

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

May 3, 2016

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 May 3, 2016 at 5:15 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)
Woody McEvers)
Amy Evans)
Dan English)

CALL TO ORDER: Mayor Widmyer called the meeting to order.

INVOCATION: Pastor Dave Hoit with Prairie Avenue Christian Center gave the invocation.

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

SAFE BOATING WEEK PROCLAMATION FOR THE WEEK OF MAY 21 – 27, 2016: Kathy Goodwin with the Coast Guard Auxiliary accepted the Proclamation for safe boating week. She noted that in 1941 Congress established a military reserve currently called the Coast Guard Auxiliary. They have 36,000 members in 56 states and territories and make up 35% of the active duty coast guard. They work with the Sherriff's Department to promote safety on the water. She noted that they have 82 loaner life jacket kiosks with infant through extra-large sizes. They believe their efforts would be worthwhile if they save one life. The Mayor thanked her for their efforts.

WATER AND WASTEWATER AWARENESS WEEK PROCLAMATION FOR THE WEEK OF MAY 2-6, 2016: Water Superintendent Terry Pickel accepted the Proclamation. He encouraged residents to protect and preserve the aquifer and utilize water conservation methods throughout the summer.

PUBLIC TRANSPORTATION UPDATE: Director of Grants Management/Public Transportation with Kootenai County Jodi Bieze explained the routes of the Citylink system and time of bus services. The clockwise and counterclockwise route system causes some confusion to riders as they end up not knowing what side of the street to stand on for pick up. They will be looking to better clarify that route. She noted that they have been meeting with stakeholders regularly since 2014. She announced an upcoming public meeting being held on Wednesday, May 25, 2016 from 4:00 -7:00 P.M. in the Coeur d'Alene Library Community Room. During

that meeting, they would like to seek input from the community on where bus stops should be located, which service areas they would like to be within, and they will introduce the concept of the fare system. She reviewed the funding sources, noting that Kootenai County provides the funding for the fixed route system, which includes two routes, two buses, and four drivers. She reviewed the regional cash match for fiscal year 2016. She noted the importance of the contribution of the Coeur d'Alene Tribe, and that without their contribution it would increase each jurisdiction's contribution by 70%. She explained that transportation includes operation, maintenance, security, capital and planning and provided the financials associated with each category.

Councilmember McEvers asked for clarification regarding the Kootenai Health contribution. Ms. Bieze explained that Kootenai Health provides in-kind contributions in a value of approximately \$500,000 each year and have been a very good partner. She explained that the Coeur d'Alene Tribe has a sub-recipient agreement with the County, which means that the County now has the oversight, maintenance, of the fixed route, paratransit system, and transit center in Kootenai County. She verified that the use of the Citylink is still free, but they will be introducing a proposal for a fare. The revenue could be deducted from grant funding, but is not restricted. Mayor Widmyer asked if the County has a program for the fare system. Ms. Bieze noted that they will be presenting their findings to KMPO on May 19, 2016 and thereafter will make public presentations of the findings.

Mayor Widmyer asked for clarification on what the 2017-estimated increase in funding would go toward. Ms. Bieze explained that it would go toward the cash contribution for the fixed route and paratransit route combined, maintenance of fleet, transit center, and capital investments. Jody clarified this program has not been finalized, but a conceptual scenario of if the Coeur d'Alene Tribe did not contribute. Councilmember Gookin asked for how they would manage a fare system that is not cash based. Ms. Bieze explained that the fare system would be a pre-purchased ticket system, which would be a machine located at certain site and local entities that already handle cases, so no cash would be on the bus. Councilmember Gookin noted that he has received a lot of complaints from businesses stating that the bus stops located in front of their businesses are hurting their business, and asked what the County will do to help those businesses. Ms. Bieze stated that they will be installing cameras on the bus and with the inclusion of a fare, they will be able to provide an efficient, effective, and safe transit system.

CONSENT CALENDAR: Motion by Gookin, second by McEvers, to approve the consent calendar.

1. Approval of Council Minutes for April 19, 2016 Council Meeting.
2. Approval of Bills as Submitted.
3. Approval of General Services and Public Works Committee Minutes for the April 25, 2016 Meetings.
4. Setting of General Services and Public Works Committees meetings for May 9, 2016 at 12:00 noon and 4:00 p.m. respectively.
5. **Setting of Public Hearing:**
 - a. Intent to exchange real property with land abutting Wilbur Avenue (*post meeting clarification that this is Atlas Avenue*) and set a minimum value for property located at 201 Harrison Avenue Hearing for May 17, 2016

