

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT THE LIBRARY COMMUNITY ROOM
January 18, 2011**

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 18, 2011 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Woody McEvers) Members of Council Present
John Bruning)
Deanna Goodlander)
A. J. Al Hassell, III)
Loren Ron Edinger)
Mike Kennedy)

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

INVOCATION was led by Robert Fetveit of Elijah House Ministries, Inc.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was led by Councilman Bruning.

PUBLIC COMMENT:

APOLOGY: Dusty Rhodes, 1710 E. Hasting Avenue, representing the American Legion Kootenai Post 14, offered an apology for a statement that was made during a meeting of the legion yesterday. He noted that the member of the audience who made the statement was not a legionnaire and they will not be inviting that individual back again.

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

1. Approval of minutes for January 4, 2011.
2. Setting the General Services Committee and the Public Works Committee meetings for Monday, January 24th at 12:00 noon and 4:00 p.m. respectively.
3. RESOLUTION 11:002: A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE DESTRUCTION OF TEMPORARY RECORDS FROM THE OFFICE OF THE CITY ATTORNEY – CRIMINAL DIVISION
4. Setting of Public Hearing for Amendments to certain City fees for February 1, 2011.
5. Approval of bills as submitted and on file in the Office of the City Clerk.
6. Approval of addition of liquor license for Moose Market at 401 E. Sherman and approval of beer/wine/liquor license name change from The Torch Lounge to Rendezvous.
7. SS-6-09 – Final plat approval of Erika's Addition

ROLL CALL: Bruning, Aye; Edinger, Aye; Hassell, Aye; Goodlander, Aye; Kennedy, Aye; McEvers, Aye. Motion carried.

COUNCIL COMMENTS: There were none.

APPOINTMENTS – JEWETT HOUSE ADVISORY BOARD AND ANIMAL CONTROL ADVISORY BOARD: Motion by Edinger, seconded by Kennedy to re-appoint Les Garretson and John Boraas to the Jewett House Advisory Board and re-appoint Drs. Dave Tester, Kendall Bodkin, and Noelle Giddings to the Animal Control Advisory Board.

ADMINISTRATOR’S REPORT: Deputy City Administrator Jon Ingalls announced that more McEuen meetings are on the horizon, so come weigh in. A second presentation meeting is scheduled for 6:00 PM Thursday, February 3rd, at Woodland Middle School. A follow-up meeting will give people a chance to voice their thoughts on the project on February 10th at the same time and place. The City of Coeur d’Alene has drafted an annual action plan for the use of Community Development Block Grant (CDBG) funds for the plan year 2011. The City anticipates receiving CDBG funds of \$309,469 for the plan year beginning April 1, 2011. The draft Annual Action plan is available for review and comment for a period of 30 days, January 3 – February 3, 2011. Additionally, a public workshop will be held January 19, 2011 at 5:30 p.m. at Fire Station No. 3, located at 1500 15th Street, Coeur d’Alene, Idaho, 83814. The workshop will be held in a facility that is accessible to persons with disabilities. Special accommodation will be available, upon request; requests to be made five (5) days prior to the hearing. For more information, contact Renata McLeod at (208) 666-5741. Written comments will be accepted beginning January 3, 2011 through February 3, 2011. Written comments should be submitted to Renata McLeod, 208-666-5741, City Hall, 710 E. Mullan Avenue, Coeur d’Alene, Idaho, 83814. The draft documents are available for review at the City Hall Customer Service Center, 710 E. Mullan Avenue. Online practice testing, job search skills, and career resources are as close as the nearest internet-linked computer with the return of Learning Express to the website for the for the Coeur d’Alene Public Library. A link labeled Test Prep – GED, etc. is available at www.cdalibrary.org. A user name and password are not required to access the site, but users are asked to create a free account and create their own user names and passwords for future access. The site includes interactive skill-building courses in math, reading, and writing, as well as a broad range of practice tests based on official exams such as the ACT, SAT, GED, ASVAB Core, and EMT Basic, firefighter, police officer, paramedic, Allied Healthcare, U.S. Citizenship, postal worker, cosmetology, and real estate agent and broker exams. For more information, please contact the library at 769-2426. ReTool Box – basic computer literacy help sessions – have resumed at the Coeur d’Alene Public Library. Sessions are geared to help those who are new to or inexperienced with computers as part of the joint Library Foundation/North Idaho College Program. January and February sessions include Basic Computer Operation and Keyboarding Skills/Getting Online. To reserve space call 208-769-2380. At the January 5th council meeting, a question was raised by a citizen during public comment in regard to alcohol sales on Christmas Day. The bottom line is our code defers to the county and state codes. Both county and state codes prohibit liquor sales on Christmas. There are two vacancies on the city’s Noise Abatement Board. If you are interested in serving, please contact Susan Weathers at 769-2231 for an application. The City of Coeur d’Alene continuously accepts applications and holds them on file for one year for the following positions: Police Officer, Secretarial/Clerical, Janitorial, Library Clerk, and Attorney. For applications and job information, please visit our website at www.cdaid.org or call the Human Resources Department at 769-2205. Congratulations to Chief Wayne Longo for being appointed to the Peace Officer Standards and Training Council!

