

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D’ALENE, IDAHO,
HELD AT THE LIBRARY COMMUNITY ROOM
JUNE 1, 2010**

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 June 1, 2010 at 6:00 p.m., there being present upon roll call the following members:

Ron Edinger, Mayor Pro Tem

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

CALL TO ORDER: The meeting was called to order by Mayor Pro Tem Edinger.

INVOCATION: The invocation was led by Pastor Carl Cook, Candlelight Christian Fellowship.

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

PRESENTATION – LEGENDS YOUTH STAR SCHOLARSHIP: Recreation Director, Steve Anthony along with the owner of Legends Sports Photography, Jim Gallagher, presented Connor Williams with the annual Legends Youth Star scholarship.

PUBLIC COMMENTS:

INTRODUCTION: Troy Tymesen, City Finance Director, introduced the new Executive Director of the Chamber of Commerce, Todd Christiansen. Mr. Christiansen presented some of the summer activities planned/sponsored by the Chamber of Commerce.

SUMMER CONCERT SERIES IN CITY PARK: Chris Guggemos, Handshake Productions, announced that the City Park concert series begins this Sunday afternoon.

STOP SIGN REQUESTED: Jim Ackerman, 911 Lakeside, presented a petition requesting that a stop sign be placed at the intersection of 9th and Lakeside. Gordon Dobler, City Engineer, explained the steps that are required in order to place a stop sign at an intersection. Mayor Pro Tem Edinger directed Mr. Dobler to proceed with the review of that intersection and then bring his findings back to the General Services Committee.

Carol and Leo Barrett, 908 Lakeside, also requested that a stop sign be installed at that intersection.

IRONMAN TRIATHLON: Mac Cavasar, Ford Ironman Coeur d’Alene Race Director,

announced that Ironman will be held on June 27th. This week he will be placing signage reminding cyclists to do single file cycling. He noted that 2,050 athletes completed last week's Coeur d'Alene Marathon and expressed his appreciation for the help from city staff.

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

1. Approval of minutes for May 8, 2010.
2. Setting the General Services Committee and the Public Works Committee meetings for Monday, June 7th at 12:00 noon and 4:00 p.m. respectively.
3. RESOLUTION 10-018: 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 AMENDMENT TO POLICE RECORDS CATEGORIES IN THE CITY RECORDS RETENTION MANUAL; APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH BERNARDO-WILLS ARCHITECTS FOR EAST SHERMAN GATEWAY PROJECT; CDBG AD HOC COMMITTEE GRANT AWARDS FOR 2010 AND 2011 AND APPROVING A FUNDING AGREEMENT WITH HUD FOR CDBG ENTITLEMENT FUNDING OF PLAN YEAR 2010.
4. Authorizing staff to proceed with the sole source procurement for traffic signal equipment for the 15th and Harrison intersection.
5. Approval of expenditures for street repairs to Fernan Court
6. Approval of outdoor eating facility encroachment permit for Barrel Room No. 6
7. Approval of cemetery lot transfer from Elizabeth Nichols to Dusty Dionne
8. Approval of fireworks stands as submitted
9. Setting of public hearing for ZC-4-10 (139 & 141 E. Spruce) for July 6, 2010 and O-2-10 (shoreline regulation amendments) for July 6, 2010.

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

COUNCIL ANNOUNCEMENTS:

COUNCILMAN GOODLANDER: Councilman Goodlander read a letter from the Association of Idaho Cities announcing that the City will receive City Achievement awards for the Street Maintenance Brine Facility, Fallen Heroes Plaza, and Mudgie and Millie.

COUNCILMAN EDINGER: Councilman Edinger complimented Doug Eastwood and the Parks Department staff for the great work done on the city cemeteries in preparation for this past Memorial Day weekend.

