

**MINUTES OF A REGULAR MEETING OF THE CITY  
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,  
HELD AT THE LIBRARY COMMUNITY ROOM  
AUGUST 16, 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 August 16, 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                     )  
A. J. Al Hassell, III            )  
Mike Kennedy                    )  
Loren Ron Edinger               )

Deanna Goodlander             ) Members of Council Absent

**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 McEvers.

**PRESENTATION – ROAD MASTER CERTIFICATION:** Bruce Drewes, Idaho Technology Transfer Center, presented Street Maintenance staff, Eric Killen and Aman Sterling, with their Road Master Certificates.

**PRESENTATION – DOG TOWN USA AWARD:** Ernie Slone, Editor of Dog Fancy Magazine, presented the Kootenai County Dog Park Association with a \$5,000.00 check and an award to the City for being a dog friendly city.

**PRESENTATION – PANHANDLE PARKS FOUNDATION:** Steve Wetzel, President of the Panhandle Parks Foundation, updated the Council on the activities of their foundation. He explained that their organization has become a holding company for various groups raising donations.

**PUBLIC COMMENT:**

**RECYCLING PROGRAM:** Steve Roberge, 6488 N. 4<sup>th</sup>, Dalton Gardens, General Manager of Waste Management Coeur d'Alene, reported on the increasing level of resident participation in the City's recycling program. He noted that to date they have recycled over 3,000,000 pounds of recyclable material. He announced that as of last week, they have begun a commercial recycling program. He noted that they will again be distributing a calendar for next year showing the recycling pickup dates.

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

1. Approval of minutes for August 2, 2011.

2. Setting the General Services Committee and the Public Works Committee meetings for Monday, August 22<sup>nd</sup> at 12:00 noon and 4:00 p.m. respectively.
3. RESOLUTION 11-028: 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 STIMULUS GRANT ACCEPTANCE AND CONTRACT WITH SUN VALLEY TREE SERVICE FOR HAZARD TREE REMOVAL AND MAINTENANCE; INTENT TO LEASE PROPERTY AT 3285 FRUITLAND LANE TO NORTH IDAHO HOUSING COALITION; APPROVING A LEASE AGREEMENT WITH NORTH IDAHO HOUSING COALITION FOR PROPERTY AT 625 HATTIE; APPROVING A GRANT ADMINISTRATION SERVICES AGREEMENT WITH PANHANDLE AREA COUNCIL FOR HUD CDBG FUNDS; APPROVING CHANGE ORDER NO. 7 WITH CONTRACTORS NORTHWEST, INC. FOR THE WASTEWATER TREATMENT PLANT PHASE 5B; APPROVING A CONTRACT WITH H2O WELL SERVICES FOR THE DRILLING OF THE KATHLEEN AVE. 6" TEST WELL.
4. RESOLUTION 11-029: 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 2010-2011, 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, 2010:

**GENERAL FUND EXPENDITURES:**

Mayor and Council-----	\$	209,702	
Administration-----		506,414	
Finance Department-----		685,549	Municipal
Services-----	1,287,249		1,289,749
Human Resources-----		240,728	
Legal Department-----		1,373,662	1,375,812
Planning Department-----		497,784	
Building Maintenance-----		406,282	1,150,189
Police Department-----		9,396,597	9,478,829
Byrne Grant-----		155,186	171,508
Byrne Grant Equipment-----		249,860	326,768
COPS Grant-----		219,250	
K.C.J.A. Task Force-----		36,700	48,700
ADA Sidewalks-----		214,617	239,917
Fire Department-----		7,102,021	7,491,546
General Government-----		185,750	928,742
Engineering Services-----		1,161,422	1,519,723

Streets/Garage-----	2,092,253	2,204,954
Parks Department-----	1,638,267	1,681,973
Recreation Department-----	755,512	761,912
Building Inspection-----	764,526	

**TOTAL GENERAL FUND EXPENDITURES:** \$29,179,331 \$31,794,275

**SPECIAL REVENUE FUND EXPENDITURES:**

Library Fund-----	\$1,231,020	
Community Development Block Grant-----	336,746	
Impact Fee Fund-----	583,000	
Parks Capital Improvements-----	205,000	386,800
Annexation Fee Fund-----	-0-	
Insurance / Risk Management-----	206,925	653,077
Cemetery Fund-----	271,308	
Cemetery Perpetual Care Fund-----	98,500	
Jewett House-----	17,050	
Reforestation-----	2,500	45,500
Street Trees-----	57,000	
Community Canopy-----	1,200	
Arts Commission-----	6,450	
Public Art Funds-----	80,300	
Kootenai Metropolitan Planning Org-----	650,000	

