses being received, both in favor of the proposed zone change. Written comments were distributed for Council review.

Councilman Wolfinger asked what was the condition in 1999 for the requested zone change. Mr. Stamos responded that it was the widening of Neider Avenue. Councilman Goodlander also noted that one of the conditions was ingress and egress. Mr. Stamos noted that there were two conditions set by the Planning Commission on December 14th, 2004 which included: 1) All points of ingress/egress will be restricted to the westerly fifty feet of the subject property to aid in reducing turning movement conflicts onto and off of US 95; and 2) The developer will need to provide the documents that show that these parcels have been properly created and consolidated as one, or they will need to complete a subdivision of the subject property to separate the lots from the “parent” parcels.

PUBLIC COMMENTS: Pete Bredeson, 212 E. Knotty Pine, Coeur d’Alene noted that the western lot line has been adjusted to line up with the property lines to the south and that it has been recorded at Kootenai County. He noted that his client has no problems with the ingress and egress and he has consolidated the lots and has also recorded this consolidation with Kootenai County. Mike Delay, 1719 S. Rocky Ridge Dr., Spokane Valley, Washington, believes that this zone change would bring this property in line with the area zoning.

MOTION: Motion by Wolfinger, seconded by Goodlander to approve the zone change as requested and to adopt the Findings and Order of the Planning Commission including condition No. 1.

DICUSSION: Councilman McEvers noted that he had served on the Planning Commission and at that time it was felt that this was not an appropriate zoning with regard to the mobile home park located on this property.

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

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

Aye; McEvers, Aye. Motion carried.

The session began at 7:25 p.m. Members present were the Mayor, City Council, City Administrator, Finance Director, Human Resources Director and City Attorney.

Matters discussed were those of property acquisition, labor negotiations and pending litigation.

No action was taken and the Council returned to regular session at 8:15 p.m.

ADJOURNMENT: Motion by Wolfinger, seconded by McEvers, that this meeting be continued to January 25, 2005 at 12:00 noon. Motion carried.

The meeting adjourned at 8:15 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, City Clerk