



**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D’ALENE, IDAHO,
HELD AT COEUR D’ALENE CITY HALL,
JULY 1, 2003**

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 July 1, 2003 at 6:00 p.m., there being present upon roll call the following members:

Dixie Reid, Mayor Pro Tem

Chris Copstead) Members of Council Present
Deanna Goodlander)
Woody McEvers)
Loren Edinger)
Ben Wolfinger)
Dixie Reid)

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

INVOCATION: The invocation was led by Niels Nelson, New Beginnings Church.

PLEDGE OF ALLEGIANCE was led by Councilman Goodlander.

PRESENTATION – STREET MAINTENANCE DEPARTMENT ANNUAL REPORT: Jon Ingalls, Street Superintendent, presented his department’s annual report on the activities that department as undertaken this past year. He introduced the staff of the Street Department and their various responsibilities. He reviewed the various accomplishments the department has completed this past year including street patching, street striping, leaf pickup, and community education. He noted that the City is a designated “Storm Ready” city.

PRESENTATION – SEDIMENTATION/STORMWATER CONCERNS: Street Superintendent Jon Ingalls presented the City’s concerns regarding Stormwater drainage and the damage caused by construction to the Stormwater systems. He suggested that, with Council approval, staff develop codes which allow staff to place stop work orders where construction sites are in violation of the City’s Stormwater regulations. Motion by Copstead, seconded by Wolfinger direct Street Department to develop an ordinance to protect the City’s Stormwater system from damaging construction practices. Motion carried.

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

1. Approval of minutes for Jun 17, 2003.
2. Setting of General Services and Public Works Committee meetings for July 7, 2003 at 4:00 p.m.
3. RESOLUTION 03-067: 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 AN AGREEMENT FOR CROSS CONNECTION SURVEYS WITH SIMPLEXGRINNEL; GRANTING OF PUBLIC PROPERTY RIGHT-OF-WAY AT GOVERNMENT WAY AND NEIDER; ACCEPTANCE OF AN AGREEMENT WITH KOOTENAI HOSPITAL DISTRICT FOR SWIM LESSONS; FINAL PLAT APPROVAL AND SUBDIVISION IMPROVEMENT AGREEMENT FOR BRIARWOOD ADDITION; LEASE AGREEMENT WITH THE HUMAN RIGHTS EDUCATION FOUNDATION; AND SUMMER ARTS PROPERTY AGREEMENTS FOR PROGRAM DIRECTOR AND INSTRUCTORS.
4. SS-9-03 – Final Plat Approval for Bettis Commercial Condominiums
5. V-02-3 – Setting of Public Hearing for vacation of 14th Place for August 5, 2003.
6. Approval of cemetery lot transfer from Ruth Gumm to Neil E. Gumm.

Denny Davis, Vice-President of the Human Rights Education Foundation, Inc., noted that with regards to the snow removal from the roof of the lease building, they are aware of the need to remove the snow and are agreeable to undertake this responsibility.

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

PUBLIC HEARING – V-03-01 – VACATION OF PORTION OF GOV'T ROAD ADJOINING RIVERSTONE SUBDIVISION: Mayor Pro Tem Reid read the rules of order for this public hearing. Gordon Dobler, Growth Services Director, gave the staff report.

Mr. Dobler reported that Riverstone subdivision is requesting the vacation of a portion of Government Road and a small remnant of Emma Avenue adjoining the east side of the development. He noted that, if vacated, the right-of-way will revert to private ownership and will be absorbed into adjoining developments. Staff is recommending that the full sixty feet be vacated including the 30 feet that has been built upon the easterly half to the property owner to the east which is Time Oil and the 30 feet to the west vacated to Riverstone Development. He reported that 13 notices of this proposed vacation were mailed with the City receiving two responses, one in favor and one neutral.