APPOINTMENT – DESIGN REVIEW COMMISSION AND PARKING COMMISSION: Motion by Kennedy, seconded by McEvers to appoint Heather Bowlby and reappoint George Ives and Mike Patano to the Design Review Commission and to appoint Adam Graves to the Parking Commission. Motion carried.

ADMINISTRATOR'S REPORT: Deputy City Administrator Jon Ingalls announced that such tunes as "Long Way from Bonners Ferry," or "Fire of 1910," or how about, "Are They Going to Hang My Poppa?" and other songs will be performed Thursday, June 3rd, at 7:00 p.m. in the Community Room of the Coeur d'Alene Public Library. Gary Eller will perform as part of his program "Historically Based Songs of Idaho." Specialized Needs Recreation (SNR) is holding Camp All-Stars "Summer Break" Day Camp, June 14th through August 20th at 1323 Sherman Avenue. The day camp is provided for ages 4 to 21. The cost is \$12.00 per day. For more information, call Angie Goucher at 755-6781. Ped/Bike Committee Safety Tip of the week: Cyclists must remember to signal their intentions when turning or stopping. This is a courtesy to other bicyclists and motorists on the road and can help prevent accidents. Specialized Needs Recreation received a grant of \$500.00 from the Idaho Community Foundation to be used for their Camp All-Stars program for young people. This month is the 10-year anniversary of the city's Adopt-a-Street Program. The program is a partnership between the city and the citizen who adopts the street. The "adopting" individual, family, or group picks up the trash, while the city provides signage, vests, and orange litter-bags. The city also collects the bags the next working day after they have been filled. Special thanks go to all Adopt-a-Street volunteers. For more information about the Adopt-a-Street program, please call 769-2235. We have a vacancy on the Planning Commission. If you are interested in serving, please contact Shana Stuhmiller in the Planning Department at 769-2240. Mr. Ingalls commended Paul McGraw and other volunteers who participate in the C.O.P.S. (Citizens on Patrol) program. We are currently accepting applications for Temporary Seasonal Parks Grounds Maintenance Worker. For applications and job information, please visit our website at www.cdaid.org or call the Human Resources Department at 769-2205.

CLASS II BIKE LANES ON 15TH STREET: Councilman Hassell noted that this item was sent out of the Public Works Committee without recommendation. Monte McCully, Ped/Bike Committee Liaison, presented a request on behalf of the Ped/Bike Advisory Committee for the installation of Class II bike lanes on both sides of 15th Street from Mullan Avenue north to the I-90 overpass, and the removal of parking from the east side of 15th Street in that area. He explained that last year they met with homeowners and area cyclists at the Fire Station to get citizen input on adding bike lanes and removing parking on the east side of the road. The reaction was mixed. They asked for reasons why the citizens were against the bike lanes and got a whole host of issues. Most of the issues were with safety, speeding, etc. The committee addressed a lot of these issues and had another meeting a month ago, and then took this request to the Parks & Recreation Commission. Mr. McCully explained that bike lanes can calm traffic, improve safety, and provide bicycle connectivity and they are part of the Trailways Master Plan. He further noted that bike usage on 15th Street is probably higher than anywhere else in town except for the Centennial Trail. Between 2006 and 2009 there were ten collisions between bikes or pedestrians and cars on 15th Street between Best Avenue and Mullan. There were no accidents during the same time period north of Best where there are bike lanes. Councilman McEvers asked about parking in bike lanes. Doug Eastwood responded that there could be a parking permit process similar to that used in the Fort Grounds area. Councilman Edinger asked if curb cuts would be allowed. Mr. Dobler responded that if they meet the requirements they could have curb cuts. Councilman McEvers noted that we are putting a signal at 15th and Harrison and asked Mr. Dobler if he was comfortable with 11' lanes. Mr. Dobler responded that the majority of 15th Street is 34' so most the lanes would be 12' which he is comfortable with. Councilman Kennedy noted

that he received several calls supporting bike lanes and one call opposing bike lanes due to the congestion and they had suggested to him that instead of bike lanes put a center turn lane. Mr. Dobler noted that a center turn lane has not been planned for 15th Street; however, as traffic dictates, intersections will be reviewed.

