

**MINUTES OF A REGULAR MEETING OF THE CITY  
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,  
HELD AT COEUR D'ALENE CITY HALL  
FEBRUARY 4, 2014**

The Mayor and Council of the City of Coeur d'Alene met in a regular session of said Council at the Coeur d'Alene Library Community Room, February 4, 2014, at 6:00 p.m., there being present upon roll call the following members:

Mayor Widmyer

Steve Adams	)	Members of Council Present
Kiki Miller	)	
Loren Ron Edinger	)	
Amy Evans	)	
Woody McEvers	)	
Dan Gookin	)	

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

**INVOCATION:** Paul Van Noy, Candlelight Church provided the invocation.

**PLEDGE OF ALLEGIANCE:** The pledge of allegiance was led by Councilmember Adams.

**AMENDMENT TO THE AGENDA:** **Motion** by Gookin, seconded by McEvers to add approval of Bills as Submitted to the Consent calendar. **Motion Carried.**

**PRESENTATION: Vision 2030 Update**

Dr. Charles Buck stated that the group is over half way through the project and should be complete in June. He thanked the project sponsors that include the City and many local businesses. They have been collecting data and have been asking what is the community vision for 2030 and presented a review of the quantitative and qualitative data collected. He presented the vision created, which is now posted to their web site at [www.cda2030.org](http://www.cda2030.org). Mayor Widmyer encouraged others to be involved and expressed the project's importance to the community.

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

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

1. Approval of Minutes for January 21, 2014 and January 23, 2014.
2. Approval of Bills as Submitted
3. Setting General Services and Public Works Committees meetings for Monday, February 10th at 12:00 noon and 4:00 p.m., respectively.
4. Setting of Public Hearings:

- a. V-14-1 – Vacation of portions of Foster Avenue and Milwaukee Drive R/W adjoining Kootenai County offices parking lot for March 4, 2014.
- b. V-14-2 – Vacation of the utility, Ingress/Egress and Trail Easement in Tract “C” of the Riverstone West First Addition Plat for March 4, 2014.

**ROLL CALL:** Evans Aye; Edinger Aye; Adams Aye; McEvers Aye; Miller Aye; Gookin Aye.  
**Motion carried.**

#### **COUNCIL ANNOUNCEMENTS:**

Councilmember Adams expressed condolences to the family, Tribe and Plummer community for the recent loss of children that fell through the ice.

Councilmember Gookin stated that the Street Department crews are plowing the best they can, and if citizens have concerns please contact the department directly at 769-2234. Please remember that they do not plow ice, but can put sand down. Recently there were some arrests in Boise regarding the “add the words” campaign. He stated that it has been six months since the City passed its anti-discrimination ordinance and the Legal Department stated that no complaints have been filed with the City and one was handled by the Human Rights Taskforce.

Councilmember Edinger reminded residents and the businesses that the City does have an ordinance requiring sidewalks be shoveled and encouraged all to do so.

**APPOINTMENTS:** The Mayor requested the appointment of Rick Green to the Design Review Commission; Kris Buchler to the Natural Open Space Committee; and Thomas McTevia to the Pedestrian & Bicycle Advisory Committee.

**MOTION:** Motion by Edinger, seconded by McEvers to approve the appointment of Rick Green to the Design Review Commission; Kris Buchler to the Natural Open Space Committee; and Thomas McTevia to the Pedestrian & Bicycle Advisory Committee.

#### **Motion Carried.**

**ADMINISTRATOR’S REPORT:** Ms. Gabriel stated that one of the primary objectives of the City’s Street Department is to provide a plan for the safe and orderly movement of emergency equipment, vehicle traffic, and pedestrians through the City. A snow plan has been developed that is updated each year to facilitate this objective as it relates to street maintenance during adverse weather conditions. The procedures presented in this plan serve to outline the manner in which Street Department crews manage the challenge of snow control. If you need assistance, please contact the Sherriff’s labor program at 765-6232. As the sub-25 degree temperatures continue, St Vincent de Paul’s shelter will always be open from 7:00 pm-7:00 am. Transportation will be leaving from the St Vincent de Paul Community Dining Hall at 6:45pm, and will transport back the next morning. The Post Falls shelter is located at 202 W. 7th Street in Post Falls, behind the Post Falls St Vincent de Paul Thrift Store, in the Kamps Apartment basement. St Vincent de Paul is able to shelter 65 individuals and will have available sleeping bags, blankets, gloves, stocking caps, coats, a full bathroom, warm food and drinks. City residents