**TOTAL SPECIAL FUNDS:** \$3,746,999 \$4,417,951

**ENTERPRISE FUND EXPENDITURES:**

Street Lighting Fund-----	\$ 591,321	641,321
Water Fund-----	6,924,772	6,969,772
Wastewater Fund-----	18,915,393	19,115,393
Water Cap Fee Fund-----	850,000	
WWTP Cap Fees Fund-----	752,580	
Sanitation Fund-----	3,118,772	
City Parking Fund-----	176,957	261,457
Stormwater Management-----	1,573,460	

**TOTAL ENTERPRISE EXPENDITURES:** \$32,903,255 \$33,282,755

FIDUCIARY FUNDS:----- 2,562,000  
STREET CAPITAL PROJECTS FUNDS:----- 7,853,000 7,752,500  
DEBT SERVICE FUNDS:----- 1,668,878  
**GRAND TOTAL OF ALL EXPENDITURES:** \$77,913,463 \$81,478,359

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 August 23, 2010 and August 30, 2011.

BE IT FURTHER RESOLVED, that a Public Hearing on the Budget be held on the 20th day of September, 2011 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.

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

5. Setting of public hearing for V-11-5 – vacation of utility easement in Fairway Forest 3<sup>rd</sup> Addition.
6. Declaration of sole source procurement for the purchase of chassis mounted Vacall Unit.
7. Authorizing staff to proceed with the proposed changes to the Planning process.
8. Approval of outdoor eating facility encroachment permit for JAMMS Frozen Yogurt at 213 Sherman Ave.
9. Approval of beer/wine license transfers for Woodsy’s Zip Stops at 3675 N. Gov’t Way and at 9423 N. Veranda
10. Approval of beer/wine license for Franklin Hoagies at 501 N. 4<sup>th</sup>
11. Setting of public hearings: A-3-11 annexation/zoning of property at 2200 W. Bellerive Lane for September 20, 2001; and, ZC-3-11 zone change at Interlake Medical Center for September 20, 2011.
12. Approval of bills as submitted and on file in the Office of the City Clerk.

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

**ANNOUNCEMENTS:**

**COUNCILMAN BRUNING** : Councilman Bruning noted that there will be a hydroplane fundraiser this weekend with proceeds going to the North Idaho Museum. The Resort will be hosting the annual Pacific Northwest wooden boat show on the boardwalk. There will be a vintage car show this weekend as well.

**APPOINTMENT – STUDENT REPRESENTATIVES:** Motion by Edinger, seconded by Kennedy to appoint following students to various committees: Chelsee Longley to Childcare Commission; Chiamaka Ikefuna to Library Board and Ashley Haynes as alternate; Tangie Lyons to Parking Commission; Kierstie Shellman to Pedestrian/Bicycle Advisory Committee; Jacob Garringer to Planning Commission; Ben Woolley to Recreation and Parks Commission; and, Nickolas Radobenko to the Urban Forestry Committee. Motion carried.

**ADMINISTRATOR’S REPORT:** City Administrator Wendy Gabriel announced that the City of Coeur d’Alene Arts Commission is seeking artists for its Wastewater Treatment Plant Information packets are available at City Hall or online at [www.cdavid.org](http://www.cdavid.org). Artist proposals are due by 5:00 p.m., August 31. Artists with questions are encouraged to contact Steve Anthony, Arts Commission Liaison, at [stevea@cdavid.org](mailto:stevea@cdavid.org). This is our first year under the new election laws whereby the County conducts elections. With that being said, the county has decided that they will NOT provide satellite in-person absentee voting sites as has been done in the past. Therefore, there will not be any absentee voting available at City Hall this election. Any in-person absentee voting must be done at the County elections office on Third Street. Citizens always have the option of requesting a mailed ballot from the County. The Coeur d’Alene City Council has approved a partnership between the Coeur d’Alene Police Department and the Spokane County Sheriff for use of their public safety helicopter. Coeur d’Alene has been awarded a \$32,533 grant for the maintenance of public trees. The purpose of the project is to improve the overall health and value of public trees while improving public safety. It is a goal of the project to preserve and create jobs in Kootenai County and to promote economic recovery. A request for bids for the tree work has been sent to eleven local city-licensed tree services. Ped/Bike Committee “Tip of the Week”: When riding your bike on the street just outside a

parking lane, be on the lookout for “The Door Prize.” This is when a driver opens his door right in front of you and you can’t stop in time. Ride your bike far enough to the left to clear any opening door. The Fire Department was awarded a grant for \$11,000 through the Idaho Department of Homeland Security for equipment for our K-9 Team. The National Recreation and Parks Association has named the City’s Parks Director Doug Eastwood as their President. Mrs. Gabriel reminded residents that September 6<sup>th</sup> will be the date for the public hearing on the proposed city budget for FY 2011-2012.