- b. V-16-2: Vacation of a Portion of 8th Street Right-of-Way, Adjoining the Westerly Boundary of Lot 5 of the Fraley Addition to the City of Coeur d'Alene Plat, for June 7, 2016
- 6. Approval of a Cemetery Lot Repurchase from Kyle Helmhout, lots 172, 173; Block C; Section RIV, Forest Cemetery Annex.
- 7. Approval of a Beer License to Renee's Downtown, LLC. DBA Fine Brewed Ramsey; 3853 Ramsey Road, Kathryn Renee Bordelon (new)
- 8. **Resolution No. 16-023** - 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 RENEWAL OF PANHANDLE PARKS FOUNDATION AGREEMENT FOR "SMOKE ON THE WATER" EVENT; APPROVAL OF PRAIRIE TRAIL RIGHT-OF-WAY EASEMENT AGREEMENT WITH KOOTENAI ELECTRIC; APPROVAL OF AMENDMENT TO RULE XI, SECTION 10 (FAMILY MEDICAL LEAVE), AND RULE XXV (APPOINTED OFFICERS AND DEPARTMENT HEADS) OF THE PERSONNEL RULES; APPROVAL OF VOLUNTARY SEPARATION INCENTIVE PROGRAM (VSIP); APPROVAL OF T-MOBILE WEST LLC SECOND AMENDMENT TO OPTION AND LEASE AGREEMENT; APPROVAL OF PROFESSIONAL SERVICES CONTRACT WITH JUB ENGINEERS, INC., FOR PHASE I OF DESIGN AND CONSTRUCTION OF WATER STORAGE FACILITY IN THE NORTHEAST QUADRANT OF THE CITY; APPROVAL OF PROFESSIONAL SERVICES CONTRACT WITH ARCHITECTS WEST, INC., FOR PRELIMINARY SITE DESIGN FOR ADMINISTRATION/MAINTENANCE FACILITY; DECLARATION OF SURPLUS EQUIPMENT – WATER DEPARTMENT; AND SS-1-16: APPROVAL OF FINAL PLAT, SUBDIVISION AGREEMENT & SECURITY APPROVAL FOR KERR COMMERCIAL TRACTS.

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

PUBLIC COMMENTS:

Randy Tetzner, Coeur d'Alene, congratulated the City on its assistive technology and noted that he is never harassed about his service animal. He thanked the Police Department for the enforcing speed limits around the school zones. He requested the Council leave the bus system as free, as people whom ride it cannot afford cars. He suggested a revenue source for the buses is to allow advertising on the outside of the buses. Wheelchair access should be included in the bus access. He expressed frustration with the threat of arrest for him sending emails. He noted that his child has disabilities that causes difficulties in learning and felt he should have received more support from the School District. He felt that law enforcement should not be a private police force for the School Board Members.

Lis Montgomery, Coeur d'Alene, noted that she is the Executive Director for the Inland Northwest SIDS Foundation. Their Foundation wanted to thank the Council for their consideration of the amendments to the childcare code before them this evening. She noted that

the number one cause of death in infants 0-12 month is SIDs. Kootenai County doubles the national rate of infant deaths due to SIDs. Safe infant sleep procedures are important and noted that the City of Coeur d'Alene would be the first city in the state to implement that training.

MAYOR AND COUNCIL COMMENTS:

Councilmember English announced the annual Veteran's Stand Down event would be held Saturday May 7, 2016 at the Kootenai County Fairgrounds from 8:00 a.m. to 2:00 p.m. There will be service providers and help available to all Veterans within the five northern counties.

APPOINTMENTS: **Motion** by Edinger, seconded by McEvers to approve the appointment of George Ives to the Design Review Commission, Amy Lawson to the Pedestrian & Bicycle Advisory Committee, and Michael Pereira to the Design Review Commission. **Motion carried**

APPROVAL OF CONCEPT AND LOCATION OF MCEUEN WATER FEATURE

STAFF REPORT: Parks & Recreation Director Bill Greenwood explained that the original McEuen redesign had a modern type fountain as one of the elements for the park. Due to cost restraints, the City was unable to provide that amenity at the time of construction. The concept for this feature will be a naturalized waterfall. Mr. Greenwood added that this new concept would be in memorial of Sgt. Greg Moore. He noted that John Mueller, a local landscape designer, provided the conceptual drawings. He also noted that it would be a private fundraising effort for this project and would not be funded from the Parks General Fund or the Capital Fund. Mr. Mueller noted he looked at a specific area within the park for this memorial. He noted that there is a natural ridge separating areas within the park. He thought the themes of respect, honor, remember, and the thin blue line were appropriate to incorporate into this memorial. They could integrate in several quotes from classic sources in seating areas. The topography of the area provides an area to flow water down and pump it back up. He reviewed a schematic of the water features and explained the blue LED light features. He clarified that any additional plantings would not affect views and vistas from the park. Mr. Greenwood clarified that this conceptual approval would allow them to move into the fundraising phase, and then the whole project would come back through the Parks and Recreation Commission and the City Council. Mayor Widmyer noted that he received a message from a person who has a good friend who is a Police Chief in another city, who wants to volunteer his services to mobilize a campaign for the law enforcement officers throughout the entire state of Idaho as he felt so passionately about this memorial.

