

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

March 17, 2015

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 March 17, 2015 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

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

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

**INVOCATION:** An invocation was provided by Craig Miles from Real Life Ministries CDA Church.

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

**TRESPASS ENFORCEMENT PROGRAM:**

Police Chief White explained the concept of the Trespass Enforcement Program in partnership with property owners throughout the city. This program does not require additional ordinances. This type of program could be used by snow birds or business owners to enforce trespassing after hours. If a citizen is interested in signing up for this program, forms can be found on the city website at [www.cdavid.org/police](http://www.cdavid.org/police), under the community resource center tab or in person at the police station. This program allows for more immediate law enforcement action. Registration with the program will be valid for one year. Councilmember McEvers asked if businesses using this program would need to post their hours of operation. Chief White stated that there is no requirement to provide or post hours of operation. It just provides law enforcement a method of trespassing persons that should not be there. Some examples would include unwanted camping or trespassing at a business that occurs at 2:00 a.m. when a business is obviously closed. Councilmember Gookin asked for clarification that participation in this program is not required to trespass people. Chief White clarified that if someone sees a suspicious person in their back lot, or wants someone trespassed to continue to call law enforcement.

## **AUDIT FISCAL YEAR 2013-2014 PRESENTATION:**

Scott Hoover, Audit & Assurance Services Manager, Magnuson McHugh & Co. stated that he has finished the city's annual audit with the primary purpose being to ensure that financial statements are being accurately presented. There are three audit reports included within the audit. The primary report is the Independent Auditors Report on the Financial Statements which was an unqualified opinion which means it was a clean opinion. The second report is the Report on Internal Controls which is a government accounting audit standard. Within this review the auditors update their understanding of the key internal controls; this is not a test of the controls but gathering and documenting information. There were no findings in this report. The third report is the Independent Auditors Report on Compliance with Requirements; these requirements would have a direct or material effect and received an unqualified opinion. Some highlights of the audit report include the completion of the McEuen project, total debt increased by \$6.4 Million due to Wastewater Treatment Facility expansion and total Fund Balance increased to \$13.9 Million. Mr. Hoover explained the importance of Fund Balance as it is utilized to cover for inconsistent revenue streams, protects from unnecessary borrowing, and provides financial stability. The Government Finance Officers Association recommends 5-15% of revenue to be conserved in the Fund Balance. The City had 20% of revenue in the Fund Balance at the year end of 2014. Discussion ensued regarding Water and Wastewater Utility funds expenses versus revenues and the importance of capitalization fees. Councilmember Miller asked if all the information was funneled through the Finance Director and Deputy Finance Director or if the auditors talk to others. Mr. Hoover stated that the trial balance information comes from the Deputy Finance Director, but they spend time with the Finance Department and they interview each person who plays a role in the financial part of the city.

**CONSENT CALENDAR: Motion** by Miller, seconded by Evans to approve the consent calendar.

1. Approval of Council Minutes for March 3, 2015.
2. Approval of Bills as Submitted.
3. Setting of General Services and Public Works Committees meetings for March 23, 2015 at 12:00 noon and 4:00 p.m. respectively.
4. Approval of a Cemetery Lot Repurchase; Lots 385, 386; Block H, Section Riverview in Forest Cemetery Annex from Bill and Deloris Henderson
5. Approval of a Mobile Food Concession Permit for King of Tacos for April 12, 2015 in the lower City Hall parking lot.
6. Approval of Grant of Easement for Water Main and Appurtenances from Riverstone West Apts III, LLC; Riverstone Place, LLC.; and Hudson Park, LLC.
7. Setting of a Public Hearings:
  - a. April 7, 2015 to hear public comments regarding the Community Development Block Grant Plan Year 2015 Annual Action Plan.
  - b. April 7, 2015: Final Assessment Roll of LID 151; Front Avenue Improvement Project.
  - c. April 21, 2015: A-1-15 – Proposed Annexation from County Industrial to City C-17 by the City of Coeur d'Alene; Burlington Northern Railroad property
  - d. May 5, 2015: ZC-1-15 – Proposed Zone Change from R-12 to C-17 by Miller Development; 3113 N. Government Way

8. Declaration of Sole Source Procurement of Allen-Bradley electrical equipment and software for well houses due to its specific compatibility of the equipment and computer software; pursuant I.C. 67-2808 (2)(a)(II).
9. **Resolution No. 15-009** - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A SECOND SUPPLEMENT TO REAL ESTATE PURCHASE AND SALE AGREEMENT WITH BNSF RAILWAY COMPANY.

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

#### **COUNCIL ANNOUNCEMENTS:**

Councilmember McEvers thanked Mr. Tymesen and Ms. Jensen regarding the outcome of the audit being positive. He felt that they have been conservative with the city funds and that has benefited the City.

**APPOINTMENTS:** Mayor Widmyer asked for confirmation of the appointments of Jon Ingalls, Mike Dodge, Jef Lemmon, and Rich McKernan to the Design Review Commission and Samantha Tuskan to the Childcare Commission.