recycled nearly 418,000 pounds of materials in December, the most recorded over a one-month period since single-stream curbside recycling was introduced in the city in October, 2010. That's a 13% increase over December, 2012. McEuen Park work continues through the recent wintry conditions. Crews are continuing their preparation work to pour the last segment of sidewalk on the north side of Front Avenue between Fifth and Sixth Streets. Meanwhile, the large and colorful play fixtures for the giant splash pad have been moved to the site and are expected to be installed soon. Weekly McEuen Park updates will continue to be posted on the city's website, [www.cdavid.org](http://www.cdavid.org), and blog, [cdacity.blogspot.com](http://cdacity.blogspot.com). These updates will also be provided to the local media. The park is expected to open in May. For questions contact Keith Erickson at 208-819-0907. The Panhandle Parks Foundation, formed in 2003 to support the development of parks, open space and recreational opportunities in North Idaho, is seeking new board members. A board member recently stepped down and the foundation's executive board would like to replace that individual and perhaps add up to four board members this year. The board meets once a month. For information, contact Kim Stearns at [kim@panhandleparksfoundation.org](mailto:kim@panhandleparksfoundation.org). The city currently has several volunteer board openings for citizens who would like to offer their expertise on a wide range of topics. Board openings include the Arts Commission, Planning Commission, CDA TV Commission, Pedestrian & Bicycle Advisory Committee, Urban Forestry Committee, and Jewett House Advisory Board. For information on these positions, contact the city at 666-5754, or email [amyf@cdavid.org](mailto:amyf@cdavid.org) to request an application. Additionally, a search is under way for a Coeur d'Alene resident to participate in the process of hiring the Lake City's next police chief. Mayor Steve Widmyer has formed a 14-member committee to interview candidates and there is a vacancy for a community-at-large representative on the panel. Any city resident is welcome to apply for the at-large position. The city requests candidates to provide a reason for their interest in serving, along with a resume. The committee will conduct a nationwide search for candidates, with a regional focus. The process for conducting the search will be decided by the committee, which is expected to convene in early February. The deadline to apply is this Friday, February 7th. For more information and to obtain an application, contact Coeur d'Alene Human Resources Director Melissa Tosi at 769-2205 or email her at [melissat@cdavid.org](mailto:melissat@cdavid.org). Coeur d'Alene Police are investigating the theft of a popular and very identifiable piece of art from Riverstone Park, affectionately known as "Kate." It appears that it was a very sophisticated effort, and the perpetrators probably used industrialized bolt cutters. The artwork is estimated to be worth about \$25,000, though if recycled the stolen pieces would be worth much less. Anyone with information about the theft is asked to call the Coeur d'Alene Police Department at 769-2320. Thanks to a cooperative effort between the city of Coeur d'Alene and the Coeur d'Alene School District, students at a local elementary school now have a new piece of playground equipment. At the request of the students, city officials last week installed a "funnel ball hoop" at Sunset Park, located about a block from Pathways School on Best Avenue. The project was prompted by a letter written last fall to the Mayor and Superintendent reading, in part, "We would like our playground at Sunset Park to be improved ... things that would make or recess more exciting." Pathways teacher Melissa Mello encouraged her students to pursue the park upgrade – not just for fun, but for the learning experience as part of a writing assignment. The equipment was provided by the School District, and city officials painted and installed the funnel ball. She wished a Happy Birthday to City Attorney Mike Gridley.

**PUBLIC WORKS: Approval of an Application and Allotment of Matching Funds for a Community Choices Grant for the Installation of Sidewalk & Multi-Use Path Along the South**

**Side of Seltice Way, from Northwest Boulevard to a Point Approximately 1000' West of the Seltice Way/Prairie Trail Bridge.**

Councilperson McEvers stated that Public Works Committee thought it would be good to bring this item forward for discussion with the entire City Council and asked City Engineer Gordon Dobler to present the map regarding the location of the potential trail that the grant would cover.