MOTION: Motion by Gookin, seconded by Edinger to approve the preliminary design and to direct the Mayor to proceed with fundraising efforts and to report to Council when fundraising is complete.

DISCUSSION: Councilmember Gookin thanked the Mayor and staff for their efforts into making this happen. He asked for clarification regarding the ability to make the donations tax deductible. Mr. Greenwood noted that they would work with the Parks Foundation for the fundraising. The Mayor noted information as to how people can donate funds would be forthcoming over the next

few weeks. Councilmember Miller asked if the fundraising would address on-going maintenance, etc. Mr. Greenwood confirmed it would include long-term maintenance.

Motion carried.

CONSIDERATION OF THE REGIONAL TRANSPORTATION PLANNING AUTHORITY (RTPA) PROPOSAL

Councilmember Gookin introduced Mr. Miles and noted that a Regional Transportation Planning Authority (RTPA) is an option for each city within the County, and noted one of the “Vision 2030” long-term goals is to make public transportation have its own entity, which would be accomplished with an RTPA. KMPO Executive Director Glen Miles presented information regarding what an RTPA is and how it would work for this region. In the creation of Citylink, a future goal was set to create an authority agency to oversee the system. The authority for a RTPA was established by the State in 1994, and amended in 1996 and 2003, to establish a single governmental agency oriented entirely toward public transportation needs within each County. This authority, for a political subdivision of the state of Idaho, is under the supervision of, and directly responsible to, local governments, and shall provide public transportation services, encourage private transportation programs and coordinate both public and private transportation programs, services and support functions. He explained that each jurisdiction would have representation on the governing board of the RTPA. He presented the geographical depiction of the countywide RTPA and explained the authorities of the RPTA. He reviewed the service area of Citylink, ridership data, and funding sources. Those funds would go to the RPTA if created. He noted that an RPTA does not have taxing authority and are under the supervision of and directly responsible to local governments. The code notes that only one regional authority shall exist within the jurisdiction. Mr. Miles explained that Kootenai County Board of Commissioners would be asked to place this item on the ballot November 2016.

Mayor Widmyer noted that it appears the next steps include discussion with KMPO with recommendations to the County Commissioners. If the County Commissioners approve a resolution then within 60 days it will need to be brought to the local jurisdictions for approval. He felt that it would not be appropriate to give support or not at this time. Councilmember Gookin explained that at the last KMPO meeting it was recommended for each member to go back to his or her jurisdiction to see if the jurisdiction would support the idea or not and report at the next KMPO meeting. Therefore, he would appreciate feedback from the Council. Mr. Miles explained that there are two options included in the code; one option could be a RTPA that is less than countywide. Councilmember McEvers asked for clarification of an RTPA board that would including members that do not financially contribute to the bus system and wondered if it was too soon for a bigger system. Mr. Miles explained that making the board as inclusive as possible is better for planning broadly. Councilmember McEvers asked who would be in charge of the budget. Mr. Miles explained that the board for the established RTPA would adopt the budget for the transit property. Councilmember Gookin felt that an RTPA would occur at some point in the future, but was not clear as to when it will happen. Ms. Bieze explained that the County is responsible for the planning piece and felt it would be best to perfect the system before scaling up to an RTPA. There are two bus routes and they go out a loop one hour and come back every hour. She would suggest a transition plan would be the best model to use going forward. She

reiterated that their bus system is small, so perfecting it will depend on a number of things, particularly what governance model you like. Mayor Widmyer noted that anytime you make a change you should do it for the better, would this system make things better is the question and a little nervousness with another layer of government. Councilmember Gookin noted that he thinks this is a better way for the future, but felt the region does not currently have the density of use. Ms. Bieze clarified that bus stop locations are a hot topic, and they are working on accessibility requirements for the stops, and Title VI requirements. Mr. Miles noted that the whole idea of the RTPA is joint governance; the question is whether the public will have a vote to create the RTPA.

Councilmember English noted he would want to think about that making a choice to have a single authority for public transportation. Councilmember McEvers stated that he would delay a decision on this, as it seems too big for the system we have now. Mayor Widmyer suggested that the City remain neutral at this point and see how the Commissioners vote. Councilmember Gookin thanked Mr. Miles and Ms. Bieze for taking time to help explain this important issue.

