

**MINUTES OF A REGULAR MEETING OF THE CITY  
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,  
HELD AT THE LIBRARY COMMUNITY ROOM  
July 6, 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 July, 2010 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

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 Bloem.

**INVOCATION:** The invocation was led by Pastor Paul VanNoy, Candlelight Christian Fellowship.

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

**PROCLAMATION/PRESENTATION – PARKS DAY CELEBRATION:** On behalf of Mayor Bloem, Councilman Bruning read the proclamation proclaiming Saturday, July 10<sup>th</sup> as Parks Celebration Day in the City of Coeur d'Alene. Doug Eastwood, Parks Director, accepted the proclamation. Katie Kosanke, Assist. Urban Forester, announced the activities planned for July 10<sup>th</sup> which will begin with a free pancake breakfast at Sunshine Meadows Park at 9:00 a.m. There will also be an inflatable castle, a bicycle safety course (coordinated by Safe Kids of Kootenai County, Safe Routes to Schools, the CdA Ped/Bike Committee, and State Farm Insurance), free helmets, Art on the Edge, Bubbles the Clown, horseshoes, volleyball, tetherball, and informational booths. Fiddlers Arvid Lundin and Dave Beach will entertain you, and the Kootenai County Dog Park Association will hold a dog contest. In addition, there will be balloons, sack races, HAM radio demonstrations, and the CdA Rock School will hold a concert with students of all ages playing rock music. It's all brought to you courtesy of the Coeur d'Alene Parks Department and the Coeur d'Alene Parks Foundation. Major sponsors include Copper Basin Construction, Kootenai Electric Co-op, Waste Management, Century 21, the Hagadone Corporation, and Architects West. At 5:00 p.m., the Landings Park will be dedicated. Activities after the dedication include a free hot dog dinner cooked by the Lion's Club. In addition, there's a Bicycle Safety Course (again coordinated by Safe Kids of Kootenai, Safe Routes to Schools, the CdA Ped/Bike Committee, and State Farm Insurance), and bicycle tune-ups. Also present will be the Humane Society, Art on the Edge crafts, the inflatable castle, sports booths, sack races, tennis, and a splash pad. Entertainment will be provided by Jazz Northwest and the Youth Marimba Band. A movie will be shown at dusk, and there will be free, Dutch-oven kettle corn. For more information, please contact Katie Kosanke, 415-0415.

Doug Eastwood reviewed the City's park growth, and explained how he has maintained his staffing levels that manage all the city's parks using technology.

**PUBLIC COMMENTS:**

THANKS EXTENDED: Terry Cooper, Executive Director of the Downtown Association, presented plaques to the City's Streets, Police and Fire Departments for their support over the last 20 years of the Car d'Lane activities.

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

1. Approval of minutes for June 15, 2010.
2. Setting the General Services Committee and the Public Works Committee meetings for Monday, July 12<sup>th</sup> at 12:00 noon and 4:00 p.m. respectively.
3. RESOLUTION 10-024: 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 CHANGE ORDER NO 2 TO THE MEMORANDUM OF AGREEMENT WITH GEOENGINEERS FOR THE WWTP TMDL FACILITATION; APPROVING RULES AND REGULATIONS SPECIFIC TO THE OFF-LEASH DOG PARK ON ATLAS ROAD; APPROVING AN EQUIPMENT RENTAL AGREEMENT WITH THE IDAHO DEPARTMENT OF LANDS; APPROVING S-1-09 FINAL PLAT APPROVAL AND SUBDIVISION IMPROVEMENT AGREEMENT WITH RIVERVIEW VENTURES, LLC FOR TWENTY-SIX SUBDIVISION; APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH J-U-B- ENGINEERS FOR THE EDUCATION CORRIDOR INFRASTRUCTURE DESIGN; AND APPROVING A CONTRACT WITH ALPHA SERVICES, LLC FOR THE TUBBS HILL FUEL REDUCTION AND NON-NATIVE TREES.
4. Approval of outdoor eating encroachment permit for Capone's Pub & Grill at 751 N. 4th.
5. Acceptance of grant of Right-of-Way for Long Meadow Drive.
6. SS-1-10 – Final Plat Approval of Forest Cemetery Annex, 2<sup>nd</sup> Addition to Riverview Addition.

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

**COUNCIL ANNOUNCEMENTS:**

COUNCILMAN KENNEDY: Councilman Kennedy announced that the City of Coeur d'Alene received three awards that he accepted on behalf of the City during the Association of Idaho Cities Annual Conference held last month.

**APPOINTMENT – NOISE ABATEMENT APPEALS BOARD:** Motion by Edinger, seconded by McEvers to re-appoint David Wagner to the Noise Abatement Appeal Board. Motion carried.

