

**MINUTES OF A REGULAR MEETING OF THE CITY  
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,  
HELD AT COEUR D'ALENE CITY HALL  
OCTOBER 5, 2004**

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 October 5, 2004 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Dixie Reid	)	Members of Council Present
Woody McEvers	)	
Ben Wolfinger	)	
A. J. Al Hassell, III	)	
Deanna Goodlander	)	
Loren Edinger	)	

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

**INVOCATION:** The invocation was led by Pastor Tom Weadick from the Vineyard Christian Fellowship church.

**PLEDGE OF ALLEGIANCE** was led by Council President Reid.

**PRESENTATION – RED RIBBON WEEK:** Amy Bartoo, representing Idaho Drug Free Youth, distributed red tulips in commemoration of this year's theme of "Plant the Promise" which is promoting that families make a promise to raise children that are tobacco and drug free. Her organization has 5,000 tulip bulbs that can be purchased and planted. Proceeds from this fund raising will go to various organizations including Idaho Drug Free Youth that will go towards providing services for our area children.

**PRESENTATION – GENERAL OBLIGATION BOND:** Chief Kenny Gabriel, reviewed the process by which the general obligation bond was developed. A 2005 Public Safety Bond Committee was organized, which reviewed the department needs and prepared the package that will be going to voters for approval. Chief Gabriel outlined the benefits of having an ISO Level 2 Fire Rating and how the bond addresses the needs that must be met to maintain the Safety Service Standards for our growing population. Some of the items that could be covered by the G. O. Bond are the purchase of a fire engine, staff vehicles that respond to calls, improve training facility which could also be used by the Police Department for SWAT training as well as mutual aid groups, expansion of Fire Station No. 2 to include training room/classroom and facilities for female firefighters, remodel of Fire Station 1 which is currently 30 years old and also needs expansion. Equipment items include fire/medical safety equipment, acquiring current fire protection

technology and fire ground communications equipment. Chief Gabriel highlighted the numerous awards received by the City Fire Department.

Council President Reid reminded us that we take Firemen and Firefighters for granted unless we need them. You know you can count on our Fire Department and Police Department whenever they are needed. If there is anything our citizens can do for our brave firefighter we should do such as passing this bond. Councilman Edinger expressed his appreciation to Chief Gabriel for an excellent presentation and also to the Committee who worked so hard for this bond measure.

Mike Kennedy, Foundation Board member, presented the proposed general obligation bond for a new library building. He noted that construction costs continue to go up each year and the longer the citizens wait to build the more it would cost. He noted that the current is full and adding new books is a juggling act since the original design was to hold 60,000 books but now it contains over 73,000 books. He also noted that there are not enough computer terminals to meet demand. He pointed out the limited accessibility to the Children's Program area including handicapped accessibility. He noted that following a citizen survey; the proposed project has been scaled back 30%. Kevin Jester presented justifications of why the City needs a new library building. He reviewed the design for the new building.

Troy Tymesen, City Finance Director, presented the cost for the proposed Fire Department and Library needs. He noted that we are asking to finance the building of the Library over a 20 year period which means a \$3,000,000 bond would have an annual payment of \$247,630 which would equal a total amount of \$4,952,780. This means that the average homeowner of a \$120,000 home would pay \$15.48 per year for 20 years. For the Public Safety bond the City is proposing a 10-year bond for \$7,000,000. Annual payments would be \$883,000 with a total amount of \$8,830,000 total amount. This means that the average homeowner of a 120,000 home would pay \$55.19 per year for 10 years.

Council President Reid reiterated that the purpose for this G.O. Bond is for the sustainability of the City to provide services to the community. Councilman Edinger asked what the maintenance and operation for the new Library and remodel of the Fire stations would be. Mr. Tymesen noted the Fire Stations' maintenance costs would be about \$11,000 per year and the Library would cost about \$126,000 per year. Currently, we are spending about \$36,000 a year in maintenance costs for the Library.

