

**MINUTES OF A REGULAR MEETING OF THE CITY  
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,  
HELD AT THE LIBRARY COMMUNITY ROOM**

**September 7, 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 September 7, 2010 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

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

Woody McEvers	)	Members of Council Absent
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**CALL TO ORDER:** The meeting was called to order by Mayor Bloem.

**INVOCATION:** The invocation was led by Pastor David Roberts, Family Worship Center.

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

**PRESENTATION – WASHINGTON STATE'S DISSOLVED OXYGEN TOTAL MAXIMUM DAILY LOAD:** Wastewater Superintendent Sid Fredrickson presented information regarding the City's challenge on the limitation that the State of Washington is trying to impose on Idaho dischargers into the Spokane River.

**PUBLIC COMMENTS:**

SKATEBOARD PARK: Chase Turner, 880 S. Fairmont Loop, thanked the Parks Department for allowing the skateboarders to make improvements to the Skateboard Park. He would like to do a presentation on future plans for the Skateboard Park. Mayor Bloem suggested that he present his ideas to the Parks and Recreation Commission.

STOP SIGNS REQUESTED: Dennis Baughman, 1010 N. 6<sup>th</sup> Street, requested that yield signs be changed to stop signs at 6<sup>th</sup> and 7<sup>th</sup> and Birch.

TREATMENT PLANT: Walter Meyer, Ridgecrest, California, commended the Council for their challenge of the EPA for the mandates being placed on the Wastewater Treatment Plant.

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

1. Approval of minutes for August 17, 2010.
2. Setting the General Services Committee and the Public Works Committee meetings for Monday, September 13<sup>th</sup> at 12:00 noon and 4:00 p.m. respectively.
3. RESOLUTION 10-034: A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN AGREEMENT FOR CDBG GRANT FUNDS FOR COMMUNITY ACTION PARTNERSHIP.

4. Setting of Public Hearing – ZC-5-10 Appeal of denial of zone change at 2102 St. Michelle for November 6, 2010.
5. Approval of beer/wine license transfers for Silver Fox at 628 W. Appleway (formerly D’Mouse Trap) and for Hogfish CdA, LLC at 1920 E. Sherman Avenue (formerly Chillers).
6. Approval of new beer/wine license for Lucca’s Villa Toscano at 1801 E. Sherman Ave.

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

#### **COUNCIL ANNOUNCEMENTS:**

COUNCILMAN GOODLANDER: Councilman Goodlander announced that the Arts Commission is presently taking nominations for the Mayor’s Arts Awards. Applications for nominations are available on the City’s web site.

COUNCILMAN KENNEDY: Councilman Kennedy announced that the Central Bark dog park is now open thanks to the partnership between the City, School District and the volunteer.

**ADMINISTRATOR’S REPORT:** City Administrator Wendy Gabriel announced that on September 2nd, city employees sponsored and participated in the 6th annual golf tournament at Ponderosa Springs Golf Course to benefit United Way raising over \$1,350.00 for charity. On Monday, September 6<sup>th</sup>, at noon, the city’s first off-leash dog park opened. The new dog park is adjacent to Northshire Park on the corner of Atlas Road and Nez Perce. For more information, please call 769-2252. Today is the first day of school for School District 271. Please drive slowly, not just in school zones but anywhere that abuts a walking or bicycle route to school. The City of Coeur d’Alene closed a portion of Nettleton Gulch Road for a water main replacement project. The street should be reopened by 5:00 p.m. on September 10<sup>th</sup>. For more information, please contact the Water Department at 769-2210. A second Open House for the Education Corridor Transportation Plan will be held in the Library Community Room at 702 E. Front Avenue, Wednesday, September 8<sup>th</sup>, from 4:00 p.m. until 7:00 p.m. Please call Chris Bates at 769-2228 for more information. At the last City Council Meeting, Student Representatives were appointed to certain Commissions, Boards, and Committees. A reception for these students is this Thursday, September 9<sup>th</sup>, at 5:30 p.m., in the City Hall Council Chambers, 710 E. Mullan. For more information, call Victoria Bruno at 769-2204. On Thursday, September 9<sup>th</sup>, from 3:00 – 6:00 p.m. in the Library Community Room, the city and many partners will come together to present information on the environment. They will share what the city and other agencies are doing to be environmentally responsible, offer citizen information, and seek public comments and suggestions. For more information, please contact Kim Harrington at 769-2214. The Coeur d’Alene Arts Commission is seeking nominations for the 15<sup>th</sup> Annual Mayor’s Awards in the Arts. The Mayor’s Awards in the Arts will be held on Thursday, October 21, 2010, at 6:00 p.m. at the Coeur d’Alene Resort. For more information, contact Amy Ferguson at 666-5754. Muddy the Moose and Millie the Mouse are almost one year older and area children are invited to join in the celebration by creating birthday cards for Coeur d’Alene’s favorite pair of hide-and-seekers. The Coeur d’Alene Public Library and North Idaho College are part of a partnership to provide area residents basic computer skills. The first free “help session” will be offered in the library’s Community Room, Wednesday, September 15, 6:30 PM – 8:00 PM. As part of a nationwide effort to increase the public’s awareness about being prepared for different types of emergencies, the Kootenai County Board of Commissioners has proclaimed September 2010 as Kootenai County Preparedness Month. August was another record-setting month for ridership on Citylink. On Friday, August 20<sup>th</sup>, Robert Royce and crews finished up year two of the ADA sidewalk