**ADMINISTRATOR'S REPORT:** City Administrator Wendy Gabriel announced that The Planning Commission has a vacancy. If you are interested in serving, please contact Shana Stuhlmiller at 769-2240 for an application. On the 100-year anniversary of the disastrous 1910 fires, a new photo exhibit at the Coeur d'Alene Public Library is now on display that illustrates the impact of the fires that swept through the region. The images are courtesy of the U.S. Forest Service Region 1 Archives and were printed and mounted through a grant from the Friends of the Coeur d'Alene Public Library. On June 23<sup>rd</sup>, the City of Coeur d'Alene launched the sustainability portion of its official website, [www.cdaid.org/green](http://www.cdaid.org/green), to provide a resource for people who want to reduce, reuse, and recycle. The new website is a Green CdA Team effort. For more information, please contact Sean Holm at 676-

7401. Here's a tip from the Pedestrian & Bicyclist Advisory Committee: If a pedestrian or cyclist is at an intersection with a foot or a tire in the crosswalk, cars are required to stop to let them cross. On June 21<sup>st</sup> the City of Coeur d'Alene launched its Storm Drain Marking Program, "For the Sake of Our Lake." The Storm Drain Marking Program will remind citizens to not dump anything down storm water drains. The operation of our stormwater collection system is regulated by the EPA through our Stormwater Discharge Permit. We must meet strict requirements set forth in our permit. The purpose of those requirements is to reduce pollutants being discharged in Lake Coeur d'Alene and the Spokane River through our stormwater collection system. To volunteer or for more information, please contact Kim Harrington, Assistant Project Manager, at kimh@cdaid.org or 769-2214. We also have a vacancy on our Noise Abatement Board. If you are interested in serving, please contact Susan Weathers at 769-2231 for an application. A major grant by the Women's Gift Alliance Fund in the Idaho Community Foundation will fund equipment purchases for a project to be offered by the Coeur d'Alene Public Library and North Idaho College Adult Basic Education to boost the computer skills of people looking for jobs or hoping to re-enter the job market! On Saturday, July 10<sup>th</sup>, enjoy the Third Annual Parks Day Celebration. It will begin with a free pancake breakfast at Sunshine Meadows Park at 9:00 a.m. At 5:00 p.m., The Landings Park will be dedicated. For more information, please contact Katie Kosanke, 415-0415. Here's another bicycle safety tip from the Ped/Bike Advisory Committee: Avoid road hazards. To prevent flat tires and accidents, carefully ride around road grates, broken glass, gravel, and debris. Idahoans now have access to a new measurement tool that utilities use. Using the meter readings, consumers can estimate the electrical consumption and costs associated with each appliance by the hour, day, week, month, or entire year. The purpose of the program is to help Idahoans who are trying to save money and/or trying to cut down on energy consumption. For more information on the program or for energy-efficiency tips visit [www.lili.org/energy](http://www.lili.org/energy) or contact Gina Persichini, Idaho Commission for Libraries, 208-334-2150.

ORDINANCE NO. 3387  
COUNCIL BILL NO. 10-1012

AN ORDINANCE AMENDING THE ZONING ACT OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, KNOWN AS ORDINANCE NO. 1691, ORDINANCES OF THE CITY OF COEUR D'ALENE, BY CHANGING THE FOLLOWING DESCRIBED PROPERTY FROM R-17 FOR PARCEL "A" AND LM FOR PARCEL "B" TO C-17, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: +/-1.1 ACRE PARCEL AT 909 AND 927 WEST RIVER AVENUE; 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. 10-1024.

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

Motion by Edinger, seconded by Kennedy to suspend the rules and to adopt Council Bill No. 10-1024 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.

**PUBLIC HEARING – ZC-4-10- ZONE CHANGE AT 139 AND 141 E. SPRUCE AVENUE:**

Mayor Bloem read the rules of order for this public hearing. No conflict of interest was declared by any Councilman. John Stamsos, Senior Planner, gave the staff report.

Mr. Stamsos gave the applicant's name as Gary Fredrickson, the location as a 19,424 sq. ft. parcel at 139 and 141 East Spruce Avenue and the reason for the request as a one change from R-12 (residential at 12 units/acre) to C-17 (general commercial).

He gave the staff analyses for zoning, land use and neighborhood characteristics, Comprehensive Plan, Transportation Plan, and utilities. On May 11, 2010 the Planning Commission reviewed this request and recommended approval of the zone change with the following special condition: Any construction that may straddle the Tax #4170/4171 boundary lien will require the recordation of a City Lot Consolidation form, in order to create one (1) uniform parcel.