PUBLIC COMMENTS: Ray Martel, Oak Court, spoke in support of bike lanes on 15th Street. Lana Hamilton 2315 N. 12th Street, as principal of Lakes Middle School, supports the addition of bike lanes on 15th Street. Laurie Hassell, 5785 W. Harcourt, spoke in support of bike lanes. Steve Moss, 1202 E. Ash, spoke in support of bike lanes on 15th Street. Gary Johnson, 2151 N. 9th Street, spoke in support of bike lanes on 15th Street. Michelle Holom, 1116 15th Street, opposed bike lanes on 15th Street and noted that she does not want to lose her parking on 15th Street. Tina Johnson, 2151 N. 9th, spoke in support of bike lanes on 15th Street. Don Holom, 1116 N. 15th, spoke in opposition of bike lanes on 15th Street and believes that a thorough study should be done prior to painting bike lanes. Gene O'Meara, 1522 E. Pennsylvania Ave. spoke in support of bike lanes. Bev Moss, 1202 E. Ash, spoke in support of bike lanes. Almer Casile, 814 E. Front, spoke in support of bike lanes. Julie Delsaso, 743 Fairmont Loop, spoke in support of bike lanes. Larry Strobel, 1421 E. Spokane, believes 15th Street is extremely dangerous and something needs to be done to increase the safety of bicyclists. Councilman Bruning read a letter from School District 271 supporting bike lanes on 15th Street.

MOTION: Motion by Goodlander, seconded by Bruning to approve the Class II Bike lanes on 15th Street.

DISCUSSION: Councilman McEvers feels remorseful for residents losing their parking on 15th Street; however he believes that the street needs to be made safe for both motorists and cyclists. Councilman Kennedy believes that safety is his primary concern and supports establishing bike lanes. Councilman Goodlander understands that compromises need to be made, in particular on-street parking, and noted that 15th has been a priority for creating bike lanes for several years and supports creating bike lanes on 15th. Councilman Hassell supports bike lanes on 15th Street. Councilman Bruning noted the need for bicycle lanes on the southeast part of town and 15th Street is the only street that allows bicyclists to go under I-90. Councilman Edinger opposes removing parking on 15th Street and adding bicycle lanes. He does not believe that by adding bicycle lanes to 15th Street it will slow down traffic but he believes it will increase traffic hazards for vehicles trying to back out of their driveways.

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

RECESS: Mayor Pro Tem Edinger called for a 10-minute recess at 8:00 p.m. The meeting resumed at 8:10 p.m.

2010 TRAILS AND BIKEWAYS MASTER PLAN: Trails Coordinator, Monte McCully reported that during the 2008 update of the Coeur d'Alene Parks Master Plan area residents were surveyed on their vision for the future of Coeur d'Alene. Enhancing our trails and bikeways system was one of the top three requests. This plan inventories all trails and bikeways facilities as well as provides suggested recommendations for future trails and trail connectivity. The community is seeking safer ped/bike corridors that connect neighborhoods to schools, parks, and other points of interest. The City General Fund has historically allocated \$7,500 per year for trail maintenance/improvements. These funds have been placed in the Parks Capital Improvement Fund as a dedicated line item. The funds are also allowed to accrue if not used and we also use the fund as part of a trail grant match. Due to budget constraints this year that allocation is no longer made by the general fund. Other short and long term solutions can include establishing a line item

in the Parks Capital Improvement Fund with revenues generated within the parks and trails system. That line item should be the same as it was with the general fund allocation. Areas of trail improvements that might be associated with the Centennial Trail and/or the Prairie Trail can also get funding assistance through the North Idaho Centennial Trail Foundation and the Kootenai County Joint Powers Board. A long term solution might be that we re-examine our impact fee structure and include trails in that formula.

