

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT COEUR D'ALENE CITY HALL
August 7, 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 August 7, 2007 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)	
Dixie Reid)	
Loren Ron Edinger)	
Deanna Goodlander)	

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

INVOCATION was led by Pastor Mike Slothower, River of Life Friends Church.

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

PRESENTATION – IDAHO COMMUNITY DEVELOPMENT BLOCK GRANT:

Heidi Aggeler, BBC Consultant, explained what the Idaho Community Development Block Grant is and the purpose of the 5-year Consolidated Housing Plan for the City of Coeur d'Alene. She reviewed the process her consulting group has undertaken for developing the City's Consolidated Plan. She noted it is anticipated that the City could receive approximately \$300,000 a year of CDBG funds for addressing the City's low to moderate income housing needs and other urgent community development needs. She listed the eligible activities that the City can use these funds. Ms. Aggeler reviewed the scheduled public forums which are being provided as an opportunity for the community to let the City know how the CDGB funds could be spent. It is anticipated that the City Council's public hearing on the Consolidated Plan will be held on October 16, 2007. Additionally, a community survey has been sent out to residents for their input on how the funds should be allocated. Councilman Hassell asked if Ms. Aggeler believed the recent newspaper articles would affect the outcome of the proposed public forums. Ms. Aggeler responded that generally forums generate attendance from members of the professions that serve this certain population of the community.

PRESENTATION – LIBRARY FACILITY UPDATE: Project Coordinator Renata McLeod presented an update on the construction of the new Library facility. She noted that it will be an estimated additional \$78,000 or 1.2% above the original estimated project costs. These additional funds are needed to complete the library, which include all moving expenses and various change orders to the construction. She presented the

proposed timeline for the move from the old Library facility to the new facility with a projected opening date of September 10, 2007. Bette Ammon, Library Director, announced that the Friends of the Library will be having a “book brigade” where children and adults will be able to help carry books from the old Library to the new facility on August 25th.

PRESENTATION – 2007-2008 CITY BUDGET PREVIEW: Finance Director Troy Tymesen announced that the proposed budget is on the City’s web site where citizens can look at the budget and submit their questions on the budget. Mr. Tymesen will highlight these questions during the Council meetings in August prior to the public hearing to be held on September 4th. This evening Mr. Tymesen reviewed the priorities that were set by the City Council and how they are funded in this coming year’s budget. He explained the formula for converting the City’s budget into the property tax levy rate. Mr. Tymesen explained what a “fund balance” is, the purpose of a “fund balance”, and the need for a fiscally healthy city to maintain a good “fund balance”.

PUBLIC QUESTIONS COUNCIL MEETING: Mayor Bloem announced that the City Council meeting on August 21st has been dedicated to our citizens who are invited to come and ask the City Council any questions they may have on city operations/functions.

PUBLIC COMMENTS:

COUNCIL AND MAYOR COMPENSATION: Harold Hocker, 1413 E. Spokane Avenue, spoke in opposition to raising the Council and Mayor rate of compensation. He cautioned that when the City of West Sacramento, California raised their compensation only one Councilman was re-elected.

PUBLIC NOTICES OF PUBLIC HEARINGS: John Williams, 6222 Harcourt Drive, Coeur d’Alene, asked why the notices for public hearings that are mailed have not been expanded to residents beyond what is required as well as expressed his concerns of the notices posted on the subject property. Additionally, he believes that the legal notices of the public hearing in the newspaper are minimal at best. He believes that the City needs to do more than the bare minimum. He voiced his concern of a PUD that has been scheduled for a public hearing before the City Council on September 4.

MOTION: Motion by Reid, seconded by Kennedy to move Mr. Williams issues of public notices to the General Services Committee for further review. Motion carried. Councilman Edinger announced that this item will be added to the August 27th General Services Committee agenda.

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

1. Approval of minutes for July 17, 19, 2007.
2. Setting the Public Works Committee and General Services Committee

meetings for August 13, 2007 at 4:00 p.m.

- 3. RESOLUTION 07-052: 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 DECLARATION OF CERTAIN COMPUTER HARDWARE AS SURPLUS PROPERTY; APPROVAL OF AN AGREEMENT WITH HDR ENGINEERING FOR THE O&M MANUAL FOR THE WWTP PHASE 4A FACILITIES; APPROVAL OF A LEASE AGREEMENT WITH CRICKET COMMUNICATIONS, INC. FOR SPACE ON THE INDUSTRIAL STANDPIPE AND APPROVAL OF S-4-05 ACCEPTANCE OF IMPROVEMENTS AND MAINTENANCE / WARRANTY AGREEMENT FOR BELLERIVE.
- 4. RESOLUTION 07-053: A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ESTABLISHING A NOTICE OF TIME AND PLACE OF PUBLIC HEARING OF THE PROPOSED AMENDED BUDGET FOR FISCAL YEAR 2006-2007, AND INCLUDING PROPOSED EXPENDITURES BY FUND AND/OR DEPARTMENT, AND STATEMENT OF THE AMENDED ESTIMATED REVENUE FROM PROPERTY TAXES AND THE AMENDED TOTAL AMOUNT FROM SOURCES OTHER THAN PROPERTY TAXES OF THE CITY FOR THE ENSUING FISCAL YEAR AND PROVIDING FOR PUBLICATION OF THE SAME.