Mr. Stamsos reported that on June 18, 2010, 38 notices of tonight's public hearing were mailed to all property owners within 300 feet of the subject property with a total of 6 responses being received - 5 in favor, 0 opposed, 1 neutral.

**PUBLIC COMMENTS:** Gary Fredrickson, 2003 N. 3<sup>rd</sup> Street, spoke as the applicant.

Motion by Edinger seconded by Kennedy to approve the requested zone change from R-12 to C-17 and to adopt The Findings and Order of the Planning Commission including the recommended condition. **ROLL CALL:** Bruning, Aye; Edinger, Aye; Goodlander, Aye; Hassell, Aye; Kennedy, Aye; McEvers, Aye. Motion carried.

**PUBLIC HEARING – O-2-10 – AMENDMENT TO SHORELINES REGULATIONS**

**REGARDING HEIGHT LIMITATIONS ALONG W. LAKESHORE DRIVE:** Mayor Bloem read the rules of order for this public hearing. Dave Yadon, City Planning Director, gave the staff report.

Mr. Yadon reported that Rick and Roxanne Gunther are requesting amending the height limitations of the overlay district as it applies to the West Lakeshore Drive area between Hubbard Avenue and Park Drive. He explained that the existing shorelines regulations were adopted in 1982 following a citizens' initiative to protect the shorelines in response to proposed development on the downtown waterfront and possible development of other shoreline properties. These regulations consist of an overlay district that extends along and within 150 feet landward of the Coeur d'Alene Lake and Spokane River shorelines. This district has various levels of requirements depending on the location and distance from the shoreline. Tonight's request would amend the existing code to allow the height of structures in the West Lakeshore Drive portion of the Shoreline Overlay District to be changed from 20 feet to not greater than that provided in the underlying zoning district. This would allow the existing character of the West Lakeshore streetscape to be developed by right.

**PUBLIC COMMENTS:** Roxanne Gunther, 701 W. Lakeshore Drive, noted that she became aware of the ordinance restrictions when they were planning to modify their home on West Lakeshore Drive which regulations do not provide for a variance. Rick Gunther, 701 W. Lakeshore Drive, commented that he believes that the homeowners in the neighborhood know what they are planning on doing to their property.

Motion by Goodlander, seconded by McEvers to approve the requested amendment to the Shoreline Overlay District regulations for West Lakeshore Drive. ROLL CALL: Bruning, Aye; Edinger, Aye; Goodlander, Aye; Hassell, No; Kennedy, Aye; McEvers, Aye. Motion carried.

**PUBLIC HEARING – AMENDMENTS TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2009 AND 2010 ANNUAL ACTION PLAN:** Mayor Bloem read the rules of Order for this public hearing. Nelle Coler, City CDBG Administrator, gave the staff report. Councilman Bruning declared a conflict of interest and abstained from voting.

Mrs. Coler reported that tonight's public hearing is to authorize the proposed amendments to CDBG 2010 Annual Action Plan including the following:

- To clarify the \$100,000 land acquisition line item will be utilized in support of the 50-unit Mill River Senior Apartments
- Community grant awards shall be clarified to be awarded to Mill River Senior Apartments in the amount of \$40,000, that will be used for soft costs (including architecture and engineering)
- Community grant award shall be clarified to be awarded to Community Action Partnership in the amount of \$46,000 for housing counseling to approximately 100 households
- To clarify that the City received more funds than originally anticipated, \$27,006, which shall be made available for Sidewalk enhancements on East Fairway Drive

Mrs. Coler noted that the City of Coeur d'Alene must establish an annual action plan, which is intended to be a plan that specifically outlines the projects that will be funded during each HUD funded plan year. In the Plan Year 2009 Action Plan, the City allocated \$100,000 toward a land acquisition project, without specifying the exact project. In the Plan Year 2010 Action Plan, \$100,000 for land acquisition was specifically allocated for the Meadow Ranch project. It was staff's hope that the city partnership for land acquisition would incentivize the award of tax credits. Tax credit applications were due in February 2010, and the Meadow Ranch developers did not decide to apply for the tax credit program. However, Whitewater Development Inc. applied and was awarded tax credits based on the same assumption of land acquisition. Therefore, staff is recommending the \$100,000 from Plan Year 2009 and Plan Year 2010 be utilized toward land acquisition for the Whitewater Development project on Mill River Senior project that will result in 50 units of low-income senior rental housing.

