

MINUTES OF A REGULAR MEETING OF THE CITY  
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,  
HELD AT THE LIBRARY COMMUNITY ROOM,  
FEBRUARY 17, 2009

The Mayor and Council of the City of Coeur d'Alene met in a regular session of said Council at the Coeur d'Alene Library, February 17, 2009 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Al Hassell	)	Members of Council Present
Mike Kennedy	)	
John Bruning	)	
Deanna Goodlander	)	
Loren Ron Edinger	)	
Woody McEvers	)	

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

**INVOCATION** was led by Jay Owens.

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

**PRESENTATION – LAKE CITY DEVELOPMENT CORPORATION (LCDC) ANNUAL REPORT TO THE CITY:** Executive Director Tony Berns presented the annual report to the City for Lake City Development Corporation for the period of January 1, 2008 through December 31, 2008. He briefly reviewed the accomplishments made by the Corporation over the past 10 years under the leadership of former Chairman Charles Nipp. He summarized the 2008 accomplishments of LCDC including but not limited to the Midtown & IHFA Workforce Housing Project, Education Corridor Master Planning, Prairie Trail, Infill Development Initiatives such as the Kroc Center and the new Library and the Ice Plant townhomes, Lake District Plan Amendment, and the City Park Public Safety building. The 2009 Strategic priorities include continuation with the Education Corridor, Sorensen Magnet School, Winton Elementary School, workforce housing, public space, job retention and job creation, public parking, and the Midtown Improvement project.

**PUBLIC COMMENTS:**

**COMMERCIAL BUSINESS ANNOUNCED:** Liz Lanier, 230 Sherman Avenue, announced her new business that she opened on Sherman Avenue.

**LCDC:** Harold Hocker, 1513 E. Spokane Avenue, asked what is the purpose for the agenda and asked why the Lake City Development Corporation's two districts close in different years. Councilman Goodlander responded because they were created at different times. He commented that 24 years is too long of a time in which taxpayers are paying for these developments since LCDC gets the taxes for these properties and not the City. He feels we need more police because, with these hard times, more people are

going to rob and steal in order to exist. He expressed his worry that the City is going to go bankrupt because of taxes going up and people losing their homes.

CODE ENFORCEMENT OFFICER INTRODUCED: Police Captain Ron Clark introduced Bob Foster, the new Code Enforcement Officer for the City.

**CONSENT CALENDAR:** Motion by Edinger seconded by Kennedy to approve the Consent Calendar as presented.

1. Approval of minutes for February 3, 2009.
2. Setting General Services Committee and Public Works Committee meetings for February 23<sup>rd</sup> at 12:00 noon and 4:00 p.m. respectively.
3. RESOLUTION 09-007: A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN AGREEMENT FOR THE 15<sup>TH</sup> STREET / HARRISON AVENUE TRAFFIC SIGNAL DESIGN, WITH HDR ENGINEERING, INC.
4. Approval of installation specifications for WWTP Phase 5 Ammonia Control Improvements.
5. Approval of bills as submitted and on file in the City Clerk's office .
6. Setting of Public Hearings: ZC-1-09 (Zone Change at Hwy. 985 and Hanley) and A-7-08 (annexation at 1130 E. Skyline Drive) for March 17, 2009
7. Approval of cemetery lot repurchase from Edith Tilman.

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

#### **COUNCIL COMMENTS:**

COUNCILMAN BRUNING: Councilman Bruning congratulated Chief of Police Wayne Longo for being selected to attend the FBI Executive Seminar. Mayor Bloem noted that the Chief will also be receiving the Governor's Community Service Award for Region One.

COUNCILMAN MC EVERS: Councilman McEvers congratulated Councilman Kennedy on his 40<sup>th</sup> birthday today. Councilman Goodlander noted that she celebrated her birthday yesterday and that it is good to have another Aquarian on the Council.

COUNCILMAN GOODLANDER: Councilman Goodlander commended former Lake City Development Corporation's Chairman Charles Nipp for his leadership on the LCDC Board.

#### **APPOINTMENTS – PARKS AND RECREATION COMMISSION AND**

**PARKING COMMISSION:** Motion by Kennedy, seconded by Edinger to appoint Virginia Tate to the Parks and Recreation Commission and to re-appoint Thomas George to the Parking Commission. Motion carried.

**ADMINISTRATOR'S REPORT:** City Administrator Wendy Gabriel announced that the Library's Annual Writers Competition is now under way. Entry forms are available through the City's Library web site or can be requested to be sent by mail. The competition deadline is March 31<sup>st</sup>. On February 22<sup>nd</sup> local veterinarians are offering to

spay/neuter feral cats for free to help reduce the cat population in the City. "Lincoln and Lunch" will be hosted by the Library on Feb. 26<sup>th</sup> from 12:00 noon to 1:00 p.m. The City now accepts credit cards for utility payments at no discount to the City which would have cost the City \$813.00 if they paid the transition fee. Members of the Police Department met with area pharmacists to discuss crime prevention in light of the rash of recent Oxycotin robberies. The Water Department's radio read conversion of water meters is anticipated to be completed this year. The Arbor Day Button Contest is now under way with a deadline of March 6<sup>th</sup> for submittal of button designs. Police Chief Longo was awarded the Community Service Award for Region One for substance abuse prevention. Parks Day Celebration will be celebrated July 11<sup>th</sup> and volunteers are still needed to help with this event. A Town Hall Meeting has been scheduled for March 7<sup>th</sup>, 8:30 – 10:00 a.m. in the Library and several State legislators will be on hand to share their observations of this year's legislative session. On a final note, she congratulated Councilman Kennedy for his 40<sup>th</sup> Birthday.