**STAFF REPORT:** Mr. Dobler stated that this grant opportunity arose quickly and would provide Federal funding for the installation of sidewalk on the south side of Seltice Way. The application is due before the end of February with funds available next fiscal year. The grant is for a maximum of \$500,000, and the proposed project would go to the end of existing city right-of-way. There is usually a 7.34% match and in order to raise the chances of being awarded he recommends a 20% match that would come out of impact fees. Councilperson Edinger asked for clarification as to the project location. Mr. Dobler stated that it would start in front of Riverstone, where there is no sidewalk, and end near the old railroad bridge. Councilperson McEvers stated that there was discussion at the Public Works Committee meeting as to whether it was sidewalk or a trail. Mr. Dobler stated that it will be practically a 5' sidewalk then where the right-of-way widens it goes to 10'.

Councilperson Miller asked about the 450' exception to install sidewalk, and if that was an antiquated ordinance. Mr. Dobler stated that it was older than 20 years, prior to him working for the City. Councilperson Miller stated that the project abutting this site did not need to install the sidewalk due to this exception. Councilperson McEvers said that it brought up the question as to why the newly constructed hotels do not have to install the sidewalk and now the City is seeking a grant to install. He stated he is interested in what the 450' exception is all about and if it is appropriate now. He is supportive of the grant and sidewalk going in. Councilperson Adams asked if the grant was coming through the state and if the money is already there or if it is to come in later. Mr. Dobler stated he did not know specifics regarding the fund transfers. Councilperson Adams asked what other ways this project could be funded. Mr. Dobler stated that it could be an LID or funded directly by the City. Mayor Widmyer asked if we have gone through a similar grant process previously. Mr. Dobler stated that the City had applied for previous grants under similar programs. Mayor Widmyer asked if the 20% match was a different strategy for this grant. Mr. Dobler stated that he opted for the 20% due to the amount of the grant in that it would be a digestible amount, versus 20% of a multi-million dollar grant. Councilperson Gookin asked if they have done a grant that has ever been on such a tight time constraints. Mr. Dobler explained that the Pedestrian Bicycle committee has previously approved this route.

**MOTION:** Motion by McEvers, seconded by Miller to approve the application and allotment of matching funds for a Community Choices Grant for the installation of sidewalk and Multi-use path along the south side of Seltice Way.

**DISCUSSION:** Councilperson McEvers stated that he understands the speed of this request and believes it is a great way to fund the project; however, it still bothers him that new construction was not required to put in the sidewalk. Councilperson Gookin stated that he is also bothered about other developments being required to install sidewalk, yet newer construction not being held to the

same requirement. He agrees that it is unsafe to have people walking in the street. He reiterated the City Council's request to have a workshop regarding sidewalks to clear up future issues.

**Motion carried.**

**OTHER BUSINESS: Lake City Development Corporation (LCDC) Annual Report**

Ms. Gabriel stated that LCDC has submitted their annual report, which was provided in the Council packet. A City Council Workshop with LCDC will be held February 27, 2014 at noon in the Library Community Room and it will be televised. The Mayor reiterated that he wanted to take the proper amount of time on this subject, which is why he requested the workshop.

**PUBLIC HEARING: (Quasi-Judicial) Appeal of PUD 1-83M.3, modification to the Coeur d'Alene Resort PUD**

Mayor Widmyer stated that he leases space and owns property with the General Manager of the Resort, but has no legal conflict. He asked if there were other conflicts or ex parte communication to disclose. Councilperson Evans stated that she served on the Planning Commission in December; she consulted with the City Attorney's office and was informed that she can participate in this hearing. Councilperson Edinger stated that he has a son-in-law that works for the Hagadone Corporation but does not have a legal conflict. Councilpersons McEvers and Miller stated that they had watched the Planning Commission meeting on T.V.

**Staff Report:** Interim Planning Director Warren Wilson stated that the purpose of tonight's hearing is to consider the requested modification to the Hagadone Resort PUD that has been in place since 1983. The Planning Commission approved the amendment which was appealed by Sid Smith. He clarified that this is a new hearing. He reviewed the area of the PUD boundaries, and proposed PUD changes. He clarified that the Municipal Code that deals with PUD amendments includes any provisions in Title 12 and 16, and that Title 12 includes street tree requirements. He reviewed the finding requirements and service analysis from the staff report. Trail standards were noted as an area for discussion, which was presented to the Pedestrian Bicycle Committee in July. That Committee requested the addition of a condition requiring a gentler turn radius at Second Street and Sherman Avenue. The other condition is that the originally proposed restaurant or other facility in the vicinity of the boardwalk bar cannot be constructed and is removed from the PUD as the circular parking lot was proposed to tie to that future use.

