

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

1. Approval of minutes for October 19, 26, 2004.
2. Setting the Public Works Committee and General Services Committee meeting for November 8, 2004 at 4:00 p.m.
3. RESOLUTION 04-096: 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 APPROVAL OF AMENDMENT NO. 1 TO THE AGREEMENT WITH THE IDAHO DEPARTMENT OF COMMERCE AND LABOR FOR THE ICDBG FOR THE 4TH STREET; ANTON AVENUE TO TIMBER LANE PROJECT AND APPROVAL OF AN AGREEMENT WITH KOOTENAI COUNTY FOR ELECTIONS SERVICES FOR A FEBRUARY 1, 2005 ELECTION.
- 4 RESOLUTION 04-097: A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ESTABLISHING A POLICY FOR WATER MAIN SHUTDOWN.
5. Authorizing Street Dept. to purchase a 1999 Truck/Chassis.
6. Bid Award for purchase of 220 Microsoft Office 2003 Standard Edition and 30 Microsoft Office Professional Enterprise 2003 Edition
7. Bid Award for purchase of three 4-wheel drive SUV for the Growth Services Department
8. Approval of beer/wine license transfer to the Coeur d'Gourmet from Blondie's at 1527 NW Blvd.
9. Approval of cemetery lot repurchase from Richard Fine.
10. Rescheduling the public hearing for the surplus of City property from November 16, 2004 to December 7, 2004.

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

ARTWORK IN THE COUNCIL CHAMBERS: Councilman Wolfinger introduced the artwork by Randy Rock that is now being displayed in the Council Chambers.

2004 ELECTION: Councilman Wolfinger thanked the area businesses for their advertisements encouraging residents to vote. He shared the story of a Middle Easterner who is employed in Spokane, where he began wearing a suit to work because, as he related to his fellow employees, for the first time in his life he was able to choose his leader.

RECREATION DEPARTMENT REPORT: Councilman Hassell announced that the Recreation Department is starting their winter programs next week with 62 youth teams currently registered, 30 adult basketball teams, 48 children signed up for the Nov-Dec. swimming lessons and 34 children in gymnastics.

STREET STRIPING: Councilman McEvers noted how dark it is at night with the recent time change and thanked Jon Ingalls for painting the Streets. He also welcomed his uncle-in-law who is in town visiting and who was amazed by all the leaves on the ground.

HAPPY BIRTHDAY: Council President Reid wished her grandson, Alex Capaul a happy 16th birthday tonight.

EXECUTIVE TEAM REPORT: Doug Eastwood, representing the Executive Team, announced the following: Plan to get your leaves out into the street just prior to November 15th. Please put them out about one foot out from the curb so the stormwater can flow. Questions: call the Street Department at 769-2233. The city is always looking for interested citizens to serve on its boards, commissions, and committees. Please call 769-2204 for an application and more information. The city's Human Resources Department is accepting applications for Accounting Specialist until 5:00 pm Friday, November 5th and a Utilities Project Manger until 5:00 pm Friday, November 12th. The Coeur d'Alene Police Department is actively recruiting volunteers. If you are interested in a volunteer position please contact our coordinator Wally Connally at 666-5732 or 769-2291.

REJECTING BIDS FOR CHERRY HILL PROJECT: Motion by Hassell, seconded by Goodlander to declare the Cherry Hill Park landscaping bid as non-responsive and authorize staff to negotiate a contract; and to further reject all bids for the Cherry Hill grading and paving and authorize staff to re-bid with a redesigned plan. Motion carried.

ORDINANCE NO. 3194
COUNCIL BILL NO. 04-1005

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 5.68.130, ENTITLED OPERATION REGULATIONS, SECTION F, TO AMEND STAFF/CHILD RATIOS BY AGE GROUP TO MEET CURRENT IDAHO CODE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDE FOR PUBLICATION AND AN EFFECTIVE DATE HEREOF.

Motion by Wolfinger, seconded by Reid to pass the first reading of Council Bill No. 04-1005.

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

Motion by Wolfinger, seconded by Hassell to suspend the rules and to adopt Council Bill 04-1005 by its having had one reading by title only.

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

SUMMARY OF ORDINANCE NO. 3194: Motion by Wolfinger, seconded by Reid to adopt the Summary of Ordinance No. 3294. ROLL CALL: McEvers, Aye; Reid, Aye; Hassell, Aye; Goodlander, Aye; Wolfinger, Aye. Motion carried.