The City of Coeur d'Alene conducted a competitive RFP process for the Plan Year 2010 and 2011 community grant dollars. The process included the submittal of a grant application, review by the Ad Hoc Committee (March 25 and 26, 2010) and recommendations of the Ad Hoc Committee authorized at the June 1, 2010 City Council meeting. This amendment request to City Council will formalize the process, provide an additional public comment opportunity, and allows staff to move forward with sub-recipient agreements with Whitewater Development and Community Action Partnership. The following is a brief description of the two projects recommended by the CDBG Ad Hoc Committee.

**Mill River Senior Apartments Project Overview (CDBG Grant Award \$40,000).**

Whitewater Development, Inc. will utilize \$200,000 (funds from plan year 2009 and 2010) from the City's CDBG Entitlement program for land acquisition and \$40,000 under the City's Community Opportunity Grant Program for architecture and engineering activities during the development and construction of Mill River Seniors, a 50-unit project for low-income seniors. The project will consist of eight one-bedroom and 42 two-bedroom units, predominantly serving the 40% & 50% area median

income (AMI) households. The development will integrate an additional ten units at Fair Market Value to provide a continuum of housing options.

Mill Ranch Senior Apartments will provide safe, clean, affordable housing for tenants who are 55+ years of age. The project site is located on the north side of Seltice Way, just to the west of Grandmill Lane. The development site, located in the City's Urban Renewal District will utilize 5.42 acres with nine, one-story buildings and a detached community center for supportive services. In addition to funding from the City's Entitlement program, the Community Opportunity grant and Lake City Development Corporation, the project will include HOME funds, Low Income Housing Tax Credit (LIHTC) program dollars and private investment. The estimated total budget for the project is \$6,587,376. The project will meet HUD's National Objective of benefitting low-to-moderate income persons.

**Community Action Partnership, Housing Counseling Overview (CDBG Grant Award \$46,000).**

Community Action Partnership will provide housing counseling from their Coeur d'Alene office to help people reach housing goals and solve housing problems by providing information, looking at options, advocating and making referrals. Topics for assistance will include foreclosure prevention and reverse mortgages: Beneficiaries may be homebuyers, homeowners, renters and the homeless. Successful counseling efforts may result in stopped or delayed foreclosures, modified mortgages, completion of tenant requested repairs, prevention of eviction, mutually acceptable negotiations, establishment of reverse mortgages, informed housing purchases and sheltering of homeless persons. The City will provide \$46,000 to Community Action Partnership (CAP) through the Community Opportunity Grant program. The funding will be used to provide Housing Counseling services to 100 households in the Coeur d'Alene area. (At least 51% of the persons assisted by the program will be low-to-moderate income) CAP anticipates approximate 68% of the clientele will be low-to-moderate income. The project will meet HUD's National Objective of benefitting low-to-moderate income persons.

Additionally, during the preparation for Plan Year 2010, the City anticipated the same allocation as Plan Year 2009; however, the federal government allocated an additional \$27,006. Therefore, staff recommends it be allocated toward a sidewalk enhancement project on East Fairway Drive. The owner of the Tree Top apartments has agreed to provide two units for one year for low to moderate income residents in exchange for funding toward the sidewalk enhancements (to meet ADA standards).

The City posted this proposed amendment to its web page, according to our citizen participation plan, and solicited public comments for thirty-days (June 4, 2010 – July 7, 2010). No public comments have been received, as of the date of this public hearing.

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

Motion by Edinger, seconded by Goodlander to approve the amendments to the Community Development Block Grant Action Plan for Plan years 2009 and 2010. ROLL CALL: McEvers, Aye; Bruning, Abstained; Edinger, Aye; Hassell, Aye; Goodlander, Aye; Kennedy, Aye. Motion carried.

**BOY SCOUT INTRODUCED:** Councilman Bruning introduced Dillon Emery from Boy Scout Troop 201 who is attending tonight's meeting as a part of earning his merit bag.

**EXECUTIVE SESSION:** Motion by Hassell, seconded by Bruning to enter into Executive Session as provided by I.C. 67-2345, § C: To conduct deliberations concerning labor negotiations or to acquire an interest in real property, which is not owned by a public agency.

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

The session began at 7:45 p.m. Members present were the Mayor, City Council, City Administrator, City Attorney and Deputy City Administrator.

Matters discussed were those of labor negotiations and property acquisition. No action was taken and the Council returned to their regular session at 8:50 p.m.

**ADJOURNMENT:** Motion by Edinger, seconded by Bruning to recess this meeting to July 7<sup>th</sup> at 12:00 noon in the Library Community Room. Motion carried.

The meeting recessed at 8:50 p.m.

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Sandi Bloem, Mayor

ATTEST:

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Susan Weathers, CMC  
City Clerk