

MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT COEUR D'ALENE CITY HALL,
NOVEMBER 15, 2005

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, November 17, 2005 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Al Hassell)	Members of Council Present
Woody McEvers)	
Deanna Goodlander)	
Dixie Reid)	
Ben Wolfinger)	

Loren Edinger)	Members of Council Absent
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CALL TO ORDER: The meeting was called to order by Mayor Bloem.

INVOCATION was led by Tim Remmington.

PLEDGE OF ALLEGIANCE: Councilman McEvers led the pledge of allegiance.

PROCLAMATION – FAMILY WEEK: Councilman Wolfinger, on behalf of Mayor Bloem, read the proclamation declaring the week of November 20th, as Family Week in the City of Coeur d'Alene. Tinka Schaeffer, Children's Village, accepted the proclamation.

PRESENTATION – POLICE MOTORCYCLE PROGRAM REVIEW: Police Officer Nick Knoll reviewed the inaugural year of the Police Department's Motorcycle Program. The team consisted of two officers and two motorcycles with the motorcycles provided by Bear Tooth Harley of Billings, Montana for \$1.00 lease per year. \$12,500 was also budgeted for equipping the motorcycles with lights, sirens, etc. which will be reduced to \$500/year to maintain the equipment placed on the motorcycles. He also noted that the cost for gas for a motorcycle was \$200/month compared to \$525/month for a patrol car. He reviewed the training process for the motorcycle officers, which was conducted in Spokane.

PUBLIC COMMENTS:

EAGLE SCOUT ACHIEVEMENT: Sam Hoggatt, thanked the City Council and Jon Ingalls for allowing him to do the storm water video as his Eagle Scout project and, because of this, he has achieved his Eagle Scout status. Because of their support, Sam invited the Council and Mayor to his award ceremony on Saturday, November 26th.

PSEUDOEPHEDRINE PRODUCTS: Larry Carsteson, asked the City Council to seriously consider adopting Council bill 05-1036 as it relates pseudoephedrine products behind counters in stores. He also asked the Council to work with other cities and counties to adopt a similar ordinance.

CONSENT CALENDAR: Motion by Reid, seconded by Wolfinger to approve the Consent Calendar as presented excluding the final plat approval and subdivision improvement agreement for Copper Ridge.

1. Approval of minutes for October 31 and November 1, 2005.
2. The Public Works Committee and General Services Committee are scheduled for November 21, 2005 at 4:00 p.m.
3. RESOLUTION 05-078: 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 FOR THE ICDBG FOR THE U.S. BANK WEST SELTICE WAY PROJECT; APPROVAL OF AN ENCROACHMENT PERMIT WITH BARREL ROOM NO. 6 AT 503 E SHERMAN AVENUE FOR THE PLACEMENT OF 3 FLOWER POTS IN FRONT OF THEIR ESTABLISHMENT; APPROVAL OF S-2-03M FINAL PLAT APPROVAL AND SUBDIVISION IMPROVEMENT AGREEMENT FOR THE LANDINGS AT WATERFORD, 3RD ADDITION AND APPROVAL OF A GRANT ACCEPTANCE OF CONDITIONS WITH THE STATE OF IDAHO, OFFICE OF TRAFFIC AND HIGHWAY SAFETY, FOR THE CITY C.A.R.E. PROGRAM.
4. Authorizing staff to negotiate an agreement with Welch Comer Engineers for engineering services for the City water system pressure enhancement project.
5. Approval of bills as submitted and on file in the City Clerk's Office.
5. Setting of public hearings: O-5-05 (Modifications to Infill Regulations) for December 20th and SP-11-05/V-1-05 (Appeal for Person's Field) for December 6th.

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

ARTS COMMISSION: Councilman Wolfinger announced that the Arts Commission has started their master planning process for art in our community and will be holding some workshops beginning in the first part of March for public input into public art.

PAPERLESS COUNCIL PACKETS: Councilman Hassell noted that tonight he is using a laptop which contains the Council's packet of information for tonight meeting. It is the goal to having paperless packets for the City Council beginning in January.