RESOLUTION 04-098

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ESTABLISHING A POLICY FOR WATER MAIN SHUTDOWN.

Motion by Wolfinger, seconded by Hassell to adopt Resolution 04-098.

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

DESIGN OF TUBBS HILL RESERVOIR REPLACEMENT: Motion by Reid, seconded by McEvers to authorize staff to negotiate a contract with J-U-B Engineers for engineering services for the design of a replacement to the Tubbs Hill Reservoir. Motion carried.

RESOLUTION 04-099

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN AGREEMENT WITH KOOTENAI COUNTY, ON BEHALF OF THE NORTH IDAHO FAIR FOR THE UTILIZATION OF THE CLAYTON WELL FOR IRRIGATION PURPOSES.

Motion by Reid, seconded by Wolfinger to adopt Resolution 04-099.

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

RESOLUTION 04-100

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN AGREEMENT FOR DEMOLITION OF A BUILDING AT 1315 N. 10TH STREET, WITH PECK AND PECK EXCAVATING, INC., ITS PRINCIPAL PLACE OF BUSINESS AT 3386 N. HWY 41, POST FALLS, IDAHO, 83854.

Motion by Wolfinger, seconded by Hassell to adopt Resolution 04-100.

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

PUBLIC HEARING - O-4-04 - REPEALING SIDE YARD REQUIREMENTS FOR RESIDENCES ABUTTING AN ALLEY: Mayor Bloem read the rules of order for this public hearing. Dave Yadon, Planning Director, gave the staff report.

Mr. Yadon requested the Council consider repealing the following language from M.C. 17.06.450: **Minimum side yard for principal residential structure abutting an alley in residential zoning district:** When siding on an existing alley, a principal residential structure in a residential zoning district shall be located not less than thirty feet (30') from the opposite side of the alley.

He noted that recently a request for development of an older lot abutting an alley that is subject to this code was received. This lot and most other alley lots tend to be smaller and located in the older part of town. Compliance with the regulation on lots such as this request can and has prevented additions to a home that would be allowed on adjacent lots. Variances are generally not an option.

Public Comments: Colleen Allison, 113 West Idaho Ave., thanked the Planning Department and the Attorney for bringing this to the Council. She had purchased a substandard sized lot and was trying to construct an addition to the lower floor so she would be able to live on the main floor without trying to manage the stairs due to her arthritic knees.

ORDINANCE NO. 3195
COUNCIL BILL #04-1004

AN ORDINANCE AMENDING TITLE SEVENTEEN, CHAPTER SIX OF THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, TO REPEAL SECTION 17.06.450 WHICH PROVIDES THAT WHEN SIDING ON AN EXISTING ALLEY, A PRINCIPLE PRESIDENTIAL STRUCTURE IN A RESIDENTIAL ZONING DISTRICT SHALL BE LOCATED NOT LESS THAN THIRTY FEET FROM THE OPPOSITE SIDE OF THE ALLEY; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Motion by Wolfinger, seconded by McEvers to pass the first reading of CB # 04-1004.

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

Motion by Wolfinger, seconded by Hassell to suspend the rules and to adopt CB #04-1004 and its summary having had one reading by title only.

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

SUMMARY OF ORDINANCE NO. 3195: Motion by Wolfinger, seconded by Hassell to accept the Summary of Ordinance No. 3195 for publication purposes. ROLL CALL: REID, Aye; Hassell, Aye; Goodlander, Aye; Wolfinger, Aye; McEvers, Aye. Motion carried.

PUBLIC HEARING - WAIVER OF APPLICATION FEES: Mayor Bloem read the rules of order for this public hearing. Warren Wilson, Assistant City Attorney, gave the staff report.

Mr. Wilson reported that in the past, there have been projects that have been denied without prejudice by the Planning Commission and/or the City Council, where the reviewing body felt the overall project was a good concept but that specific issues needed to be addressed prior to the application being approved. Historically, the applicant has been required to pay a new fee when resubmitting the application. He noted that while this issue does not come up often, it can act as a disincentive for the developer to resubmit the proposal. Because of this, staff is recommending that the Planning Director be authorized to waive some or the entire application fee in this setting.

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

Motion by Reid, seconded by Hassell to table CB #04-1006 until the policy is written. 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; Wolfinger, Aye; Hassell, Aye; Goodlander, Aye. Motion carried.

The session began at 6:55 p.m. Members present were the Mayor, City Council and Assistant 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 7:05 p.m.

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

The meeting adjourned at 7:05 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, City Clerk