#### RESOLUTION 09-008

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, ADOPTING TREE PLANTING AND CARE STANDARDS FOR PUBLIC TREES AND SHRUBS AS AUTHORIZED BY MUNICIPAL CODE SECTION 12.26.025.

STAFF REPORT: Karen Haskew, City Urban Forester, noted that the urban forestry standards were adopted in 1985 as developed by the National Arborist Association for the care and maintenance of trees. Tonight's request is to update those tree planting, care, and maintenance standards.

Motion by Goodlander, seconded by Kennedy to adopt Resolution 09-008.

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

#### ORDINANCE NO. 3356 COUNCIL BILL NO. 09-1008

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING MUNICIPAL CODE SECTIONS 12.36.015 AND 12.36.025 TO REPEAL THE DEFINITION OF TREE STANDARDS AND TO AUTHORIZE THE CITY COUNCIL TO ADOPT TREE PLANTING, CARE AND MAINTENANCE STANDARDS BY RESOLUTION; 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 Goodlander, seconded by Kennedy to pass the first reading of Council Bill No. 09-1008.

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

Motion by Edinger, seconded by Kennedy to suspend the rules and to adopt Council Bill No. 09-1008 by its having had one reading by title only.

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

ORDINANCE NO. 3353  
COUNCIL BILL NO. 09-1005

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 5.08.015 TO AMEND THE DEFINITION OF EATING ESTABLISHMENT TO INCLUDE LIMITED SERVICE EATING ESTABLISHMENTS AND TO DELETE THE DEFINITION OF PLAYGROUND; AMENDING SECTION 5.08.170 TO PROHIBIT THE SALES OF BEER FOR ON PREMISES CONSUMPTION WITHIN THREE HUNDRED FEET OF PARKS, SCHOOLS AND CHURCHES AND SIX HUNDRED FEET OF CERTAIN RESIDENTIALLY ZONED PROPERTY, HOSPITALS AND NURSING HOMES WITH EXCEPTIONS; 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.

STAFF REPORT: Warren Wilson, Deputy City Administrator, reported that he had been asked to prepare amendments to the existing code to allow for another type of limited service eating establishments that do not require a Class 1 type hood but must close their business by 9:00 p.m.

Motion by Goodlander, seconded by McEvers to pass the first reading of Council Bill No. 09-1005.

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

Motion by Edinger, seconded by McEvers to suspend the rules and to adopt Council Bill No. 09-1005 by its having had one reading by title only.

ROLL CALL: McEvers, Aye; Bruning, Aye; Edinger, Aye; Hassell, No; Goodlander, Aye; Kennedy, Aye. Motion carried.

RESOLUTION NO. 09-009

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AMENDMENT 1 TO THE ANNEXATION AGREEMENT BETWEEN THE CITY OF COEUR D'ALENE, THE UNITED STATES

DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT, AND MARK E. HALL, ANNE C. HALL, ROBERT A. HALL AND BRENDA M. HALL.

Motion by Hassell, seconded by Kennedy to adopt Resolution 09-009.

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

ORDINANCE NO. 3354  
COUNCIL BILL NO. 09-1007

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTIONS 11 AND 14, TOWNSHIP 50, NORTH, RANGE 4W, BOISE MERIDIAN; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED; CHANGING THE ZONING MAPS OF THE CITY OF COEUR D'ALENE; AMENDING SECTION 1.16.170, COEUR D'ALENE MUNICIPAL CODE, BY DECLARING SUCH PROPERTY TO BE A PART OF PRECINCT #51; 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.

Motion by Hassell, seconded by McEvers to pass the first reading of Council Bill No. 09-1007.

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

Motion by Goodlander, seconded by McEvers to suspend the rule and to adopt Council Bill No. 09-1007 by its having had one reading by title only.

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

RESOLUTION NO. 09-010

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN ANNEXATION AGREEMENT WITH PRAIRIE AVENUE DEVELOPMENT, LLC.

Motion by Hassell, seconded by Kennedy to adopt Resolution 09-010.

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

ORDINANCE NO. 3355  
COUNCIL BILL NO. 09-1006

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTION 27, TOWNSHIP 51, NORTH, RANGE 4W, BOISE MERIDIAN; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED; CHANGING THE ZONING MAPS OF THE CITY OF COEUR D'ALENE; AMENDING SECTION 1.16.050, COEUR D'ALENE MUNICIPAL CODE, BY DECLARING SUCH PROPERTY TO BE A PART OF PRECINCT #38; 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.

Motion by Hassell, seconded by Kennedy to pass the first reading of Council Bill No. 09-1006.

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

Motion by Goodlander, seconded by Edinger to suspend the rules and to adopt Council Bill No. 09-1006 by its having had one reading by title only.

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

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

The meeting adjourned at 7:30 p.m.

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Sandi Bloem, Mayor

ATTEST:

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Susan K. Weathers, CMC  
City Clerk