compliance program. Year two consisted of Government Way from Harrison to Mullan (west side) & Lakeside from 8<sup>th</sup> to 15<sup>th</sup> (north side). The crew will finish out the fall working on Foster between 3<sup>rd</sup> and Government Way. Maps with identified city bike paths and lanes are available at either the Coeur d'Alene Chamber of Commerce or on the Parks Department web site at [www.cdaidparks.org](http://www.cdaidparks.org) and navigate to the trails page. The Building Services Department now offers contractors the ability to apply and pay online with a credit card for residential plumbing and mechanical permits as well as residential plan review fees for online submittals. Captain Greg Rod has been accepted into the National Fire Academy's Executive Fire Officer Program. Coeur d'Alene's recycling service is changing for the better. Starting early October Coeur d'Alene residents will be able to recycle more items! Even better, all recyclables will go in your new blue cart, which holds five times as much as your current recycling bin.

ORDINANCE NO. 3391  
COUNCIL BILL NO. 10-1017

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 17.08.230 TO ALLOW STRUCTURES WITHIN THE SHORELINE OVERLAY LOCATED NORTH OF WEST LAKESHORE DRIVE BETWEEN PARK AND HUBBARD TO BE ERECTED TO A HEIGHT NOT GREATER THAN THAT ALLOWED IN THE UNDERLYING ZONING DISTRICT; 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 Edinger to pass the first reading of Council Bill No. 10-1017.

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

Motion by Edinger, seconded by Kennedy to suspend the rules and to adopt Council Bill No. 10-1017 by its having had one reading by title only.

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

ORDINANCE NO. 3393  
COUNCIL BILL NO. 10-1013

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 C-17 (COMMERCIAL AT 17 UNITS/ACRE) AND PLACING CERTAIN CONDITIONS UPON THE PROPERTY, SAID PROPERTY BEING DESCRIBED AS +/- 19,425 SQ. FT. PARCEL AT 139 AND 141 EAST SPRUCE 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 Hassell, seconded by Kennedy to pass the first reading of Council Bill No. 10-1013.

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

Motion by Goodlander, seconded by Kennedy to suspend the rules and to adopt Council Bill No. 10-1013 by its having had one reading by title only.

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

**PUBLIC HEARING – ANNUAL APPROPRIATIONS FOR FISCAL YEAR 2010-2011:** Mayor Bloem read the rules of order for this public hearing. Troy Tymesen, Finance Director, gave the staff report.

Mr. Tymesen presented the proposed budget for the coming fiscal year. He noted that the proposed increased budget is due to Federal Funding available for major Street Capital Projects including the Government Way Project from Dalton to Hanley (\$4.1 million) and Hanley to Prairie (\$2.95 million) and on 15<sup>th</sup> Street from Margaret to Dalton (\$528,000). He noted that the City's share of \$300,000 is coming from impact fees. Additionally there is a planned Wastewater Plant Expansion of \$7.5 million. Mr. Tymesen reviewed the personnel changes made over the past fiscal year impacting the coming fiscal year including: not filling 10 vacated positions, 7 separation incentives, 5 grant funded police officers, reduced personnel expenses by \$642,651 and reduced services and supplies by \$33,907.