Councilperson Edinger stated that Coeur d'Alene is known as Tree City USA and has received that award for the past 20 years and he has an issue with removal of trees on Sherman Avenue. He asked what the reasoning was for the removal. Mr. Wilson stated that it is referenced by the applicant that it would improve views and vistas to the lake. Councilperson Gookin stated that there are 8 items listed as amendments, but no copy of the PUD. Mr. Wilson stated that there is no one document that references the PUD, but it is a conglomeration of documents and maps. He clarified that the PUD is essentially what exists today, with the exception of the restaurant near the boardwalk that was never built. Councilperson Gookin asked if all the other PUD stipulations would still remain in effect. Mr. Wilson stated that they will be intact, only the proposed changes will change. Councilperson Gookin is concerned that he did not get to see all the PUD documents and wondered

if a restaurant were ever built would more parking be required. Mr. Wilson stated that the parking structure would cover the parking needs and that the circular parking lot was intended as a pick up and drop off point. Councilperson Gookin asked if the circular lot is on public or private property. Mr. Wilson stated both; mostly on resort property with a bit on the First Street right-of-way.

Mayor Widmyer read the rules for the Quasi-Judicial hearing.

**APPLICANT:** John Barlow, Coeur d'Alene, stated he will be speaking on behalf of the Coeur d'Alene Resort and was a part of the development group in 1983. At that time, the Shoreline Ordinance was in place and it prohibited any structures taller than 30 feet, and the best solution was the design of the tower with a large amount of open space as seen on the PUD. The reference to views and vistas was a key part of the green space and construction of the boardwalk. He believes that with the current closure of Front Avenue it has a serious effect on street flows without corrections at First Avenue. City staff came to the Resort regarding a potential partnership when discussions regarding Front Avenue closure began. They engaged the land planners and took the time to meet with many city committees. He believes that the majority of the project is the City project as it is in partnership with the Resort PUD and that it is important to have compatibility between pedestrians and bicyclists. He believes it is one of the few locations within the city where you see the lake, and that it is important to protect the views and vistas and the current trees block the views. The Resort is requesting to take out the circular parking area that will add more open space for the city. They will be adding 21 new trees along Front Avenue, where they will not block the views. The maintenance of the open space will remain with the resort. The resort will be contributing over a \$1 Million toward the project and believes the trade-offs are fair and appropriate. Safety is a very serious issue in that area, with the mix of bikes and pedestrians, so he believes that 14' trail is an appropriate width.

Councilperson Edinger asked if Mr. Barlow believes the trees on Sherman Avenue are blocking views and vistas. Mr. Barlow stated that was correct and that Mr. Hatch will present testimony to substantiate it. Councilperson Miller asked if the former railroad right-of-way acquisition was included in the open space percentage. Mr. Barlow stated that most of the increase in open space was from the removal of the circular parking lot and that the railroad right-of-way will be green space and never built upon. Councilperson Gookin stated that he admires the green space, and wondered if anything will change. Mr. Barlow stated that in accordance with the PUD they have to keep it open and that the PUD states that there is a right for the City to use it six times a year, and the Resort runs an ad annually.

Mr. Wilson suggested that the Mayor call for the testimony of those in favor before the appellant testifies, so that the appellant has the opportunity to rebut any information.

Dale Hatch, Dalton Gardens, presented a drawing regarding a preferred pedestrian route between the parks and the waterfront, with a focus along Sherman Avenue to the clock tower and the differences in the Centennial Trail widths. He explained the differences in the trail width beginning with the area from Young Avenue to the new basketball courts which is 14'; then within the park proper there is room for a separated trail where bicycles will be separated from the pedestrians; then past the clock tower the trail is 12' or less. Therefore, the design professionals determined a 14' width was appropriate for the PUD. There will be a one way entrance and exit at First Avenue

which will be much safer. He stated that there are two areas in downtown with opportunities to provide views of the lake; one through McEuen Park and another in front of the Resort, where the existing maple trees currently block the views. Councilperson Gookin asked about the trail grade changes for eastbound travel to the intersection of First Avenue. Mr. Hatch stated that the bike route would have a slight incline. Councilperson Gookin asked what would prevent bikes from using the Resort driveway. Mr. Hatch stated that there would be signage and potentially Resort security.