WHEREAS, it is necessary, pursuant to Idaho Code 50-1003, for the City Council of the City of Coeur d'Alene, prior to passing an Amended Annual Appropriation Ordinance, to prepare a proposed amended Budget, tentatively approve the same, and enter such proposed amended Budget at length in the journal of the proceedings; NOW, THEREFORE,

BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene, that the following be and the same is hereby adopted as an Amended Estimate of Expenditures and Anticipated Revenue of the City of Coeur d'Alene for the fiscal year beginning October 1, 2006:

GENERAL FUND EXPENDITURES:

Mayor and Council-----	\$ 191,522	\$ 202,622
Administration-----	484,422	491,132
Finance Department-----	682,937	737,437
Municipal Services-----	1,045,727	1,047,827
Human Resources-----	231,978	241,878
Legal Department-----	1,082,615	1,132,615
Planning Department-----	521,304	576,254
Building Maintenance-----	402,815	
Police Department-----	7,852,908	8,029,574
K.C.J.A. Task Force-----	24,140	59,140
C.O.P.S. Grant-----	154,241	
Byrne Grant-----	77,303	133,425
Fire Department-----	5,209,058	5,233,058

General Government-----	176,631	3,370,826
Growth Services-----	1,197,829	1,383,580
US Streets/Garage-----	2,509,592	2,549,538
Parks Department-----	1,415,136	1,424,636
Recreation Department-----	727,173	874,083
Building Inspection-----	792,578	826,928

TOTAL GENERAL FUND EXPENDITURES: ~~\$24,779,909~~ \$28,871,609

SPECIAL REVENUE FUND EXPENDITURES:

Library Fund----- \$	976,374	1,027,299
Impact Fee Fund-----	2,014,920	
Parks Capital Improvements-----	443,259	
Annexation Fee Fund-----	100,000	
Insurance / Risk Management-----	295,500	325,500
Cemetery Fund-----	300,482	
TOTAL SPECIAL FUNDS:	<u>\$ 4,130,535</u>	<u>\$4,211,460</u>

ENTERPRISE FUND EXPENDITURES:

Street Lighting Fund----- \$	505,592	562,592
Water Fund-----	7,291,068	7,801,968
Wastewater Fund-----	10,904,960	11,104,260
Water Cap Fee Fund-----	1,160,000	
WWTP Cap Fees Fund-----	1,293,611	
Sanitation Fund-----	2,806,353	2,969,853
City Parking Fund-----	160,132	180,132
Stormwater Management-----	<u>1,348,468</u>	<u>1,380,468</u>
TOTAL ENTERPRISE EXPENDITURES:	<u>\$25,470,184</u>	<u>\$26,452,884</u>

TRUST AND AGENCY FUNDS:-----	916,688	3,308,688
STREET CAPITAL PROJECTS FUNDS:-----	2,883,200	3,081,200
2006 GO BOND CAPITAL PROJECT FUND:-	0	9,617,000
DEBT SERVICE FUNDS:-----	<u>2,537,634</u>	<u>3,237,634</u>
GRAND TOTAL OF ALL EXPENDITURES:	<u>\$60,718,150</u>	<u>\$78,780,475</u>

BE IT FURTHER RESOLVED, that the same be spread upon the Minutes of this meeting and published in two (2) issues of the Coeur d'Alene Press, seven (7) days apart, to be published on September 10, 2007 and September 17, 2007.

BE IT FURTHER RESOLVED, that a Public Hearing on the Budget be held on the 18th day of September, 2007 at the hour of 6:00 o'clock p.m. on said day, at which time any interested person may appear and show cause, if any he has, why the proposed amended Budget should or should not be adopted.

5. Setting of public hearing for Consolidated 5-year Plan for HUD CDBG funds for October 16, 2007.
6. Setting of Legislative Appeal Hearing as requested by Tony Serticchio for

September 18, 1007.

