

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT THE LIBRARY COMMUNITY ROOM
APRIL 19, 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 April 19, 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)	
Mike Kennedy)	
Loren Ron Edinger)	

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

INVOCATION was led by Pastor Paul VanNoy, Candlelight Christian Fellowship.

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

PROCLAMATION – “ARBOR WEEK”: On behalf of Mayor Bloem, Councilman Bruning read the proclamation proclaiming the week of April 24th to April 30th as “Arbor Week” in the City of Coeur d'Alene. Urban Forestry Committee Student Representative Nicholas Radobenko accepted the proclamation. Nicholas outlined the activities that will take place during Arbor Week.

PRESENTATION – CHILDCARE COMMISSION: Mayor Bloem introduced the Childcare Commission members and then presented Kim Torgerson with a plaque for her work as a child care provider.

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

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

1. Approval of minutes for April 5, 14, 2011.
2. Setting the General Services Committee and the Public Works Committee meetings for Monday, April 25th at 12:00 noon and 4:00 p.m. respectively.
3. RESOLUTION 11:013: 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 A BID AWARD AND CONTRACT TO BUDDY'S BACKHOE FOR THE CATCH BASIN REPLACEMENT PROJECT; APPROVING A LEASE RENEWAL WITH JAMES KOON AND ASSOCIATES FOR THE LEGAL DEPARTMENT OFFICE SPACE AT 816 SHERMAN AVENUE; APPROVING CHANGE ORDER NO. 1 WITH CMEC, INC. FOR THE WWTP SECONDARY

CLARIFIER #2 COATING REPLACEMENT; APPROVING CHANGE ORDER NO. 5 WITH CONTRACTORS NORTHWEST, INC. FOR THE WWTP PHASE 5B CONSTRUCTION.

4. Declaring a Recreation Department 1995 Crown Victoria as surplus and authorizing staff to send the vehicle to auction.
5. Approval of bills as submitted and on file in the City Clerk's Office.
6. Acceptance of grant deed for right-of-way for the Education Corridor Reconstruction Project.
7. Setting of Public Hearings: ZC-2-11 – Zone Change at 1813 N. Gov't Way for June 7, 2011.
8. Approval of outdoor eating facility encroachment permit for Bo Jacks at 816 N. 4th.

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

COUNCIL COMMENTS:

COUNCILMAN KENNEDY: Councilman Kennedy announced that a new drive is being starting to help the homeless with such personal care items as toothpaste, deodorant, shampoo, etc. Jenny Taylor, a Forest Service employee, is organizing the drive. The next meeting is April 26th at 6:30 p.m. at the St. Pius X Church gym. If you would like to donate, please contact Jenny Taylor at 755-4216.

COUNCILMAN EDINGER: Councilman Edinger announced that the City's Police Department and the Enough is Enough Committee will be holding another Drug Prescription Turn In from 10 a.m. – 2 p.m. on Saturday April 30th at the Cd'A High School.

ADMINISTRATOR'S REPORT: City Administrator Wendy Gabriel announced that on April 14th, Deputy Chief Glenn Lauper taught a fire, cause and determination class to members of the Idaho Department of Lands and the US Forest Service. Deputy Chief Jim Washko gave a presentation to the Bonner County Local Emergency Planning Commission on the services available from our Technical Rescue team. Also, last weekend the Fire Department hosted the North Idaho Fire Academy. The Coeur d'Alene Police Department has a new Facebook Page at www.facebook.com/CoeurAlenePD. Click on "Like" to receive updates on ongoing events, crime prevention tips, press releases, and much, much more! A "Prescription Drug Turn-in Day" is being held on April 30th, at the Coeur d'Alene High School Commons. For more information, call 769-2320. The city's Engineering Department will begin the Catch Basin Replacement Project on Friday, April 22nd. It is scheduled to be completed by May 21st. For more information, please call Dennis Grant at 769-2398 or email him at dennisg@cdaid.org. A Multi-Agency Citizens Academy will be starting May 10th at 6:00 p.m. For additional questions about the Citizens Academy, call Sgt. Christie Wood at Coeur d'Alene Police, 769-2320. This meeting's safety tip from the Ped/Bike Committee: Always be on the lookout for children when driving through residential neighborhoods and school areas. Slow down and be ready to react! The City of Coeur d'Alene continuously accepts applications and holds them on file for one year for the positions of 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. There are two vacancies on the city's Natural Open Space Committee. If you are interested in serving, please contact Amy Ferguson, 666-5754, for an application. 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. Backflow assemblies