Councilman Edinger asked about the difference between beer and wine, and liquor. Mr. Ingalls said that the county and state codes contain some very specific definitions and the city defers to those. People in the business know the difference and their licenses are clearly different. Mr. Ingalls noted that the City Clerk will send out a reminder memo to all of their liquor license holders. Councilman Edinger commented that he feels that beer and wine is just as harmful as liquor.

PUBLIC HEARING – LID 150 – GOVERNMENT WAY IMPROVEMENT PROJECT:

Mayor Bloem read the rules of order for this public hearing. Gordon Dobler, Engineering Services Director gave the staff report.

Mr. Dobler reported that on December 21, 2010 the Council approved resolution 10-048 initiating the formation of LID 150 which will provide partial funding for the project. The boundaries of this LID project are along Government Way between Dalton Avenue and Hanley Avenue. Staff has completed the preliminary cost estimates and the Engineers Report establishing the preliminary assessments and all of the adjacent property owners have been notified of the public hearing and of their respective preliminary assessments as required by Idaho Code.

He noted that the total project cost is estimated to be \$450,000, including our share of the sewer facilities being constructed by the City of Dalton, and that both water and sewer projects would go in before the roadway project starts this summer. The amount of the LID is about \$215,000. Of the \$215,000 about \$53,000 is cap fees, which are discretionary. The city is offering to include cap fees for water in the LID. After the water line goes in, they will probably have a few more sign up, so the final assessment roll may be a little different from the preliminary roll. The City's Water and Wastewater utilities are funding the remaining amount. These funds are accounted for in the current budget.

Mr. Dobler explained that the individual property assessments were calculated based on front foot and benefits derived. The base assessment was \$54/LF on Government Way, \$17/LF on Park Ave, and \$11/lf on Sunup Dr. In addition, the cost of individual services and capitalization fees are included in the individual assessments. Those assessments will be paid off over ten years, the term of the financing.

Mr. Dobler stated that currently there is no sewer service to this commercial area and water is from Dalton Water district. Dalton's fire flow capacity is lower than ours, and Dalton Water does not allow extension of fire hydrants onto private property which is required by fire code for development on larger lots. Installation of City water would resolve all of those issues, accommodating future growth in this area. Installation of sewer is critical for growth as well as eliminating existing septic facilities. Establishing an LID provides the funding necessary to install these facilities.

Mr. Dobler confirmed that the city will put water on the west side of Government Way, and the city of Dalton will put sewer on the east side, from Dalton Avenue to Hanley. Councilman Edinger asked if everything had been worked out with Dalton for those people on the east side of Government Way to have the street improvements done. Mr. Dobler said that it is really a separate issue. With the road project, the city is acquiring right of way for the road on both sides

of the street. All of the offers have been made and a consultant does the negotiations. The Dalton LID has been established so they are moving forward with design.