7. Setting of public hearing for V-07-1 - vacation of excess right-of-way on 8th Street, Keller's, Addition for September 4, 2007.
8. Setting of public hearing - PUD-4-07/S-7-07 for Fernan Heights for September 4, 2007.
9. Approval of transfer for beer/wine license from "Coffeerville" to Bistro on Spruce".
10. Approval of cemetery lot transfer from Waneva Phillips to Ray C. Phillips.
11. Approval of beer/wine license for Ramos Barajas CDA d/b/a Azteca Southwest Grill.
12. Approval of Mobile Food Concession for Sean Steiner d/b/a Cornerstone Merchandising.
12. SS-18-06 - Final plat approval for Pereira Subdivision.

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

COUNCIL ANNOUNCEMENTS:

COUNCILMAN KENNEDY : Councilman Kennedy asked the Fire Department to present a proposal banning smoking in the City's Natural parks during the high fire threat. The proposal is in response to suggestions made by a couple after their recent experiences. They had been walking on Tubbs Hill and saw where a smoker had thrown a cigarette on the ground and had started a fire. If not for this couple and a passing jogger who put it out there could have been a devastating fire on Tubbs Hill. Fire Inspector Glenn Lauper explained that the current fire conditions are as severe as he has seen them and recommended the posting of Stage II restrictions warning signs on the City's natural Parks such as Tubbs Hill, Cherry Hill, Canfield, and Fernan Hill. This restriction includes no smoking within these areas. Councilman Edinger noted that some lots within the city are also extremely dry and are a concern. Inspector Lauper recommended that such situations be reported to the Fire Department for follow up. Councilman Reid expressed her concern that the City does not have regulations that would abate fire dangers within residential neighborhoods. Councilman Kennedy asked if the City has any means of linking City regulations to the State's Fire Danger levels. Warren Wilson responded that in response to Councilman Reid's concern, we do have weed abatement regulations for residences and in regard to the State's Stage II fire danger levels he explained that the Mayor can issue a declaration of emergency and impose certain restrictions. Mr. Wilson advised that the City Council could direct staff to prepare an ordinance that when the fire danger is classified as "Extreme" restrictions could be imposed on certain areas within the City. Fire Chief Gabriel noted that the fire danger this year is the worst that has been seen by the Fire Chiefs in the area and that it is of extreme concern since we have not yet entered into our fire season.

Mr. Wilson noted that he can write a Declaration of Emergency that the Mayor can sign as soon as tomorrow to enact immediately and then bring forward to the next Council meeting an ordinance enacting the proposed restrictions.

Council requested that staff post all public spaces with " No Smoking" signs during these fire conditions.

COUNCILMAN MC EVERS : Councilman McEvers announced that this year's election will again have a candidate's forum and invited citizens to provide questions that they would like to have asked of the candidates during the forum. The Candidates forum is planned for October 19, 2007. He noted that a citizen can go to the City's web site and submit their questions.

APPOINTMENTS: Motion by Edinger, seconded Goodlander by to appoint Art Flagan to the Jewett House Advisory Board; to re-appoint Charlie Nipp to the Lake City Development Corporation; and to appoint the following student representatives - Joshua Cooper to the Arts Commission; Brianna Moore (reappointment) to CDA TV; Cecilia Rowland-Circo to the Cemetery Advisory Board; Kacy Carson and Elliny Hiebert-Ramsey as alternate to the Childcare Commission; Alex Clark to the Library Board; Brittani Waide to the Ped/Bike Committee; Julianna Satterly to the Planning Commission; Peter Ragno and Maximillian Lee Simkins as alternate to the to the Parks and Recreation Commission, and; Brittany Riordan to the Urban Forestry. Motion carried.

ORDINANCE NO. 3305
COUNCIL BILL NO. 07-1030

AN ORDINANCE AMENDING SECTION 2.72.010 OF THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, CHANGING THE SALARIES OF COUNCILPERSONS TO \$8,700 DOLLARS PER YEAR EFFECTIVE JANUARY 1, 2008 AND THEN INCREASING THE SALARY TO \$9,000 PER YEAR EFFECTIVE JANUARY 1, 2009; AND CHANGING THE SALARY OF THE MAYOR TO \$28,800 DOLLARS PER YEAR EFFECTIVE JANUARY 1, 2008 AND THEN INCREASING THE SALARY TO \$32,400 EFFECTIVE JANUARY 1, 2009; 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 Administrator, Wendy Gabriel, presented a review of the history of the Mayor and Council's compensation amendments and a comparison with other cities in Idaho. She noted that the Council's responsibilities have increased beyond two Council meetings a month to include participation on several community boards and committee such as Kootenai County Emergency Medical Services System, Lake City Development Corporation, Kootenai Centennial Trail Foundation as well as the numerous internal committees. Additionally the Council and Mayor conduct numerous workshops with other organizations and entities, joint meetings with other government entities, participate in the weekly radio program, and participate in television programs. The Council also actively participates in protecting city's' interests during the Legislative

sessions and travels to Boise on behalf of the city to testify before the State Legislature. Additionally, the Council is responsible for a \$60,000,000 budget. In summary she believes that these increased responsibilities and the time requirements justify Mayor and Council compensation increases. She went on to present a comparison of Mayor/Council compensation rates with other Idaho cities. She noted that the top Idaho cities' Mayor median compensation is \$41,754 with our current rate at \$24,000. She also noted that although our Mayor's position is classified as part-time, the hours required to fulfill the expected responsibilities makes this a full-time position. She also presented a proposed range of percentage increases if the Council did want to classify the Mayor's position less than full time.