must be tested annually at spring irrigation start up. This test, performed by a private, state-licensed backflow tester (the City of Coeur d'Alene has a list of approved testers), verifies that the assembly is functioning correctly. If you have any questions or wish to obtain a state-licensed backflow tester list, contact the City of Coeur d'Alene Water Department at 769-2379. The Coeur d'Alene Public Library's spring programs begin April 12th and continue through May 12th. No registration is required for these free weekly activities. Deputy City Administrator Jon Ingalls spoke with ITD regarding the mega-loads coming through town from US 95 to I-90. The City has settled six lawsuits for the Sanders Beach area and if you would like to have more information, please contact the City Attorney. Accepting bids for the Education Corridor is planned for May 16th. The City Council will be meeting this Thursday for their annual Strategic Planning. She announced that the next step in the McEuen Park project is to hold an open house for May 5th in the Library Community Room from 6-8 p.m. in order for the public to review the changes made to the initial design.

RESOLUTION NO. 11-014

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN AGREEMENT FOR CONSTRUCTION OF SMA-7155 N GOVERNMENT WAY; HANLEY AVENUE TO PRAIRIE AVENUE WITH THE IDAHO TRANSPORTATION DEPARTMENT , HEREINAFTER CALLED THE STATE.

STAFF REPORT: City Engineer Gordon Dobler reported that last year, the City applied for a federal grant of \$2,541,700 for the design and right-of-way acquisition of Government Way from Hanley Ave to Prairie Ave. The City of Coeur d'Alene is the sponsor of the project, but it will be a multi-jurisdictional project involving Coeur d'Alene, Lakes Highway District, and the City of Hayden.

There is a 7.34% match required, so the total match is estimated at \$201,300. The total project cost is estimated to be \$2,743,000. Both Lakes Highway District and the City of Hayden have jurisdiction over half of the project length (1/4 each) and they have agreed to fund 25% (each) of the required match. An MOU is being drafted and will be brought to Council shortly. The City has budgeted our portion of the match, approximately \$100,000, this fiscal year, but the actual costs are incurred as funds are expended over the next two to three years. The grant funds for design (\$387,000) are available in this fiscal year and the funds for right-of-way acquisition (\$2,154,400) will be available in FY 2014 and 2015. Although funds for construction are not programmed yet, it is anticipated that they will be available in FY 2016 or 2017.

The project includes the widening of Government Way to five lanes, bike lanes on both sides, reconstruction of the signal at Prairie Ave and the extension of Wilbur Ave from Government Way to US95. In addition, ITD District 1 has agreed to sponsor a companion project that would construct the signal at Wilbur / US95 as well as remove the signal at Canfield / US95 and install the restricted left turn medians at Canfield / US95 and related modifications Aqua /US 95 intersections. These modifications were identified in the 2009 US 95 Access Study adopted by KMPO and ITD.

Motion by McEvers, seconded Edinger to adopt Resolution No. 11-014.

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

RCA-2-11 STIMSON MILL SITE (FORMERLY KNOWN AS ATLAS MILL SITE):

Deputy City Attorney Warren Wilson reminded the Council of the purpose of an “RCA”. City Planner Tami Stroud presented the request from River’s Edge Apartments L.L.C. for approval of a request for consideration of annexation for the Atlas mill site which is a +/- 61.5 acre parcel located between Seltice Way, the Spokane River, and the Mill River development.

Lance Douglas, 1402 Magnesium Rd., Spokane, Washington, applicant noted that the “finger” of land between the subject property and Mill River to the west is approximately 4-5 acres in size and the reason the property north of this property is not included in this request is because he does not own that property.

Motion by Goodlander, seconded by Edinger to authorize the applicant for the Stimson Mill Site (formerly known as Atlas Mill) to proceed with the annexation process. Motion carried.

RCA-3-11- STIMSON MILL SITE (FORMERLY KNOWN AS ATLAS MILL SITE):

Planner Tami Stroud presented the request from River’s Edge Apartments L.L.C. for approval of a request for consideration of annexation for the Atlas mill site which is a +/- 2.34 acre parcel with the parcel located between Seltice Way, the Spokane River, and the Mill River development.

Motion by Edinger, seconded by Kennedy to authorize the applicant for the Stimson Mill Site (formerly known as Atlas Mill) to proceed with the annexation process. Motion carried.

PUBLIC HEARING – V-11-2 – VACATION OF SEWER/WATER EASEMENTS IN THE MEADOW RANCH SUBDIVISION: Mayor Bloem read the rules of order for this public hearing. Gordon Dobler, City Engineer, gave the staff report.