John Hippler, President of the Library Foundation Board, reported that the Board was started in 1995 with the sole goal to fund a new public library building using private funding. Over that past 9 years, the Foundation has raised approximately \$1,000,000 for the construction of the new building. LCDC has endowed the Library \$1.5 million to purchase the land next to City Hall for the future site of the Library. The Library Foundation has repaid some of this fund which now has a balance of \$950,000. Councilman Goodlander commented that this is not a want but a need for our community. Mr. Hippler noted that if the \$500,000 grant is not obtained then the money would be raised through private donations.

**PUBLIC COMMENTS:**

**PUBLIC SAFETY/LIBRARY G.O.BOND:** Rick Seward, a member of Committee for the G.O. Bond for the Fire Department, believes that everything in the Public Safety request is needed. Cory Trapp also served on the Committee for the Public Safety G.O. Bond and noted that the Fire Department's needs are key to maintaining the City's current ISO Level 3 rating. Charlie Nipp, Chairman of the Lake City Development Corporation, reported that the LCDC Board voted to support the Library's proposed G.O. Bond. He compared the Library G. O. Bond to the purchase of Tubbs Hill several years ago. Steve McCrea, representing the Library Board of Trustees, spoke in support of the Library G. O. Bond.

**MOTION:** Motion by Edinger, seconded by Goodlander to approve a February 2, 2005 G.O. Bond election for the purpose of public safety and/or Library and further direct staff to prepare a ballot on which the public will vote to decide whether to fund these purposes through a General Obligation bond and to further direct staff to continue exploring funding options for the creation, preservation and acquisition of open space and public land.

**DISCUSSION:** Councilman Goodlander, as liaison to the Library, expressed her appreciation of Library Director Julie Meier for all her years of service and who is retiring this month. She also expressed her appreciation for all the efforts for the Library Board of Trustees. Councilman Hassell reminded citizens that since this bond election requires a 2/3's majority that everyone needs to get out and vote. Councilman Edinger noted that over the past few years there have been comments made regarding his position with the Library and in particular the issue of the location of the Library, he believes that the people will decide whether they want a new Library or Public Safety bond.

Motion carried.

Mayor Bloem commented that as a result from her last trip to Boise she believes that every city in Idaho would like to be Coeur d'Alene because of our citizen support to make this a City of Excellence.

**FREQUENTLY ASKED QUESTIONS: How do I get placed on a City Council, Commission or Committee?** City Clerk, Susan Weathers, responded that first there is a difference for serving on the City Council than for commission/committee members. City Council members are elected. However, if someone is interested in becoming a member of a City committee/commission/board, they would need to submit a completed Data Sheet, which will be reviewed by the committee/commission/board Chairman, and liaison and their recommendation is then sent to the Mayor for review. The Mayor then recommends appointments to the committee/commission/boards to the full Council who then approve/deny an appointment. Anyone who is interested in serving may contact

Amy Ferguson at 666-5754 for a Data Sheet form and a list of the various committees/commission/boards for the City.

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

1. Approval of minutes for September 21, 2004.
2. Setting the Public Works Committee and General Services Committee meeting for October 11, 2004 at 4:00 p.m.
3. RESOLUTION 04-086: 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 APPROVAL OF A PUBLIC CROSSING AGREEMENT WITH UNION PACIFIC RAILROAD FOR THE MILL RIVER DEVELOPMENT; APPROVAL OF AMENDMENT NO. 3 TO THE AGREEMENT WITH HDR ENGINEERING FOR ADDITIONAL DESIGN ENGINEERING SERVICES FOR THE PHASE 4B TREATMENT PLAN UPGRADE AND EXPANSION PROJECT; ADOPTING A POLICY REQUIRING TRANSFER OF WATER RIGHTS WITH ANNEXATION REQUESTS; APPROVAL OF A CONTRACT RENEWAL WITH KOOTENAI MEDICAL CENTER FOR USE OF TERRILL AQUATIC CENTER; APPROVAL OF GRANT OF EASEMENT AND LOT LINE ADJUSTMENT AGREEMENT WITH SUSAN DINGMAN; AND APPROVAL OF A DATA LICENSE AGREEMENT WITH AVISTA FOR GIS DIGITAL ORTHOPHOTOGRAPHY IMAGES.
4. Acceptance of Warranty Deeds for Government Way Project, Phase 2.
5. Authorizing staff to advertise for bids for 3<sup>rd</sup> Street Dock repairs.
6. Bid Award for purchase of used motor grader for Streets Maintenance Dept.
7. Approval of beer/wine licenses for 4<sup>th</sup> Street Bistro and for Possibilities at 221 ½ Sherman.
8. Setting of public hearing for O-4-04 (minimum side yard regulations) for November 2, 2004.
9. RESOLUTION 04-087 – A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN FREQUENCY USE AGREEMENT FOR ACCESS TO THE KOOTENAI COUNTY OFFICE OF EMERGENCY MANAGEMENT REPEATER SYSTEM FOR JOINT OPERATION OR MUTUAL AID WITH KOOTENAI COUNTY.