Phil Boyd, Coeur d'Alene, stated that he wanted to hit upon the traffic issues involved in this design. During the design process of McEuen they did study the intersection and found that there is considerable pedestrian/car interaction at the intersection of Front Avenue and Third Street. Another area of concern is where people cross from the Resort Shops to the Resort at Second Street and Front Avenue. Additionally, the configuration at First Street and Sherman Avenues will now be one-way traffic and reduces the pedestrian/car conflicts, as with Second Street and Front Avenue. He felt that the one way traffic was imperative to the project. Councilperson Edinger stated that when the McEuen plan was presented, he disagreed with the traffic hazard at Second and Third Streets and Front Avenue. Mr. Boyd asked him to remember the videos they showed regarding the near misses when the traffic is queued up. He does anticipate more users when the park is completed and is looking forward to mitigate that additional use.

Janet Robnett, Coeur d'Alene, stated that the PUD modifications requested will accommodate the changes previously discussed. The main finding is that the requested amendments are in compliance with the Comprehensive Plan. She reiterated the goals and objectives related to the trees and trails and that there will be ample public access both physical and visual. The proposal includes substantial tree replacement. The Urban Forestry Committee has reviewed the proposal and is agreeable to remove and not replace the trees as proposed. The Planning Commission considered testimony and on balance felt the removal and non-replacement of the trees was in conformance with the Comprehensive Plan. The Pedestrian Bicycle Committee reviewed the original PUD documents where there are references to those pathways, but she could not find references to specific widths. The proposal tonight will set out the trail widths more precisely. She referenced information provided to the City Council in a recent workshop with staff, which reiterated that conditions should be related to mitigating the burden from the development. The proposed PUD changes are not a burden created by the development but rather an accommodation for public use. She requested the City Council approve the amendments as proposed as they will serve to provide additional connectivity to the parks. Councilperson Gookin asked about the finding related to adjacent properties and existing street trees. Ms. Robnett stated that everything does not have to match, and in the context of the entire project it flows and part of the reason the applicant has been willing to work with the city on the entire flow.

**RECESS:** The Mayor called for a five minute recess at 7:44 p.m. The meeting resumed at 7:50 p.m.

**OPPONENT:** Sid Smith, Coeur d'Alene, stated his main concern is with the trees, although he does have some other concerns. There are five trees along Sherman and four along Second Street and six down Front Avenue. The boundary of the PUD demonstrates that the trees are outside the PUD and his concern is that they should not be included and should be considered separate based on

that fact. The Urban Forestry Committee minutes include a statement that they had approved the concept of removal of red maples within the PUD along Sherman and Second Street, but he could not find evidence of that approval. He believes that the circular parking lot should remain for ADA access and that the trail through the property should stay, with the other trail widened. He believes the information provided is conflicting.

Councilperson Gookin asked Mr. Wilson if the trees being outside the PUD boundary make a difference in the request. Mr. Wilson stated that street tree elements are within Municipal Code Chapter 12, as such are available to amendment through the PUD much like street standards being amended within a PUD. Staff's interpretation has always been that the street trees are a part of the PUD and are an amendable standard under the PUD process. Councilperson Gookin asked Ms. Kosanke, the City Urban Forestry Coordinator to discuss the committee's approval of the tree removal. Ms. Kosanke stated that in August 2013 the Committee did make a motion for the removal of the five red maple trees on the north side of Sherman Avenue, that ended up not within the right-of-way, in addition to the removal of trees on the south side. She stated that the Committee has been talking about the trees for 14 years. In 2000 the trees were improperly topped without a permit, and since then the Resort has been allowed to maintain the trees in that way. In 2002 the Committee made a motion stating that when the maintenance of the trees becomes burdensome they requested to be contacted for removal. The Committee was concerned with the health of the trees more than the views and vistas, due to the improper pruning practices. Councilperson Edinger stated that it is his understanding that the Hagadone Corporation maintains the trees. Ms. Kosanke clarified that all street trees are maintained by the abutting property owners. Mr. Smith stated that he provided pictures to the City Council from various vantage points and feels there is plenty of space between the trees to demonstrate that they do not obstruct views. He feels there should be a more compelling reason. Councilperson Adams asked for clarification about Mr. Smith's request to vote separately on the trees outside of the PUD. Mr. Smith believes that it should be a separate issue. Councilperson Adams asked if either way the decision was reached would Mr. Smith be in support of keeping the trees. Mr. Smith confirmed that he is in support of keeping the trees. Mayor Widmyer asked about the photographs being taken in December. Mr. Smith stated that they already had seen photographs of the trees during the summer. Councilperson Miller asked for clarification regarding the trees on the north side of Sherman being on private property. Ms. Kosanke stated that they were approved for removal, and then it was determined to be on private property. Mayor Widmyer asked if there a problem with the health of the trees. Ms. Kosanke stated that the leaves are about half the size they should be because of their maintenance practices, which caused the trees to be in defense mode. They should look like trees near the Museum property; eventually they will not take to the grooming and became misshaped. She clarified that the health of the trees is in decline.