Councilman Goodlander asked if someone owns property on Government Way in the city of Coeur d'Alene and chose not to hook up to the sewer and then sell their property, would they be able to hook up to the sewer because of the road construction process. Mr. Dobler said yes, they are putting in all of the services right now, including future water services. All of the lots will have sewer stubs to the property line.

Mr. Dobler explained that cap fees are paid when the customer hooks up. If they hook up between now and when the LID is closed, then they could finance the cap fees if they wanted. If they wait until after they close the LID they would pay the current rate for the cap fee. He noted that cap fees do go up and there is no way to track that over time. They have found that it is cleaner that they offer hook up now, or the customer can pay when they hook up at the going rate.

Mr. Dobler said that the LID is roughly 45% of the costs, and the amount is comparable to what has been charged on other projects.

WRITTEN COMMENTS: There were no written protests submitted by the deadline.

PUBLIC COMMENTS:

Grant Stowe, 3365 Sebert Road, is opposed but declined to comment.

Loren Stowe, 3500 Sebert Road, is opposed but declined to comment.

Councilman Edinger asked what the cost would have been per linear foot before the city stepped in with their share. Mr. Dobler said it would have been approximately \$110 - \$112 per linear foot, for just the water and sewer. The road project cost is between \$560 and \$570 a linear foot, which is being funded through grant money. The benefit to the property is substantially more when you start looking at the worth of the road to adjacent properties.

ORDINANCE NO. 3401
COUNCIL BILL NO. 11-1000

AN ORDINANCE CREATING LOCAL IMPROVEMENT DISTRICT NO. 150 OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO; DESCRIBING AND SETTING FORTH THE BOUNDARIES OF SAID LOCAL IMPROVEMENT DISTRICT; PROVIDING FOR THE IMPROVEMENTS TO BE MADE THEREIN; AUTHORIZING THE ADVERTISING FOR BIDS FOR SAID WORK AS PROVIDED BY LAW; PROVIDING FOR THE PAYMENTS OF COSTS AND EXPENSES OF SAID IMPROVEMENTS TO BE ASSESSED AGAINST THE PROPERTY WITHIN THE DISTRICT BENEFITED THEREBY AND THE METHOD OF ASSESSMENT; PROVIDING FOR THE ISSUANCE OF LOCAL IMPROVEMENT DISTRICT BONDS AND WARRANTS; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE, AND FOR OTHER MATTERS PROPERLY RELATING THERETO.

Motion by Hassell, seconded by Bruning to pass the first reading of Council Bill No. 11-1000.

ROLL CALL: Goodlander, Aye; Kennedy, Aye; McEvers, Aye; Bruning, Aye; Edinger, Aye; Hassell, Aye. Motion carried.

Motion by Edinger, seconded by McEvers to suspend the rules and to adopt Council Bill No. 11-1000 by its having had one reading by title only.

ROLL CALL: Goodlander, Aye; Kennedy, Aye; McEvers, Aye; Bruning, Aye; Edinger, Aye; Hassell, Aye. Motion carried.

EXECUTIVE SESSION: Motion by Hassell, seconded by Bruning to enter into Executive Session as provided by I.C. 67-2345 Subsection 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: Bruning, Aye; Edinger, Aye; Hassell, Aye; Goodlander, Aye; Kennedy, Aye; McEvers, Aye. Motion carried.

The session began at 6:45 p.m. Members present were the Mayor, City Council, Deputy City Administrator and City Attorney.

Matters discussed were those of property acquisition, claims and litigation. No action was taken and the Council returned to regular session at 7:08 p.m.

ADJOURNMENT: Motion by Bruning, seconded by Edinger that there being no further business before the Council, this meeting is adjourned. Motion carried.

The meeting adjourned at 7:08 p.m.

Sandi Bloem, Mayor

ATTEST:

Amy C. Ferguson
Deputy City Clerk