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

**RECREATION DEPARTMENT REPORT:** Councilman Hassell announced that the Recreation Department is currently taking registration for the 3-9-grade basketball league. Also, swim lessons registration will be conducted on Oct. 6th at Terrill Aquatic Center.

**EXECUTIVE TEAM REPORT:** Wendy Hague, representing the Executive Team, announced the following: Absentee voting will be available at City Hall beginning

October 18th. The Human Resources Department is currently accepting applications for Police Officers. The Police Department is also actively recruiting civilian volunteers for assistance in several program areas in which the department is unable to meet the community's demand for service. Leaf Pick Up will begin November 15th and citizens are asked not to rake their leaves into the streets until that week. The Library Fall reading program will continue through November 19th. The Street Maintenance Department is visiting Fernan Elementary along with students from Sorenson Elementary as part of the schools' community service curriculum. Additionally, the visit will include the awards presentation by Mayor Bloem for this year's winner of the "Name the Winter Storm" contest. Sherman Avenue will be closed this Friday from 3:00 p.m. to 4:00 p.m. for the Coeur d'Alene high school Homecoming parade. Congratulations to Firefighter Mandy Jaques for winning the female division in the Firefighters Combat Challenge held in Spokane.

**APPROVAL OF 5-YEAR OVERLAY PLAN:** Motion by Reid Edinger, seconded by to approve the 5-year street overlay plan. Motion carried.

ORDINANCE NO. 3192  
COUNCIL BILL NO. 04-1000

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO BY ADOPTING A NEW ARTICLE DESIGNATED AS 17.07.900; PROVIDING A PURPOSE; ADOPTING DEFINITIONS; CREATING INFILL OVERLAY DISTRICTS; ESTABLISHING DISTRICT BOUNDARIES; ESTABLISHING PERMITTED ACTIVITY GROUPS; REGULATING DEVELOPMENT INTENSITY; ALLOWING DEVELOPMENT INTENSITY BONUSES; REGULATING BUILDING HEIGHTS; REGULATING PARKING; AUTHORIZING DESIGN STANDARDS; AUTHORIZING DESIGN GUIDELINES; ALLOWING FOR APPEALS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE HEREOF.

Motion by Wolfinger, seconded by Reid to pass the first reading of Council Bill No. 04-1000 and its Summary.

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

Motion by Reid, seconded by Wolfinger to suspend the rules and to adopt Council Bill 04-1000 by its having had one reading by title only.