Scott Reed, Coeur d'Alene, stated that there is no question all of the trees are on city property and that it indicates city ownership for all the trees that are being discussed. He believes that ownership is not determined by who maintains it. He stated that he has been practicing environmental law for 50 years and that he sees the city park outside his office window. He currently sees the construction of brick boxes for city trees to be planted at McEuen at a very large cost. He stated that Hagadone put lights in all of the trees during the holiday season and that he believes they are a long way from being in great decline. If the trees are to remain there would be costs associated with moving the trail, but insignificant to the million dollar contribution from the Hagadone Corporation. The Urban

Forestry Committee approved removal of the trees on the condition that the trees are replaced. The main reason given for removal was to protect views and vistas but he does not agree with that viewpoint. He asked the Council preserve the views and vistas of the tall standing trees for the benefit of the citizens. One more condition that could be added would be to not remove the trees. Councilperson Edinger asked if he wanted to include the non-removal of trees on Front Avenue. Mr. Reed stated that was correct but it sounded like replacement would come on Front Avenue and that the trees in front of the garage mitigate the view of the garage.

**APPLICANT SUMMATION:** Janet Robnett stated that street trees are the responsibility of the abutting property owner and reiterated that in the context of the PUD, it allows the inclusion of street tree standards. She reiterated that application before the City Council tonight includes the removal and non-replacement of the street trees. The staff report submitted included a notation that the Urban Forestry Committee approved the concept of removal of the trees without replacement. The Planning Commission considered the conflicting testimony and found that for people driving down Sherman Avenue that the views are not blocked, but for those looking westerly the views are inhibited. John Barlow stated that the views and vistas concerns were the most important part of the 1983 PUD. The reason the views are so important and cause the property value to go up is based on view of the water. Views are critical to the development and funding of the joint design for the entire area. There will be the installation of 21 new trees in the Front Avenue area, which is more than what exists today. He clarified that the trees are too close to the shopping plaza and need constant trimming. Mayor Widmyer stated that he would like to see the slide Mr. Hatch presented that demonstrated the area with and without trees. Mr. Barlow presented the slides and reiterated that the view is important to their development and the property owners on the north side of the road. Councilperson Miller asked if the trees on the north side of the picture were slated to be removed. Mr. Barlow confirmed they will be removed. Councilperson Miller clarified that with those removed it would create a balanced entrance and that the existing trees do not match the rest of the trees in the area.

Councilperson Edinger stated that he remembers years ago when the Resort had the discussions regarding views and vistas. He stated that he does not like the idea of the trees being removed at Sherman and Second Street as he can see the lake perfectly fine. He believes if it was problematic there would have been complaints to City Council and he has received none. He asked if there was a condition for the trees to remain, would it kill the PUD. Mr. Barlow stated that it would. Councilperson Gookin asked if the trees have to remain would it kill the whole project, including the Front Avenue landscaping. Mr. Barlow confirmed that it would end the project.

**DISCUSSION:** Councilperson Miller asked about public use of the property regarding the current ordinance regarding event permits. Mr. Wilson stated that the other provisions of the City Code remain in effect. Councilperson Gookin asked for clarification regarding the code reference to replacement of trees. Mr. Wilson clarified that any of the standards in Chapter 12 would be available to be included and amended through a PUD. The City Council needs to weigh the tradeoff of replacement on Front versus Sherman.

