

MINUTES OF A REGULAR MEETING OF THE CITY  
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,  
HELD AT COEUR D'ALENE CITY HALL,  
FEBRUARY 20, 2007

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, February 20, 2007 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Al Hassell	)	Members of Council Present
Woody McEvers	)	
Loren Edinger	)	
Dixie Reid	)	
Mike Kennedy	)	
Deanna Goodlander	)	

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

**INVOCATION** was led by Pastor Tom Weadick, Life Source Community Church.

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

**PRESENTATIONS:**

PRESENTATION- LCDC ANNUAL REPORT: LCDC Executive Director Tony Berns presented a review of the activities of the Lake City Development Corporation for this past year. He provided a brief overview of the history of the Lake City Development Corporation as well as the current urban renewal districts created by the Corporation. He listed the LCDC Board members and the subcommittees each member serves on. He went on to highlight the accomplishments of the Corporation which included a Housing Assessment Study, the Education Corridor, the Corporation's partnerships for certain projects, various infill development initiatives and community outreach. He presented an overview of the priorities set for 2007 which include projects such as a relocation site for the Legion ball field, and the disposition of the Federal Building on 4<sup>th</sup> Street.

**PUBLIC COMMENTS:**

HOUSING EXPO: Linda Davis, 4444 Greenchain Loop, Cd'A, announced that the Housing Expo will be held this Thursday evening at the Coeur d'Alene Inn from 6 p.m. to 8 p.m.

PROPERTY EXCHANGE FOR KROC CENTER: Dick Barclay, 1203 E. Lakeshore Drive, Vice President of the Parks Foundation Board, announced that the Board is unanimously in favor of the proposed land exchange for the construction of the Kroc Center.

A PARK AT THE LANDINGS AT WATERFORD: Jack Jensen, 3917 W. Princetown Lane, Coeur d'Alene, asked the Council for an update on the plans for developing a park in the Landings area. He noted that there were two signs placed on a parcel of property in this development that depicted a new park development. Parks Director Doug Eastwood responded that the acreage in this development could create a park comparable to City Park adjacent to the City Beach; however, there is no date specified for the development of this park. He also noted that a portion of property at this site has not yet been transferred to the Parks Foundation. He would like to propose a clean and green plan whereby the Parks Department would eliminate the weeds on dedicated parkland until the site can be developed into a park. Councilman Hassell explained the process for the development of parkland which could take up to 8 years to fund and construct. Councilman Reid asked Doug to address the issue of vandalism. Doug responded that when homes are constructed and occupied within a certain proximity of a park it helps prevent the occurrence of vandalism to the park.

ANIMAL SHELTER CLOSURE: Susan Whittier, 3882 Highland Drive, thanked the Council for closing the shelter down and hopes that the City will partner with the Humane Society for sheltering impound dogs. She also hopes that the City would come up with a spay-neuter program for dogs and cats in our town. She believes that as a community we can handle this issue.

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

1. Approval of minutes for January 22, February 1, 6, 2007.
2. Setting of the Public Works Committee and General Services Committee meetings for February 26, 2007 at 4:00 p.m.
3. RESOLUTION 07-010: 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 APPROVING THE DESTRUCTION OF TEMPORARY RECORDS FROM THE FINANCE DEPARTMENT; APPROVING THE CONTRACT WITH GINNO CONSTRUCTION FOR THE FIRE DEPARTMENT TRAINING TOWER FACILITY; APPROVING THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY AND THE WATSON AGENCY AND DIRECTING STAFF TO RESEARCH LONG-TERM ANIMAL CONTROL OPTIONS AND APPROVING AMENDMENT NO. 4 TO THE AGREEMENT WITH JUB ENGINEERS FOR PROFESSIONAL ENGINEERING SERVICES FOR THE CIPP/OPEN TRENCH PROJECT
4. Authorizing Rob Clifford and Joe Barrett as qualified volunteers to enforce the City's abandoned vehicle regulations.
5. Authorizing advertisement for bids for the 4<sup>th</sup> Street Well rehabilitation project.
6. Approval of Bills as submitted and on file in the Office of the City Clerk.
7. Setting of Public Hearings: ZC2-07 (zone change at 3514 N. Fruitland Lane) for March 20, 2007; A-1-07 (Annexation of property at 7677 N. Ramsey Road) for March 20, 2007.