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

RESOLUTION 04-088

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AMENDING THE CITY OF COEUR D'ALENE PERSONNEL RULES MANUAL BY AMENDING RULE I, ENTITLED "PERSONNEL APPEALS BOARD" TO CLARIFY THE BOARD TERMS SHALL BE STAGGERED; REPEALING RULE 1, SECTION 8 ENTITLED "STATUS OF PRESENT EMPLOYEE," AS THIS SECTION REFERRED TO HOW POSITIONS WERE BROUGHT INTO THE PERSONNEL RULES IN 1978, AND IS NO LONGER APPLICABLE; AMENDING RULES II, DEFINITION OF TERMS, SECTION 20 ENTITLED "REGULAR OR PERMANENT EMPLOYEE," TO REMOVE THE REFERENCE TO PERMANENT EMPLOYEE, THIS SECTION SHALL NOW BE ENTITLED "REGULAR APPOINTED EMPLOYEE," AMENDING THE FOLLOWING RULES TO REPLACE THE REFERENCES TO PERMANENT EMPLOYEE TO REGULAR APPOINTED EMPLOYEE; RULE VIII, SECTION 3 ENTITLED "RE-EMPLOYMENT LISTS;" RULES XI, SECTION 2, ENTITLED "ANNUAL VACATION LEAVE;" RULE XI, SECTION 3 ENTITLED "SICK LEAVE;" RULES XIV, SECTION 5 ENTITLED "TYPES OF DISCIPLINARY ACTION," AMENDING RULE III, SECTION 1, ENTITLED "FAIR EMPLOYMENT," TO CLARIFY THAT THE EQUAL EMPLOYMENT OPPORTUNITY STATEMENT IS ON FILE IN THE HUMAN RESOURCES DEPARTMENT; AMENDING RULE IV, SECTION 1, ENTITLED "PREPARATION OF PLAN," TO STATE THAT THE CLASSIFICATION PLAN IS ON FILE IN THE HUMAN RESOURCES DEPARTMENT; CREATING RULE V, TO ADD SECTION 8, TO BE ENTITLED "PAY PERIODS", WHICH WILL SET FORTH THE PAY PERIODS FOR SEMI-MONTHLY PAYROLL; AMENDING RULES VIII, SECTION 2, ENTITLED "EMPLOYMENT LISTS," TO CLARIFY LIST DURATION AND ABILITIES TO ADD LATERAL APPLICANTS TO BE PLACED ON THE ELIGIBILITY LIST BETWEEN TESTING.

Motion by Wolfinger, seconded by Reid to adopt Resolution 04-088.

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

**PUBLIC HEARING – ESTABLISHING INFILL REGULATIONS FEES AND DESIGN STANDARDS:** Mayor Bloem read the rules of order for this public hearing. Dave Yadon, Planning Director, gave the staff report.

Mr. Yadon proposed that the fee for Appeals to the Design Review Commission be set at \$100.00. He noted that the public hearing this evening is technically for the establishment of the fees although the Resolution does include the design standards and guidelines.

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

RESOLUTION 04-089

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ADOPTING DESIGN STANDARDS AND DESIGN GUIDELINES AND SETTING A FEE FOR APPEALS TO THE DESIGN REVIEW COMMISSION FROM DECISIONS OF THE PLANNING DIRECTOR MADE UNDER THE INFILL OVERLAY DISTRICT ORDINANCE.

MOTION: Motion by Goodlander, seconded by Wolfinger to adopt Resolution 04-089.

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

**EXECUTIVE SESSION:** Motion by Reid, seconded by Wolfinger to enter into Executive Session as provided by Idaho Code 67-2345 Subsection A: To consider hiring a public officer, employee, staff member or individual agent; Subsection B: To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent; Subsection C: To conduct deliberations concerning labor negotiations or to acquire an interest in real property not owned by a public agency; and Subsection F: To consider and advise its legal representatives in pending litigation or where there is a general public awareness of probable litigation.

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

The session began at 8:15p.m. Members present were the Mayor, City Council, City Administrator and City Attorney.

Matters discussed were those of property acquisition, personnel matters, and labor negotiations and pending litigation. No action was taken and the Council returned to regular session at p.m.

RESOLUTION 04-090

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A CONSTRUCTION AND MAINTENANCE AGREEMENT WITH THE BURLINGTON NORHTERN AND SANTA FE RAILWAY COMPANY FOR THE MULLAN ROAD CROSSING CLSOUR AND TRACK REMOVAL (MP 12.50) DOT 095-887S.

Motion by , seconded by to adopt Resolution 94-090.

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

**ADJOURNMENT:** Motion by , seconded by that, there being no further business, this meeting be adjourned. Motion carried.

The meeting recessed at p.m.

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Sandi Bloem, Mayor

ATTEST:

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Susan K. Weathers, City Clerk