Mr. Dobler reported that the applicant, Active West Development, is requesting the vacation of two utility easements in the Meadow Ranch Subdivision that are no longer necessary due to a reconfiguration of the subject development. He noted that the subdivision, which was platted in 2008 was originally configured with single-family homes along the westerly boundary and the large remainder parcel would contain multi-family and condominium lots. The utility easements were placed on the larger remainder parcel for the future development because no rights-of-way were intended to be constructed. Due to the change in the housing market and the success of the development’s single-family construction, the developer has decided to reconfigure the remainder of the development into a similar product. In order to accomplish that, the utility easements will need to be vacated. The vacation of these easements does not create any adverse impact on the City, and utility lines that will serve the newly configured lots will be placed within the new street rights-of-way.

He noted that staff sent out 12 mailings for tonight’s public hearing with 6 responses, all in favor.

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

MOTION: Motion by Hassell, seconded by Bruning to approve the vacation of sewer/water easements in the Meadow Ranch Subdivision. Motion carried.

A-2-11 – ANNEXATION OF 6.7 ACRE PARCEL COMMONLY KNOWN AS THE PRAIRIE TRAIL: Mayor Bloem read the rules of order for this public hearing. City Planner Sean Holm gave the staff report.

Mr. Holm reported that the City of Coeur d'Alene Parks Department is requesting approval of Zoning in conjunction with Annexation from County Industrial to City C-17 (Commercial at 17 units/acre) for a 6.7+/-acre parcel which is located west of Riverstone South. He gave the staff analyses for land use, zoning, utilities, streets and traffic. He reported that on March 8, 2011 the Planning Commission voted in favor of recommending approval of the annexation and zoning as requested. On April 1, 2011 staff mailed 29 notices of tonight's public hearing with 2 responses being received - both being neutral. Written comments were distributed for Council review.

PUBLIC COMMENTS: City Attorney Mike Gridley, spoke as applicant representing the City and the Centennial Trail Foundation, noting that since the City maintains the trail it would be beneficial if the property was within the City limits.

MOTION: Motion by Bruning, seconded by Hassell to approve the annexation and C-17-L zoning for the 6.7 acre parcel known as Prairie Trail and to adopt the Findings and Order of the Planning Commission. ROLL CALL: Edinger, Aye; Goodlander, Aye; Hassell, Aye; Kennedy, Aye; McEvers, Aye; Bruning, Aye. Motion carried.

Motion by Goodlander, seconded by Edinger to adopt the Findings and Order of the Planning Commission. ROLL CALL: Edinger, Aye; Goodlander, Aye; Hassell, Aye; Kennedy, Aye; McEvers, Aye; Bruning, Aye. Motion carried.

O-1-11 – AMENDMENTS TO THE POCKET HOUSING REGULATIONS: Mayor Bloem read the rules of order for this public hearing. Planning Director Dave Yadon gave the staff report.

Mr. Yadon reported that the City Council is being asked to consider the following amendments to the zoning ordinance:

1. Remove the requirement for Pocket Residential 1-1/2 acre in size and over to be required to go through the Planned Unit Development process unless the development is to be subdivided.
2. Clarify the minimum lot sizes allowed within Pocket Residential developments.
3. Clarify that setbacks other than the site perimeter of a Pocket Residential development is zero (0) feet.

Mr. Yadon noted that with the assistance of Mark Hinshaw in 2007, the City adopted an update and reworking of the Cluster Housing regulations now called Pocket Residential. Since adoption, staff has determined that clarification of some of the language should take place to ensure that the original intent is met. The proposed amendments do not change how the setbacks or minimum lot sizes have been applied to these projects, they clarify that application. In addition, staff has determined that the requirement for a Pocket Residential project 1 ½ acre in size and over to go through the PUD (Planning Unit Development) process to be burdensome and unnecessary for the

majority of these projects. He reported that on March 8, 2011 the Planning Commission reviewed this request and is recommending approval of the requested amendments.

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

ORDINANCE NO. 3406
COUNCIL BILL NO. 11-1004

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 17.07.1010 TO CLARIFY SET BACK AND LOT SIZE REQUIREMENTS FOR POCKET RESIDENTIAL DEVELOPMENTS AND TO INCREASE THE SIZE OF POCKET RESIDENTIAL DEVELOPMENTS THAT CAN BE APPROVED WITHOUT A PUD; 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 Hassell, seconded by Bruning to pass the first reading of Council Bill No. 11-1004.

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. 11-1004 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.

ADJOURNMENT: Motion by Hassell, seconded by Bruning to recess to April 21, 2011 at 6:00 p.m. in the Library Community Room for the Annual Strategic Planning session and then to April 26, 2011 at 4:30 p.m. in the City Hall former Council Chambers for a joint workshop with the Planning Commission. Motion carried.

The meeting recessed at 7:20 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan Weathers, CMC
City Clerk