Motion by Kennedy, seconded by Bruning to adopt the 2010 Trails and Bikeways Master Plan.
Motion carried.

ORDINANCE NO. 3382
COUNCIL BILL NO. 10-1008

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, REPEALING CHAPTERS 1.29, 2.36, 2.52, 2.88, 8.06, 8.24, 8.46, 10.26 AND SECTIONS 5.18.015, 5.18.050, 5.18.055, 5.18.060, 5.18.080, 8.12.110, 8.36.090, AND 10.40.040; AMENDING SECTIONS 5.08.160, 5.18.005, 5.18.010, 5.18.020, 5.18.030, 5.18.040, 5.18.045, 5.18.070, 10.40.010, 10.40.030, 12.36.010, 12.36.015, 12.36.020, 12.36.100 AND 12.36.105 TO REMOVE REGULATIONS GOVERNING ACTIVITIES ON PUBLIC PARKS, OPEN SPACES AND OTHER PROPERTY; ADOPTING A NEW TITLE 4, ENTITLED PARKS AND PUBLIC PROPERTY, ESTABLISHING RULES AND REGULATIONS FOR PARKS, CEMETERIES, OPEN SPACES, PARKING LOTS AND OTHER PUBLIC PROPERTY, ADOPTING DEFINITIONS, AUTHORIZING THE ADOPTION OF FEES AND ADDITIONAL PARK SPECIFIC RULES BY RESOLUTION, RE-AUTHORIZING THE PARKS CAPITAL IMPROVEMENT FUND, ESTABLISHING THE PARKS, RECREATION AND CEMETERY COMMISSION AND THE JEWETT HOUSE ADVISORY COMMITTEE, WITH RULES AND DUTIES FOR EACH BODY, ESTABLISHING RULES FOR THE ADMINISTRATION OF THE CITY'S CEMETERIES INCLUDING, FEES, ALLOCATION OF FUNDS, RETENTION OF RECORDS, TRANSFER OF LOTS, RESERVING BURIAL LOTS FOR VETERANS, ESTABLISHING RULES OF CONDUCT, MAINTENANCE, LANDSCAPING, MONUMENTS AND INTERMENTS; ADOPTING RULES FOR USE AND PARKING IN DESIGNATED PUBLIC PARKING LOTS AND USE OF PUBLIC BOAT LAUNCHES AND DOCKS, INCLUDING RE-AUTHORIZING THE PARKING LOT CAPITAL IMPROVEMENT FUND, SIGN ERECTION AND RULES OF CONDUCT; ADOPTING RULES GOVERNING PUBLIC SWIMMING AREAS, WATERWAYS AND DOCKS INCLUDING, ESTABLISHING SWIMMING AREAS, RESTRICTIONS ON USE OF WATERWAYS IN THE CITY, ADOPTING DEFINITIONS, ADOPTING MOORING TIMES AND OTHER RESTRICTIONS AT CITY DOCKS; ADOPTING PARK AND PUBLIC PROPERTY REGULATIONS INCLUDING, PROHIBITING USE OF GLASS CONTAINERS, USE OF ALCOHOL, DAMAGING, OR DRIVING ON, PUBLIC PROPERTY, BURNING OR FIRES ON PUBLIC PROPERTY, PROHIBITING FIREWORKS, OVERNIGHT CAMPING, REGULATING ANIMALS, USE OF BICYCLES, SKATEBOARDS, AND TOYS, ESTABLISHING HOURS OF USE; PROHIBITING COMMERCIAL ACTIVITY IN CITY PARKS WITH EXCEPTIONS FOR CONCESSIONS AND OTHER ACTIVITIES APPROVED BY THE CITY; ESTABLISHING THAT VIOLATIONS OF THIS TITLE ARE MISDEMEANORS, PUNISHABLE BY A FINE OF NOT MORE THAN \$1,000.00 OR BY IMPRISONMENT NOT TO EXCEED 180 DAYS

OR BOTH, OR INFRACTIONS PUNISHABLE BY A FINE NOT TO EXCEED \$100, OR CIVIL INFRACTIONS SUBJECT TO A \$50 FINE OR OTHER AMOUNT ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL; 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 Kennedy, seconded by Bruning to pass the first reading of Council Bill No. 10-1008.