8. Authorizing quit claim deed from the City of Coeur d'Alene to Riverstone West, LLC.
9. Approval of beer/wine license for Sunshine Trader Restaurant at 1116 W. Ironwood Parkway.
10. Approval of beer/wine license transfer from C & C Qwik Stop to Qwik Stop at 1720 NW Blvd.
11. Acceptance of right-of-way on Atlas Road and Hanley Ave. for Hawks Nest Subdivision.
12. Authorizing the Street Maintenance Dept. to purchase a mid-sized 4x4 pickup.

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

**COUNCIL ANNOUNCEMENTS:**

COUNCILMAN GOODLANDER: Councilman Goodlander complimented Councilman McEvers for all his dedication and work on CDA TV Channel 19 and because of his efforts this channel is a success.

COUNCILMAN EDINGER: Councilman Edinger congratulated the Lake City High School Girls Basketball team for finishing first at State and the Coeur d'Alene High School Girls Basketball team for finishing 2<sup>nd</sup>. He also congratulated the Coeur d'Alene Boys Basketball team for winning the district championship this past week and hopefully the Lake City High School Basketball team will beat their competition and join CHS in the state championship.

COUNCILMAN HASSELL: Councilman Hassell announced that the North Pines Park will have a gazebo due to the efforts and generosity of Mr. Jacob Christianson, his neighbors and various businesses for the design and construction this gazebo.

COUNCILMAN REID: Councilman Reid announced that on March 23 and 24<sup>th</sup> Milton Creagh will be back in Coeur d'Alene to address substance abuse. He will be speaking at CHS, LCHS, and the Rotary. This event is being cosponsored by the School District and the City's Enough is Enough Committee. Fund raising efforts will also be needed to cover the costs of Mr. Creagh's visit.

**APPOINTMENTS:** Motion by Goodlander, seconded by Edinger to appoint Will Button and Chad Murray to the Pedestrian/Bicycle Committee. Motion carried.

RESOLUTION NO. 07-011

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN AGREEMENT FOR USE OF THE CANFIELD SPORTS COMPLEX, WITH THE COEUR D'ALENE LITTLE LEAGUE ASSOCIATION.

Motion by Hassell, seconded by Edinger to adopt Resolution 07-011.

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

ORDINANCE NO. 3284  
COUNCIL BILL NO. 07-1005

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, REPEALING CHAPTERS 8.24 ENTITLED PUBLIC SWIMMING AREA AND CHAPTER 8.25 ENTITLED CITY SWIMMING BEACH AND DOCKS; ADOPTING A NEW CHAPTER ENTITLED PUBLIC SWIMMING AREAS, WATERWAYS AND DOCKS, ADOPTING SECTION 8.24.010 DEFINITIONS; ADOPTING SECTION 8.24.020 TO ESTABLISH RESTRICTIONS ON USE OF WATERWAYS WITHIN THE CITY; ADOPTING A NEW SECTION 8.24.030 TO DESIGNATE SWIMMING AREAS; ADOPTING A NEW SECTION 8.24.040 TO DESIGNATE PUBLIC SWIMMING ONLY AREAS; ADOPTING SECTION 8.24.050 TO ESTABLISH NO SWIMMING AND DIVING AREAS; ADOPTING SECTION 8.24.060 TO ESTABLISH MOORING AND OTHER RESTRICTIONS AT PUBLIC DOCKS; ADOPTING 8.24.070 TO PROVIDE FOR MARKING WITH BUOYS; ADOPTING SECTION 8.24.080 TO ESTABLISH EXCEPTIONS; ADOPTING SECTION 8.24.090 TO ESTABLISH PENALTIES FOR VIOLATIONS INCLUDING MISDEMEANORS PUNISHABLE BY A FINE OF NOT MORE THAN ONE THOUSAND DOLLARS AND/OR IMPRISONMENT FOR NOT MORE THAN ONE HUNDRED AND EIGHTY DAYS; 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: City Attorney Mike Gridley reported that this Council Bill has been revised from the last Council meeting specifically dealing with non-motorized watercrafts. He noted that City Beach is designated as a swimming only area. He believes that these issues have been addressed in the new draft of Council Bill No. 07-1005. Councilman Reid asked about the designated swimming area which does not mention Mill River area. Mr. Gridley reported that this waterway has not yet been annexed into the City.

