

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT THE LIBRARY COMMUNITY ROOM
OCTOBER 6, 2009**

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 October 6, 2009 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

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

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 Edinger.

PRESENTATION – KOOTENAI COUNTY JAIL EXPANSION: County Commissioner Todd Tondee showed a power point presentation outlining the proposed County Jail Expansion which is on the November 3rd General Election ballot.

PUBLIC COMMENTS:

Mayor Bloem called for public comments with none being received.

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

1. Approval of minutes for September 15, 28, 2009.
2. Setting the General Services Committee and the Public Works Committee meetings for Monday, October 12th at 2:30 p.m. and 4:00 p.m. respectively.
3. RESOLUTION 09-039: 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 THE 2009 / 2010 BENEFIT PLAN CHANGES AND RENEWAL RATES FOR EMPLOYEE MEDICAL BENEFITS AND APPROVING AN 8 HOUR MAXIMUM WAIVER OF THE 'NO DOGS ALLOWED' REGULATIONS AT THE MCEUEN FIELD TENNIS COURTS TO PERMIT THE KOOTENAI COUNTY DOG PARK ASSOCIATION'S USE FOR A DOG PARK FUND RAISING EVENT ON OCTOBER 17, 2009

4. Approval of a cemetery lot transfer from Ruth Nash and Bernice Johnson to Mrs. Harold Frensdorf.

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

COUNCIL ANNOUNCEMENTS:

COUNCILMAN GOODLANDER: Councilman Goodlander introduced Boy Scout Troop 201 whose members were in attendance at tonight's Council meeting as part of their requirement to earn their merit badge. Councilman Goodlander also announced that a special program paying tribute to Louise Shadduck – "Remembering Louise" – will be held in the Community Room of the Coeur d'Alene Public Library, 702 E. Front Ave., this Friday, Oct. 9 at 4 p.m.

APPOINTMENTS TO ANIMAL CONTROL ADVISORY BOARD AND CHILDCARE COMMISSION: Motion by Edinger, seconded by Kennedy to re-appoint Phil Morgan, Chris Weeks and Karen Williams to the Animal Control Advisory Board and Officer Eric Johnson to the Childcare Commission. Motion carried.

ADMINISTRATOR'S REPORT: Deputy City Administrator Jon Ingalls announced the Coeur d'Alene Police Department recognized the dedicated service of their volunteers with a special volunteer appreciation luncheon. The 30 Police Department volunteers have unselfishly given over 3,000 hours of service over the last year to help make this city a safer, better place to live. The 4th Street Improvement Project is nearing the end of its third phase. Starting in late July, this phase of the major revitalization effort extended from Miller Avenue north to Harrison Avenue. In anticipation of the project's completion, a ribbon-cutting ceremony has been scheduled for the morning of Thursday, October 22nd. The City of Coeur d'Alene Arts Commission announced the recipients of the 14th Annual Mayor's Awards in the Arts. They recipients are: Excellence in the Arts - Fallen Heroes Plaza; Support of the Arts - Charles & Dorothy Clock; and, Education in the Arts - Julie Hudson. Mayor Bloem will present the awards Thursday, October 15, 2009, 6:00 p.m., at Parkside Tower, 3rd Floor Meeting Room, 601 E. Front Avenue. This event is open to the public, and anyone interested in attending may contact Amy Ferguson, 666-5754. The City's CDA TV Committee will be hosting a Candidates Forum to be aired on CDA TV cable Channel 19 beginning with the live broadcast of the forum tomorrow (October 7th) right in this room. CDA TV will air 3 forums tomorrow night beginning with the City of Hayden candidates at 4:30 pm, the City of Coeur d'Alene candidates at 5:30 pm, and the City of Rathdrum candidates at 7:30 pm. If you cannot make it to the forum in person, you can also watch the forums live on CDA TV, Channel 19. Our Specialized Needs Recreation program is having a remarkable year and we would like to congratulate them for their award of a grant for \$4,388.00 from the Inland Northwest Community Foundation (INCF) through the Florence Wasmer Fund for Children & Families. The grant will be used to support SNR's Camp All-Stars Program. You might have noticed that bus benches are popping up in Coeur d'Alene, Post Falls and throughout the Citylink bus system. These benches are donor funded and donors receive a recognition placard on the new

benches. If you are interested in sponsoring one of these benches contact Craig Wilcox at 667-1212. The cost for a 5 year sponsorship is \$1,000 for an attractive, durable bench along with a generous sized donor plaque.

RESOLUTION 09-040

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN AGREEMENT FOR SHELTER SERVICES, WITH THE KOOTENAI HUMANE SOCIETY ITS PRINCIPAL PLACE OF BUSINESS AT PO BOX 1005, HAYDEN, ID 83835.

STAFF REPORT: Troy Tymesen, Finance Director, noted that the joint Kootenai Humane Society/City Animal Shelter has been shelved because, with the downturn in the economy, there is a lack of funds in which to proceed with the project at this time. Captain Childers presented the proposed renewal of the contract with Kootenai Humane Society for sheltering dogs picked up by the City's Animal Control officers.

Motion by Edinger, seconded by Kennedy to adopt Resolution 09-040.

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

ORDINANCE NO. 3370 COUNCIL BILL NO. 09-1021

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTIONS 12.28.180 AND 12.28.210 TO RAISE THE BUILDING PERMIT VALUE TRIGGERING CERTAIN SIDEWALK AND CURBING IMPROVEMENTS FROM \$15,000 TO \$30,000; 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 Hassell to pass the first reading of Council Bill No. 09-1021.

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

Motion by Hassell, seconded by McEvers to suspend the rules and to adopt Council Bill No. 09-1021 by its having had one reading by title only.

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

PUBLIC HEARING – ZC-4-09 – ZONE CHANGE AT 521 W. EMMA AVENUE: Mayor Bloem read the rules of order for this public hearing. No conflict of interest was declared by a Councilmember. Councilman Kennedy had ex parte communication in that the representative of the applicant wanted to know what would happen if he could not make the public hearing. John Stamos, Senior Planner, gave the staff report.

Mr. Stamos gave the applicant's name as Brad Baldwin, the location at 521 W. Emma Avenue and the reason for the request as a zone change from R-12 to C-17L.

Mr. Stamos gave the staff analyses for land use, comprehensive plan, utilities and traffic/streets. He reported that the Planning Commission heard the request on September 8, and recommended approval of the Zone change with the following condition:

1. No access will be allowed onto US 95 from the subject property without written authorization from the Idaho Department of Transportation.

Mr. Stamos reported that 38 notices of this public hearing were mailed with 3 responses being received, all neutral to the request. Written comments were distributed for Council review.

PUBLIC COMMENTS: Bob Conrad, Pastor of the Lincoln Way Church of God, commented that although he has no statement prepared he is available for Council questions. He did note that his church is looking for another location and thus is planning on selling this property.

MOTION: Motion by Edinger, seconded by McEvers to approve the zone change from R-12 to C-17L and adopting 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.

EXECUTIVE SESSION: Motion by Hassell, seconded by McEvers to enter into Executive Session as provided by I.C. 67-2345 SUBSECTION F: 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. The mere presence of legal counsel as executive session does not satisfy this requirement;

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

The Council met in Executive Session at 7:20 p.m. Members present were the Mayor, City Council, City Administrator, Deputy City Administrator and City Attorney.

Matters discussed were those of litigation. No action was taken and the Council returned to the regular meeting at 8:20 p.m.

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

The meeting adjourned at 8:20 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan Weathers, CMC
City Clerk