**PUBLIC COMMENTS:** Earl Kendle, 1597 Cromwell Drive, noted that the Coeur d'Alene Press stated that if the City does not receive their property tax increase that the City will decrease services and he believes that this is a form of intimidation to the citizens and he also believes that the tax increase takes away his God-given privilege to spend his money the way he would like. Mary Smith, 4333 Deerfield Drive, does not see why we need to do street improvements on 15<sup>th</sup> Street, and would like to see a 0% salary increase for employees, Dan Gookin, 714 W. Empire Ave., requested that the Council deny the 1.5% property tax increase and stated that he believes the City is anti-business. Susan Snedaker, 821 Hastings, questioned why the city refuses to purchase the School District portion of Person's Field. Steve Adams, 5292 N. Parkwood Circle, recommended the City use the fund balance instead of increasing the property tax portion of the budget by 1.5%.

**COUNCIL DISCUSSION:** City Engineer Gordon Dobler described the improvements planned for 15<sup>th</sup> Street which have been in the City's plan for 5 years and is using existing impact fees for the City's share of such improvements. Mr. Tymesen explained that the fund balance is the cash flow the city uses instead of borrowing money to cover city expenses during those months that property taxes are not received which is generally November through January. In response to Mr. Kendle's comments about decreasing city services, Mr. Tymesen noted that decreasing city services has never been considered. In response to Ms. Snedaker's comments regarding Person's Field, Recreation Director Steve Anthony responded that the City and School District have an agreement that the City will have first option to purchase Person's Field when and if the school decides to sell the property. Councilman Bruning noted that the Fernan property that is being purchased by the Parks Foundation is in order to provide parking for the 50-acre natural parkland that had been donated to the City. Mr. Tymesen also noted that during the "boom" the City did not increase the number of employees. In response to Councilman Edinger's question regarding not purchasing new Library Books, Bette Ammon Library Director commented the Library would not close; however, she did note that when economic times are down Library usage goes up and today 1,000 people visit the Library each day. In

response to Councilman Edinger's questioning the need for a new City Hall copier, City Clerk Susan Weathers explained that the existing copier which was originally scheduled for replacement last year has made over 1,000,000 copies and is requiring more frequent repairs as the parts are wearing out.

ORDINANCE NO. 3392  
COUNCIL BILL NO. 10-1017

AN ORDINANCE ENTITLED "THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010" APPROPRIATING THE SUM OF \$77,913,463 TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF COEUR D'ALENE FOR SAID YEAR; LEVYING A SUFFICIENT TAX UPON THE TAXABLE PROPERTY WITHIN SAID CITY FOR GENERAL REVENUE PURPOSES FOR WHICH SUCH APPROPRIATION IS MADE; LEVYING SPECIAL TAXES UPON THE TAXABLE PROPERTY WITH SAID CITY FOR SPECIAL REVENUE PURPOSES WITHIN THE LIMITS OF SAID CITY OF COEUR D'ALENE, IDAHO; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Motion by Goodlander, seconded by Hassell to pass the first reading of Council Bill No. 10-1017.

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

Motion by Hassell, seconded by Bruning to suspend the rules and to adopt Council Bill No. 20-1017 by its having had one reading by title only.

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

**EXECUTIVE SESSION:** Motion by Bruning, seconded by Hassell 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; and §J: To engage in communications with a representative of the public agency's risk manager or insurance provider to discuss the adjustment of pending claim or prevention of a claim imminently likely to be filed.

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

The session began at 8:10 p.m. Members present were the Mayor, City Council, City Administrator, City Attorney, Finance Director, Human Resources Director, Deputy City Administrator and representatives from the Police Association.

Matters discussed were those of labor negotiations, property acquisition and claims. No action was taken and the Council returned to their regular session at 10:35 p.m.

RESOLUTION NO. 10-035

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE 2010 EMPLOYEE SEPARATION INCENTIVE - LETTER OF AGREEMENTS (LOA).

Motion by Kennedy, seconded by Bruning to adopt Resolution 10-035.

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

**JOHNSON/RANDETTE CLAIM:** Motion by Hassell, seconded by Kennedy to authorize the City Attorney to settle the claim for the amount recommended by staff. Motion carried.

**JERRY FRANK PROPERTY:** Motion by Goodlander, seconded by Kennedy to authorize the City Attorney to negotiate an agreement for the acquisition of property on East Lakeshore Drive. Motion carried.

**ADJOURNMENT:** Motion by Goodlander, seconded by Hassell that, there being no further business before the Council, this meeting is adjourned. Motion carried.

The meeting recessed at 10:40 p.m.

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Sandi Bloem, Mayor

ATTEST:

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Susan Weathers, CMC  
City Clerk