PUBLIC COMMENTS: Jack Beebe, 10536 N. Lakewood Drive, H.L., spoke on behalf of the applicant. Scott Reed, attorney for Time Oil Company, noted that his client feels

that Time Oil should be receiving 45' of the 60' right-of-way. Ed Warner, 12480 E. Turner Rd., Kootenai County, spoke in support of taking the 60' right-of-way and dividing it in half for each adjoining property owners.

Motion by Copstead, seconded by Goodlander to approve the vacation of the 60' right-of-way of Government Road giving the westerly 30' to Riverstone, and the easterly 30' to the eastern property owners including Time Oil and to vacate right-of-way directly to the north (known as Emma Avenue) adjacent with the Time Oil Company and direct staff to prepare the necessary ordinance. ROLL CALL: Edinger, Aye; Wolfinger, Aye; Copstead, Aye; McEvers, Aye; Reid, Aye; Goodlander, Aye. Motion carried.

APPOINTMENTS – STUDENT REPRESENTATIVES: Motion by Edinger, seconded by Wolfinger to approve the appointment of the following students to certain committees/commission/boards as the student representative: Kate Babb – Recreation and Parks Committee; Alyssa Chatfield – Cemetery Advisory Board; Tory Brundage Chaffin – Arts Commission; Jessica Cook – Urban Forestry; Devyn Rock – Childcare Commission; Travis Potter – Planning Commission; Chase Collings – Sign Board; and approve the appointment of the following students as alternates: Derick Taylor – Recreation and Parks Commission; Sara Wuest – Cemetery Advisory Board; Amy Oliveria – Arts Commission; Kelly McFarland – Urban Forestry; Chantil Ells – Childcare Commission; Sasha Carlson – Planning Commission; Tyler Vincent – Sign Board. Motion carried.

AIC OF CITIES CONFERENCE: Mayor Pro Tem Reid expressed her appreciation to staff and Susan Weathers for the excellent work they did in volunteering to make this such a success. She presented Susan Weathers with a plant from the Mayor and Council for her role in organizing this conference. Councilman Copstead thanked the representatives of Sandpoint, Kellogg/Wallace areas for their efforts in hosting the great tours of their towns during the conference. Councilman Edinger expressed his thanks to Jon Ingalls and Susan Weathers for the excellent job that was done with the transportation part of the conference, as well as Allen Richardson from Omnibus and Carol Brown from School Dist. 271 and all their drivers for making the transportation part of the conference such a success.

APPOINTMENT – ARTS COMMISSION: Motion by Wolfinger, seconded by Copstead to re-appoint Elisabeth Garland to the Arts Commission. Motion carried.

POLICE DEPARTMENT RECOGNIZED: Mayor Pro Tem Reid read a letter from the Chamber of Commerce who selected the City Police Department for the A+ Leadership Award for their dedication to School Dist. 271 through the School Resource Officer, D.A.R.E., Canine Officer, and Police Trading Card programs.

IDAHO FIRST LADY TO VISIT LIBRARY: Councilman Goodlander announced that Idaho's First Lady will be reading for the children on Monday July 7th from 1 to 2 p.m. She also noted that she attended the last day of the professional/technical convention held by the Idaho State Professional/Technical Educators Association in Coeur d'Alene.

IRONMAN TRIATHLON: Councilman Goodlander commended the athletes who participated in the Ironman Triathlon and expressed her appreciation of our citizens for their support of this event. She also noted that participants and volunteers were gathering up the trash the day after the event. Councilman Copstead commended the number of citizens who volunteered for this event with a call for 3, 000 volunteers and receiving calls from 4,000 citizens. Councilman Edinger congratulated Police Detective Don Ashenbrenner for finishing the Ironman race. He also commended Waste Management of North Idaho for their role in keeping the city clean by providing containers throughout the event.

RECREATION ACTIVITY REPORT: Councilman Copstead announced that the 4th of July would start with the Annual Children's Parade on July 3rd at 10 a.m. The Theme is Christmas in July. Two swimming sessions will be held this summer at City Beach, the first July 14th – 25th and the second, Aug. 5th-16th. Registration will be held July 7th –11th from 1-5 p.m. at Recreation Department. Junior Golf lessons will be held with 3 one-hour lessons, a nine hole round of golf and a golf tournament. For more information on these activities, please contact the Recreation Department at City Hall.