Motion by Goodlander, seconded by Hassell to pass the first reading of Council Bill No. 07-1005.

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

Motion by Edinger, seconded by Hassell to suspend the rules and to adopt Council Bill No. 07-1005 by its having had one reading by title only.

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

PUBLIC COMMENTS: Jerry Frank, 1415 E. Lakeshore, read a letter from Mr. Dick Barclay 1203 E. Lakeshore Drive, who opposed the restriction of motorized watercraft on Sanders Beach, he also objects to the public using the waters in front of his property for swimming over his ability to beach his boat. Mr. Franks noted that Idaho Code gives the City the authority to impose regulations for safe swimming areas as long as it does not conflict with the safe boating act. He also noted the Idaho Code does not allow any vessels in swimming areas. City Attorney Mike Gridley responded that the interpretation of this code is that it referred to motorized vessels and not non-motorized vessels.

**WATER RIGHTS TRADE REQUEST:** Councilman Reid announced that the City had been approached by a developer near Harrison, Idaho asking the City to trade his water rights on the Rathdrum Prairie for lake surface water rights on Lake Coeur d'Alene owned by the City. The developer would like to return to the Public Works Committee for further consideration.

RESOLUTION NO. 07-012

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A CONTRACT FOR EMPLOYEE CONSULTING SERVICES WITH GREG AND DEBBIE GRANAT, HUSBAND AND WIFE.

Motion by Edinger, seconded by Goodlander to adopt Resolution 07-012.

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

RESOLUTION NO. 07-013

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AMENDING THE CITY OF COEUR D'ALENE PERSONNEL RULES MANUAL BY AMENDING TO AMEND **RULE 1, SECTION 15, ENTITLED "FLSA EXEMPT EMPLOYEES"** TO ADD THE PROJECT COORDINATOR POSITION AND RECREATION SUPERINTENDENT POSITIONS; TO AMEND **RULE VIII, SECTION 1, ENTITLED "EMPLOYMENT LISTS"** TO INSERT QUALIFYING LANGUAGE; TO AMEND **RULE VIII, SECTION 2, ENTITLED "EMPLOYMENT LISTS/POLICE DEPARTMENT"** TO CHANGE THE NUMBER OF YEARS A NAME WILL STAY ON THE ELIGIBILITY LIST FROM TWO YEARS TO ONE YEAR, AND TO FURTHER CLARIFY THAT ONCE THE NAME IS REMOVED FROM THE LIST, THE APPLICANT MUST REPEAT THE TESTING PROCESS; ADDITIONALLY, TO AUTHORIZE THE BELOW NOTED AMENDMENTS TO THE CITY'S CLASSIFICATION AND COMPENSATION PLAN.

Motion by Goodlander, seconded by McEvers to adopt Resolution 07-013.

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

ORDINANCE NO. 3285  
COUNCIL BILL NO. 07-1006

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING ORDINANCE NO. 3278 ADOPTED DECEMBER 5, 2006 TO CORRECT AN ERROR IN THE LEGAL DESCRIPTION CONTAINED IN SECTION 1 THEREOF; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCE IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Motion by Goodlander, seconded by McEvers to pass the first reading of Council Bill No. 07-1006.

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

Motion by Edinger, seconded by Hassell to suspend the rules and to adopt Council Bill No. 07-1006.

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

**KROC CENTER UPDATE:** Mike Gridley City Attorney, Steve Anthony Recreation Director, Troy Tymesen Finance Director and Warren Wilson Deputy City Attorney, presented an overview of the project to date including the preparations for the site and what is needed in order for the Salvation Army to begin construction of the multi-million dollar Community Center. Councilman Kennedy explained that the proposed funding from the Fund Balance is to prepare the site for the construction of the Kroc Center which the city previously committed to do.

RESOLUTION NO. 07-014

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A PROPERTY USE AGREEMENT WITH THE NORTH IDAHO CENTENNIAL TRAIL FOUNDATION FOR THE TRANSFER OF FILL DIRT MATERIAL TO THE KROC CENTER SITE.