Deputy City Attorney Warren Wilson reviewed the amendments contained in this ordinance.

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

Motion by Kennedy, seconded by Bruning to suspend the rules and to adopt Council Bill No. 10-1008 by its having had one reading by title only.

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

ORDINANCE NO. 3383
COUNCIL BILL NO. 09-1028

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, REPEALING TITLE SIX AND ADOPTING A NEW TITLE SIX, ENTITLED ANIMALS, TO ESTABLISH ANIMAL CONTROL REGULATIONS INCLUDING; PROVIDING A PURPOSE CLAUSE AND DEFINITIONS, AUTHORIZING ADOPTION OF FEES BY RESOLUTION, ESTABLISHING DOG LICENSING REQUIREMENTS, REQUIREMENTS FOR THE CARE AND QUARTERING OF ANIMALS, PROHIBITING THE POSSESSION OF CERTAIN WILD OR EXOTIC ANIMALS AND THE FEEDING OF WILD ANIMALS, PROHIBITING CRUELTY TO ANIMALS, REQUIRING VACCINATION OF CERTAIN ANIMALS, ADOPTING REGULATIONS FOR DANGEROUS ANIMALS AND THE IMPOUNDMENT OF CERTAIN ANIMALS, ESTABLISHING LICENSING REQUIREMENTS FOR KENNELS AND PETSHOPS, ADOPTING ENFORCEMENT AND APPEAL PROVISIONS, INCLUDING CIVIL PENALTIES, AND ESTABLISHING THAT VIOLATIONS OF THE TITLE ARE EITHER MISDEMEANORS, PUNISHABLE BY A FINE OF NOT MORE THAN \$1,000.00 OR BY IMPRISONMENT NOT TO EXCEED 180 DAYS OR BOTH, OR INFRACTIONS PUNISHABLE BY A FINE NOT TO EXCEED \$100; 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.

Deputy City Attorney Warren Wilson explained the proposed amendments contained in this ordinance.

Motion by Kennedy, seconded by Goodlander to pass the first reading of Council Bill No. 09-1028.

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

Motion by Kennedy, seconded by Goodlander to suspend the rules and to adopt Council Bill No. 09-1028 by its having had one reading by title only.

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

ORDINANCE NO. 3384
COUNCIL BILL NO. 10-1009

AN ORDINANCE DE-ANNEXING FROM AND DECLARING THE SAME TO BE SEPARATE FROM THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF THE SW ¼ SE ¼ SECTION 4, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN; BY DECLARING SUCH PROPERTY TO BE NO LONGER A PART OF THE CITY OF COEUR D'ALENE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING A SEVERABILITY CLAUSE.

Motion by Goodlander, seconded by McEvers to pass the first reading of Council Bill No. 10-1009.

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

Motion by Goodlander, seconded by McEvers to suspend the rules and to adopt Council Bill No. 10-1009 by its having had one reading by title only.

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

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

The session began at 8:40 p.m. Members present were the Mayor Pro Tem, City Council, Deputy City Administrator, City Attorney and City Treasurer.

Matters discussed were those of litigation. No action was taken and the Council returned to their regular session at 9:30 p.m.

ADJOURNMENT: Motion by Bruning, seconded by Goodlander to recess this meeting to June 8th at 12:00 noon in the Library Community Room. Motion carried.

The meeting recessed at 9:30 p.m.

Ron Edinger, Mayor Pro Tem

ATTEST:

Susan Weathers, CMC
City Clerk