NEW STATE SEATBELT LAW: Councilman Wolfinger reminded residents that the new seatbelt law is in effect today and a fine of \$10 per occupant will be issued to anyone not wearing their seat belts.

FIREWORKS: Councilman Wolfinger noted that fireworks are not allowed in the City Park or on city property. The only fireworks that are allowed on private property are the safe and sane fireworks and are they are the ones sold locally. As a reminder of the danger of illegal fireworks, he noted the recent fire on Tubbs Hill.

TUBBS HILL FIRE: Councilman McEvers expressed his appreciation for the fine work the Fire Department did in containing the recent fire on Tubbs Hill. He also commented that we make it legal to sell fireworks and it is legal to shoot off fireworks in private property but not on public property – should we allow the sale of fireworks.

EXECUTIVE TEAM REPORT: Executive Team Representative, Jon Ingalls, reported that, as for the city's role in the inaugural Ironman Coeur d'Alene, this event was truly a team success story with virtually every department playing a role. The Executive Team was happy to play a role in this event and would like to applaud the tireless efforts of Janet Flerchinger who coordinated the city's efforts. The traffic triangle at the corner of Walnut and US 95 is a great partnering success. The State of Idaho in conjunction with the Coeur d'Alene Sunrise Rotary Club and the City of Coeur d'Alene have positively improved the entrance to our community. He also asked for citizens to help in making 4th of July equally successful by strictly adhering to city ordinances, particularly no alcohol consumption in city parks or in public, no fireworks of any kind in city parks (especially Tubbs Hill), and no littering. He announced that the City Beach is staffed with Life Guards from June 14th to August 17th. Beach hours are from 11:00 a.m. to 6:00 p.m. Monday – Friday.

ORDINANCE NO. 3120

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AS FOLLOWS:
AMENDING SECTION 13.20.2.1 (12) TO ALLOW THE DISCHARGE OF SMALL AMOUNTS OF NON-CONTACT COOLING WATER AND CONDENSATE INTO THE CITY SANITARY SYSTEM; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Motion by Edinger, seconded by McEvers to pass the first reading of Ordinance No. 3120.

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

Motion by Edinger, seconded by Wolfinger to suspend the rules and to adopt Ordinance No. 3120 by its having had one reading by title only.

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

RESOLUTION 03-068

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A CONTRACT WITH CANNON HILL INDUSTRIES, INC., FOR DEMOLITION OF BUILDING AT 513 S. 19TH STREET.

Motion by Copstead, seconded by Wolfinger to adopt Resolution 03-068.

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

RESOLUTION 03-069

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ACCEPTING THE BID OF TML CONSTRUCTION, INCL. FOR THE CONSTRUCTION OF THE CLAYTON AVENUE PRODUCTION WELL PUMP HOUSE AND ASSOCIATED WATER MEANS.

Motion by Copstead, seconded by Wolfinger to adopt Resolution 03-069.

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

EXECUTIVE SESSION: Motion by Copstead, seconded by Wolfinger to enter into Executive Session as provided by I.C. 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: Edinger, Aye; Wolfinger, Aye; Copstead, Aye; McEvers, Aye; Reid, Aye; Goodlander, Aye. Motion carried.

The session began at 7: 37 p.m. Members present were the Mayor Pro Tem, City Council and City Attorney and Finance Director and staff.

Matters discussed were those of personnel matters, labor negotiations, property acquisition and legal issues. No action was taken and the Council returned to regular session at 8:30 p.m.

ADJOURNMENT: Motion by Edinger, seconded by Wolfinger that, the meeting be recessed to July 7th at 5:30 p.m. Motion carried.

The meeting recessed at 8:30 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, City Clerk