**MOTION:** Motion by Gookin, seconded by McEvers to reopen public testimony. **Motion Carried.**

Councilperson Edinger asked Mr. Barlow why the project would die based on the trees remaining. Mr. Barlow stated that when the city staff came to them, the Resort was very clear that their participation was dependent upon a certain standard, good design, and good materials. He stated that there is a significant problem with the right turn lane and removal of the trees was paramount to their project, and it is the position of their company. It was something that was discussed from the very beginning of the project and he believes it is a fair tradeoff. He stated that they have had many discussions with staff.

Mr. Smith stated he felt the Hagadone Corporation is taking a hard line approach to removing the trees. The trees were misshaped in the year 2000, against the regulations of the city by the Hagadone Corporation, so the consequence is that the trees need to be reshaped every two years or they have to come out. He reiterated that he believes the parking pad should remain. He stated that he is fine with the whole thing unraveling and that he did not believe that the Front Avenue closure is pertinent to this discussion.

**MOTION:** Motion by McEvers, seconded by Gookin that PUD-1-83M.3, modification to the Coeur d'Alene Resort PUD be approved, with conditions as proposed, and to direct staff to prepare the Findings and Order.

**DISCUSSION:** Councilperson Gookin confirmed that the City is not vacating south Second Street. Mr. Wilson confirmed that this is just pertaining to the eight items presented at the beginning of the staff report. Councilperson McEvers stated that in 1983 views and vistas were the most important issue in 1983 as it is today. The community still talks about it and the picture depicting the area with trees and without, demonstrates the views are better without the trees. He stated he respects Scott Reed's and Sid Smith's desire to protect trees. He believes the tradeoff of trees on Front Avenue is more than fair. He stated that he does hate it when it is proposed as all or nothing. The Urban Forestry Committee was in support, the Pedestrian Bicycle Committee was in support and he needs to support this as the end to the McEuen Project. Councilperson Adams stated he is in agreement with Councilperson McEvers. Councilperson Gookin stated that this is a tough decision and he loves the street trees and they are messed up and wondered if the trimming was done to keep the views to the lake opened up. He does not believe that they block the view currently, but that they may block the views of something tall built in front of them. Additionally, he likes the Front Avenue design and believes the new trees will be beautiful and provide connectivity. He does not think it fits into the surrounding area, although there are small trees lining the driveway, but he does believe there will be a tradeoff. Councilperson Evans agrees with previous Council statements and believes this is an interesting position, as the trees and the lake are very valuable. She thanked Mr. Smith and Mr. Reed for sharing their thoughts regarding the connectivity of the parks. She stated that she is an advocate of the project because of the connectivity of the two parks and thanked the Hagadone Corporation for its generous offer to make the project done well. She will be supporting this amendment. Councilperson Miller stated that the trees are going to be gone to the north and that the trees on the south side are having a slow agonizing death. This PUD has a tradeoff to it with the improvements to Front Avenue and will end up with more functional public space. She stated that the loss of the trees is sad, but she is confident in the quality and benefits the city will receive.

**ROLL CALL:** Edinger Aye; Adams Aye; McEvers Aye; Miller Aye; Gookin Aye; Evans Aye.  
**Motion carried.**

**PUBLIC HEARING: (Administrative) Community Development Block Grant (CDBG) Plan Year 2014 Annual Action Plan**

**STAFF REPORT:** Sherri Wastweet, the grant Administrator with Panhandle Area Council, stated that the purpose of the hearing this evening is the approval of the annual budget and strategies for the Plan Year 2014. She clarified that the citizen participation plan has already begun with a workshop and a thirty day public comment period. She reviewed the requirements of the program as needing to meet a national objective and be an eligible activity. Councilperson Gookin asked if we had been getting less each year from HUD. Ms. Wastweet stated that last year it went up and has fluctuated a bit previously. Councilperson Edinger asked for clarification regarding public service. Councilperson McEvers asked about the job creation and the requirements for that classification. It was clarified that reporting requirements would be included that would require the hiring of LMI employees so businesses would need to be agreeable to that requirement.

**PUBLIC TESTIMONY:** Mayor Widmyer called for public testimony with none being received.

**MOTION:** Motion by Edinger, seconded by McEvers to approve the CDBG Plan Year 2014 Annual Action Plan. **Motion carried.**

**ADJOURNMENT:** **Motion** by Edinger, seconded by McEvers that, there being no further business before the Council, this meeting is adjourned. **Motion carried.**

The meeting adjourned at 9:10 p.m.

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Steve Widmyer, Mayor

ATTEST:

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Renata McLeod, City Clerk