PUBLIC ART STUDY ON INTERNET: Councilman Goodlander announced that the information for the Arts Commission Public Art Master Plan project is on the City's web site and welcomed citizens to log on and give their input.

JUNIOR MISS PAGEANT: Councilman Goodlander announced that Firefighter Washko's daughter was the 2nd finalist in the Idaho Junior Miss Pageant.

COUNCILMAN MC EVERS THANKS CITIZENS: Councilman McEvers thanked the residents for re-electing him to another term. He noted 4 years ago, it cost him a \$1 a vote and this year it was \$.55 per vote.

CDA TV: Councilman McEvers reported that the City is striving to find ways of getting more information to the citizens. Two years ago he helped shoot a video covering the leaf pickup program. This year, the video has been completed. He then aired the video for Council review. Councilman McEvers also thanked Jim Van Sky for using his helicopter in helping shoot this video. He added that the CDA TV Ad Hoc Committee helped him finish this video and noted that they are looking for volunteers for television production and if anyone is interested in volunteering to contact the City Clerk, Susan Weathers.

ORDINANCE NO. 3239
COUNCIL BILL NO. 05-1036

LIMITS ON THE SALE OF METHAMPHETAMINE PRECURSOR DRUGS AN ORDINANCE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING MUNICIPAL CODE TITLE NINE TO ADD A NEW CHAPTER ESTABLISHING LIMITS ON THE SALE OF METHAMPHETAMINE PRECURSOR DRUGS AND PROVIDING THAT VIOLATIONS OF THE CHAPTER ARE A MISDEMEANOR PUNISHABLE BY A ONE THOUSAND DOLLAR (\$1,000.00) FINE OR BY IMPRISONMENT FOR SIX (6) MONTHS, OR BOTH; 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 Wolfinger, seconded by Hassell to pass the first reading of Council Bill No. 05-1036 with the deletion of 9.25.030(d), to change the reference to Eagle, Idaho to Coeur d'Alene, Idaho and to have the effective date Jan. 1, 2006.

DISCUSSION: Council President Reid announced that Coeur d'Alene is the 12th city in the state to pass this law. Mike Gridley asked what date did the Council want this ordinance to become effective. Councilman Wolfinger noted that the General Services Committee recommended 60-90 days. Council President Reid asked if it could done as soon as possible. Mike Gridley suggested January 1st. Council concurred of placing an effective date on this ordinance of January 1, 2006.

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

Motion by Wolfinger, seconded by Goodlander to suspend the rules and to adopt Council Bill No. 05-1036 by its having had one reading by title only.

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

ORDINANCE NO. 3240
COUNCIL BILL NO. 05-1037

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 15.09.010 TO AMEND REFERENCES TO THE PUBLIC WORKS DIRECTOR TO THE FINANCE DIRECTOR; 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 Wolfinger, seconded by Goodlander to pass the first reading of Council Bill No. 05-1037.

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

Motion by Wolfinger, seconded by Goodlander to suspend the rules and to adopt Council Bill No. 05-1037 by its having had one reading by title only.

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

EXECUTIVE SESSION: Motion by Reid, seconded by Wolfinger to enter into Executive Session as provided by Idaho Code 67-2345 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: Wolfinger, Aye; Hassell, Aye; Goodlander, Aye; McEvers, Aye; Reid, Aye. Motion carried.

The session began at 7:00 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 regular session at 7:18 p.m.

HIGHLANDER/BENWAY LITIGATION: Motion by Wolfinger, seconded by Goodlander to take no action on the Highlander/Benway litigation. Motion carried.

KAUER CLAIM: Motion by Wolfinger, seconded by Goodlander to deny the Clint Kauer claim. Motion carried.

ROTH CLAIM: Motion by Wolfinger, seconded by Goodlander to deny the Roth claim. Motion carried.

PUBLIC SAFETY FACILITY UPDATE: Fire Chief Gabriel updated the Council on the progress to date on the Public Safety facilities.

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

The meeting adjourned at 7:23 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, CMC
City Clerk