**MOTION:** Motion by Edinger, seconded by McEvers to approve the appointments of Jon Ingalls, Mike Dodge, Jef Lemmon, and Rich McKernan to the Design Review Commission and Samantha Tuskan to the Childcare Commission. **Motion Carried.**

#### **COUNCIL BILL 15-1003**

AN ORDINANCE CALLING A GENERAL OBLIGATION BOND ELECTION TO BE HELD FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF COEUR D'ALENE, IDAHO, A PROPOSITION FOR THE ISSUANCE OF NEGOTIABLE GENERAL OBLIGATION BONDS OF THE CITY OF COEUR D'ALENE, IDAHO, AND IN PROVIDING FOR THE ISSUANCE OF SUCH BONDS, THE LEVY OF A TAX TO PAY SUCH BONDS.

**STAFF REPORT:** Finance Director Troy Tymesen stated that this Ordinance contains the official ballot language for the upcoming bond election. Staff is proposing to go to the voters on May 19, 2015 for a Public Safety General Obligation Bond. The debt interest cost on these bonds would be less than 2%. Mr. Tymesen clarified that the items proposed originally to be paid for with these funds has been modified to no longer include police vehicles based on legal opinion of the state code. The City Administrator, Jim Hammond, has proposed an amendment at the state legislature to clearly include police in the term public safety. However, the current code language does not include that, so staff has removed the police vehicles. The debt approval is up to \$6,000,000 but it does not mean that the City will spend that entire amount.

**DISCUSSION:** Mayor Widmyer asked for clarification regarding the timeline from when voters approve the bond to when actual purchasing of items will take place. Mr. Tymesen stated that the purchases may occur over time. For example, a ladder truck could take a year to be

delivered after the order is placed. He clarified that he does have a bank ready to work with the city. The storage facility and small purchases could be completed within 15 months. Mr. Tymesen also clarified that he would stagger the borrowing on an as-needed basis. He stated that the current bond is expiring and this bond would be a continuation of the existing bond, but at a lesser cost, as it is a lower amount at a lower interest rate. Councilmember Gookin clarified that the list presented to purchase items with the bond would be set in stone, so the funds cannot be used for other items after the citizens' vote. Mr. Tymesen explained that the bond language gives authority to go up to \$6,000,000 if needed. Councilmember Edinger asked for clarification regarding the replacement of a fire boat. Mr. Tymesen explained that the fire boat would be custom built to fulfill the needs of water rescue and that the donated boat is not functional as needed for rescues.

**MOTION:** Motion by Edinger, seconded by McEvers, to pass the first reading of **Council Bill No. 15-1003**.

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

**MOTION:** Motion by Gookin, seconded by McEvers, to suspend the rules and to adopt **Council Bill 15-1003** by its having had one reading by title only.

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

#### **PUBLIC COMMENTS:**

Roy Wargie, Coeur d'Alene, stated that people are still running the stop sign on 21<sup>st</sup> Street and are often using Coeur d'Alene Avenue as a racetrack. Also, people picking up kids from the school are blocking traffic. He wants to see something done about it. Mayor Widmyer stated that Chief White is conducting traffic studies in the area and would be willing to discuss this further with Mr. Wargie.

Dave Walker, Coeur d'Alene, stated that he has lived here for 60 years and has served on various committees, including the Committee of Nine. The Committee of Nine studied McEuen and made recommendations many years ago. They also established community values regarding changes to McEuen. While he has no vested interest in the movement of the Legion Field, he wanted to bring this item forward. He believes that the community value regarding movement of the field should have been done at equal to or better than the old field and he does not believe that was done at Ramsey Field. Specifically, the ingress and egress from the parking is horrible and the field is tucked back within the park and it does not have enough parking. He believes that the community deserves a first class baseball field and it is time to look at opportunities to achieve it. Councilmember McEvers asked what would constitute a first class baseball field - is it location, locker rooms, parking and/or concessions? Mr. Walker stated that it is not location, but a location where they can bring a regional event.

Brian Donnell, Coeur d'Alene stated that traffic is problematic in his neighborhood and that there has been an accident when a stop sign was misplaced. Ichabod Lane is used as a short cut to avoid the traffic light at 4<sup>th</sup> Street. He has requested that a stop sign be installed on the East and West side of Ichabod as neighbors have resorted to chasing down speeders.

**MOTION:** Motion by Gookin, seconded by McEvers to enter into Executive Session as provided by Idaho Code 67-2345§ (c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency; and § (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.

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

The City Council entered into Executive Session at 6:59 p.m. Those present were the Mayor, City Council, City Administrator, City Attorney, and Police Chief. Council returned to regular session at 7:30 p.m.

**MOTION:** Motion by Gookin, seconded by Adams to approve the settlement recommendation of legal counsel regarding the Craig Jones claim. **Motion carried.**

**ADJOURN:** Motion by Gookin, seconded by Edinger that there being no other business this meeting be adjourned. **Motion Carried.**

The meeting adjourned at 7:33 p.m.

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Steve Widmyer, Mayor

ATTEST:

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Renata McLeod, City Clerk