Motion by Goodlander, seconded by Kennedy to adopt Resolution 07-014.

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

RESOLUTION NO. 07-015

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AMENDMENT NO. 1 TO THE ANNEXATION AGREEMENT WITH HAYDEN, LLC.

Motion by Kennedy, seconded by McEvers to adopt Resolution 07-015.

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

#### RESOLUTION NO. 07-016

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN AGREEMENT REGARDING REAL ESTATE AND RECREATIONAL FACILITIES & A USER AGREEMENT AND COVENANT REGARDING USE WITH THE COEUR D'ALENE PARKS FOUNDATION.

Motion by Edinger, seconded by Kennedy to adopt Resolution 07-016.

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

**PUBLIC HEARING – PROPERTY EXCHANGE FOR KROC CENTER SITE:**  
Mayor Bloem read the rules of order for this public hearing. Troy Tymesen, Finance Director, gave the staff report.

Mr. Tymesen reported that this public hearing is to consider an exchange of a parcel of property (“Kroc site”) owned by the City of Coeur d’Alene for a parcel of property owned (“Landings site”) by the Coeur d’Alene Parks Foundation.

The Kroc site is approximately 12.25 acres and was appraised at approximately \$967,000.00 and the Landings site is approximately 9 acres and was appraised at \$975,000.00.

Mr. Tymesen noted that completion of the proposed property exchange would allow the Foundation to transfer the Kroc site to the Salvation Army for development of a Kroc Community Center that will benefit residents of the City as well as surrounding communities. In exchange, the Landings site will become City property. This will allow the City to move forward with the development of a public park at the Landings site. Since the City has some underground utility structures at the Kroc site an easement will be retained at the Kroc site to allow those utilities to remain in place.

**PUBLIC COMMENTS:** Linda Davis, 4444 Greenchain Loop No.1, Coeur d’Alene spoke in support of the property exchange.

Motion by Reid seconded by Hassell to approve the proposed property exchange between the Kroc Center site and the Landings site, and to authorize staff to take the steps necessary to complete the property exchange process. ROLL CALL: Edinger, Aye; Goodlander, Aye; Hassell, Aye; Kennedy, Aye; McEvers, Aye; Reid, Aye. Motion carried.

**PUBLIC HEARING – ZC-1-07 – ZONE CHANGE AT 2100 SHERMAN AVENUE:**

Mayor Bloem read the rules of order for this quasi-judicial public hearing. No conflict of interest was declared by any Council member. Councilman Kennedy disclosed that he assisted Beehive Homes in contacting the Chief Financial Officer of the Catholic Diocese of Boise. City Planner Dave Yadon gave the staff report.

Mr. Yadon gave the applicant's name as Beehive Homes, location as an approximately 2,800 sq. ft. parcel adjacent to St. Thomas Cemetery and Beehive Homes, and the reason for the request as a zone change from R-17 to C-17L.

Mr. Yadon went on to give the staff analyses for land use, zoning, utilities, and traffic/streets. He reported that on January 9, 2007 the Planning Commission heard the request for a zone change and recommended approval of this request. He noted that 53 notices of this public hearing were mailed to all property owners of record within 300' of the subject property on February \_\_\_\_, 2007 with 1 response in favor being received. Written comments were distributed for Council review.

**PUBLIC COMMENTS:** Gary Ghramm, 604 S. Canal Street, owner of Beehive Homes, spoke in support of this zone change.

**MOTION:** Motion by Goodlander, seconded by Edinger to approve the requested zone change at 2100 Sherman Avenue and to adopt the Findings and Order of the Planning Commission. **ROLL CALL:** Reid, Aye; McEvers, Aye; Kennedy, Aye; Hassell, Aye; Goodlander, Aye; Edinger, Aye. Motion carried.

**ADJOURNMENT:** Motion by Reid, seconded by Kennedy to recess to February 23, 2007 at 11:00 a.m. in the Council Chambers and then to March 2, 2007 at 12:00 noon in the Council Chambers. Motion carried.

The meeting recessed at 8:45 p.m.

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Sandi Bloem, Mayor

ATTEST:

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Susan K. Weathers, CMC  
City Clerk