COUNCIL BILL NO. 11-1019  
ORDINANCE NO. 3418

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING CABLE FRANCHISE ORDINANCE NO. 3161 BY CONSENTING TO THE FIVE (5) YEAR EXTENSION OF THE CABLE FRANCHISE GRANTED TO TIME WARNER CABLE, LLC., TO OPERATE A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE CITY OF COEUR D'ALENE; 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 PROVIDING AN EFFECTIVE DATE HEREOF.

Motion by Kennedy, seconded by Edinger to pass the first reading of Council Bill No. 11-1019.

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

Motion by Kennedy, seconded by McEvers to suspend the rules as to adopt Council Bill No. 11-1019 by its having had one reading by title only.

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

RESOLUTION 11-030

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN EXTENSION OF FRANCHISE AGREEMENT WITH TIME WARNER CABLE, LLC. EXTENDING THE TERM OF THE FRANCHISE UNTIL JANUARY 26, 2019.

Motion by Kennedy, seconded by Edinger to adopt Resolution 11-030.

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

COUNCIL BILL NO. 11-1014  
ORDINANCE NO. 3416

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTIONS 6.15.010 TO CLARIFY THAT PERSONS LIVING IN THE R-1 ZONE MAY POSSESS UP TO TWO DOMESTIC

LIVESTOCK; 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. 11-1014.

ROLL CALL: 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. 11-1014 by its having had one reading by title only.

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

ORDINANCE NO. 3417  
COUNCIL BILL NO. 11-1017

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, BY ADOPTING A NEW CHAPTER DESIGNATED AS 9.50 ENTITLED ELECTRONIC CIGARETTES AND RELATED DEVICES; PROVIDING DEFINITIONS AND PROHIBITING SALES OF E-CIGARETTES TO MINORS, SALES OF E-CIGARETTES FROM MACHINES ACCESSIBLE TO MINORS AND PROHIBITING PURCHASING OR POSSESSION OF E-CIGARETTES BY MINORS; PROVIDING THAT VIOLATIONS OF THIS CHAPTER, OTHER THAN PURCHASING OR POSSESSION BY MINORS, IS A MISDEMEANOR PUNISHABLE BY A FINE NOT TO EXCEED \$1,000 OR BY IMPRISONMENT NOT TO EXCEED 180 DAYS OR BOTH AND PROVIDING THAT PURCHASING OR POSSESSION OF E-CIGARETTES BY MINORS IS AN INFRACTION PUNISHABLE BY A FINE OF \$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.

Motion by Edinger, seconded by Kennedy to pass the first reading of Council Bill No. 11-1017.

ROLL CALL: 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. 11-1017 by its having had one reading by title only.

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

**RCA-4-11 – ATLAS MILL SITE:** City Planner Tami Stroud reported that Washington Trust Bank is requesting approval of a Request to Consider Annexation of a portion of the Atlas Mill

site a +/- 22.23 acre parcel between Seltice Way, the Spokane River, and east of the Mill River development.

Motion by Kennedy, seconded by McEvers to approve the applicant proceeding with the annexation process for the property formerly known as Atlas Mill site. Motion carried.

COUNCIL BILL NO. 11-1020  
ORDINANCE NO. 3419

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, VACATING A PORTION OF MELROSE STREET RIGHT-OF-WAY, GENERALLY DESCRIBED AS THE EASTERLY TWENTY FEET (20.0') OF THE SEVENTY FIVE FOOT (75.0') RIGHT-OF-WAY AT THE SOUTHEAST CORNER OF MELROSE STREET AND DAVIDSON AVENUE, COEUR D'ALENE, KOOTENAI COUNTY, IDAHO; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

Motion by Kennedy, seconded by McEvers to pass the first reading of Council Bill No. 11-1020.

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

Motion by Kennedy, seconded by McEvers to suspend the rules and to adopt Council Bill No. 11-1020 by its having had one reading by title only.

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

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

The session began at 7:10 p.m. Members present were the Mayor, City Council, City Administrator, Deputy City Administrator and City Attorney.

Matters discussed were those of personnel matters and litigation. No action was taken and the Council returned to regular session at 8:56 p.m.

**ADJOURNMENT:** Motion by Edinger, seconded by McEvers that there being no further business, the meeting is adjourned. Motion carried.

The meeting recessed at 8:56 p.m.

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Sandi Bloem, Mayor

ATTEST:

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Susan Weathers, CMC  
City Clerk