In regard to Council compensation she noted that the average compensation for Council is \$8,602 and the City is currently at \$8,400 with a median of \$8,474.

In summary she presented options for Council consideration that could be incorporated into an ordinance effective from Jan. 1 2008 and again in Jan. 1, 2009.

COUNCIL DISCUSSION: Councilman Reid noted that she believes that no one does this for the money but rather that they love the city they live in; however, in reality it does cost council members their time away from their business or source of income. Regardless of Council compensation, she believes that the time requirement for the Mayor of our city today is approximately 40 hours a week. Although she does believe it should not go up beyond \$30,000, she does want to see an incremental increase each year for the Mayor's compensation. Mayor Bloem, in response to Councilman Goodlander's question, noted that on an average she attends between 35-41 meetings a month. Councilman Goodlander also commented that although she does not believe we should create a full time Mayor position she is in favor of compensation in the 70% range.

MOTION: Motion by Hassell, seconded by Kennedy to increase the mayor's annual salary to \$28,800 effective on January 1, 2008 and then to \$32,400 effective on January 1, 2009.

DISCUSSION: Councilman Edinger believes that the Mayor's compensation should be adjusted.

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

MOTION: Motion by Hassell, seconded by Reid to increase the Councils compensation \$8,700 effective January 1, 2008 and then increase the salary to \$9,000 effective January 1, 2009.

DISCUSSION: Councilman Reid noted that above the regular Council meetings, there are a total of 20 additional committees that Council members serve on. Councilman Hassell also noted that each Council meeting requires the Council to read through their packets which is a minimum of 100 up to over 200 pages and includes reviewing

ordinances, contracts, leases and agreements. Councilman Edinger commented that he has never voted for a salary increase for the Council as he believes that a resident runs for the opportunity to improve the City they live in and for the betterment of their family.

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

Motion by Reid, seconded by Goodlander to pass the first reading of Council Bill No. 07-1030.

DISCUSSION: Councilman Edinger noted that he is in favor of increasing the Mayor's rate of compensation but not the Council's compensation. ROLL CALL: Goodlander, Aye; Kennedy, Aye; McEvers, Aye; Reid, Aye; Edinger, No; Hassell, Aye. Motion carried.

Motion by Hassell, seconded by Goodlander to suspend the rules and to adopt Council Bill No. 07-1023 by its having had one reading by title only.

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

ORDINANCE NO. 3306
COUNCIL BILL NO. 07-0128

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-12 (RESIDENTIAL AT 12 UNITS/ACRE) TO NC (NEIGHBORHOOD COMMERCIAL) AND PLACING CERTAIN CONDITIONS UPON THE PROPERTY, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: A +/- 5,575 SQ. FT. PARCEL AT 1401 NORTH 3RD STREET AND LEGALLY DESCRIBED AS LOT 6 BLOCK 29, SHERMAN ADDITION TO COEUR D'ALENE IN SECTION 12, TOWNSHIP 50 NORTH, RANGE 4 WEST CITY OF COEUR D'ALENE, KOOTENAI COUNTY IDAHO; 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 Reid, seconded by McEvers to pass the first reading of Council Bill No. 07-1028.

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

Motion by Hassell, seconded by Goodlander to suspend the rules and to adopt Council Bill No. 07-1028 by its having had one reading by title only.

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

ORDINANCE NO. 3307

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-8 (RESIDENTIAL AT 8 UNITS PER/ACRE) TO NC (NEIGHBORHOOD COMMERCIAL) AND PLACING CERTAIN CONDITIONS UPON THE PROPERTY, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: A +/- 0.791 ACRE PARCEL AT 4040 & 4082 N. PLAYER DRIVE, AND LEGALLY DESCRIBED AS LOTS 4 AND 5, BLOCK 1, FAIRWAY MEADOWS SUBDIVISION IN THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 51 NORTH, RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO; 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 Reid, seconded by McEvers to pass the first reading of Council Bill No. 07-1029.

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

Motion by McEvers, seconded by Goodlander to suspend the rules and to adopt Council Bill No. 07-1029 by its having had one reading by title only.

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

ADJOURNMENT: Motion by Reid, seconded by Edinger that, there being no further business, this meeting is adjourned. Motion carried

The meeting recessed at 8:37 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, CMC, City Clerk