**ORDINANCE NO. 3534
COUNCIL BILL NO. 16-1006**

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING MUNICIPAL CODE SECTIONS 5.68.030, 5.68.090, 5.68.110, 5.68.120 OF CHAPTER 58 ENTITLED CHILDCARE FACILITIES, TO REQUIRE SAFE SLEEP CLASSES FOR APPLICANT; TO REQUIRE TEN (10) HOURS PER YEAR OF APPROVED CONTINUING EDUCATION FOR CHILDCARE OPERATORS AND WORKERS; TO REQUIRE FIRE AND LIABILITY INSURANCE COVERAGE FOR CHILDCARE FACILITIES; TO REQUIRE RENEWAL APPLICATIONS TO BE SUBMITTED TO THE CITY BY DECEMBER 1 ANNUALLY AND TO PROVIDE FOR LATE FEES AND PENALTIES FOR FAILURE TO SUBMIT A TIMELY APPLICATION FOR RENEWAL; TO PROVIDE PENALTIES FOR ALLOWING UNLICENSED EMPLOYEES TO PROVIDE CARE; TO PROHIBIT E-SMOKING MATERIALS AND TOBACCO PRODUCT IN CHILDCARE FACILITIES; TO REQUIRE SAFE TEMPERATURES IN CHILDCARE FACILITIES; TO ESTABLISH REQUIRED SAFE SLEEP GUIDELINES; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE.

Pursuant to Council Action April 19, 2016.

MOTION: Motion by Edinger, seconded by Gookin, to pass the first reading of Council Bill No. 16-1006.

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

MOTION: Motion by McEvers, seconded by Edinger, to suspend the rules and to adopt Council Bill 16-1006 by its having had one reading by title only.

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

URBAN RENEWAL DISTRICTS DE-ANNEXATION

STAFF REPORT: City Administrator Jim Hammond explained that when Urban Renewal Districts, (URDs) are formed; the intent is to improve the value and the properties within the URD resulting in an improved tax base. Then when the URDs close, the affected taxing districts benefit from the higher tax base. The process of de-annexation of certain properties will provide additional revenue well before the closure of the district. He presented the map of the City's two district areas. He noted that the proposal to pull some properties within the URA districts out of the boundary would provide increased income to the City. He is seeking Council approval to work with Ignite CDA and bring specific information back to the Council with options. They will continue to ensure that Ignite CDA will be able to meet the requirements of their debt and future projects.

Mayor Widmyer noted the need to take a strong look at this idea as the funding needed to provide personnel to Fire Station No. 4 will be approximately \$1 Million. Additionally, the Police Department has submitted a preliminary funding request to increase patrol and these funds could help finance these needs. Mr. Hammond explained that the next step is to meet with Ignite CDA and seek their agreement to move forward and noted that initial discussion have been very positive. The Mayor also noted that there would need to be a detailed financial study completed on the life of the districts and the district obligations and future projects.

Councilmember Miller asked how the properties with owner participation agreements would be affected. The Mayor noted that properties with owner participation agreements are not a part of the de-annexation. Councilmember English felt that this concept makes sense and it is a choice between taking the tax benefit from some of the properties now we will give immediate benefit of those revenues and if we left the districts whole, they may be able to do one or two more projects. Councilmember Evans asked if the financial study would be completed before the meeting with the Ignite CDA board. Mr. Hammond they will work jointly with Ignite CDA regarding the financials, but the initial presentation will be an effort to initiate the process. Councilmember Edinger asked if this were agreed upon when would this go into and when would the money be collected. Mr. Hammond clarified that the intent is to have this completed by the beginning of the Fiscal Year 2016/2017 and the revenue will continued to be received once they are pulled out of the district.

MOTION: Motion by McEvers, seconded by English to direct staff to continue discussions with Ignite CDA regarding de-annexation of certain properties from the Lake and River Districts as presented. **Motion carried.**

GARBAGE COLLECTION FEES DISCUSSION

STAFF REPORT: Finance Director Troy Tymesen explained that the City has a sanitation fund referred to as an enterprise fund, which is currently \$200,000 in the hole. The rates were raised in 2013, but today have not built that fund back up. There is still no accurate cost for glass recycling. The City continues to do its best to get the account to a breakeven level and will be

before Council prior to July 1 to discuss some commercial increases. He reviewed the current service rates. His proposal will come through the budget process and he recommended keeping the fees as they are until all known expenses come forward. Councilmember Gookin asked for clarification as to why the contractor is allowed to raise their rates, yet the City does not raise their rates to match that increase. Mr. Tymesen noted that there was an original deficit in the fund that carried forward and Council had requested rates be kept at a minimum. Based on the current bid, the Council may not have to raise rates for years. Mr. Tymesen explained that with the rates proposed in the bid contained certain commercial line items that are greater than current fees, which will require a public hearing. Councilmember Miller asked for clarification regarding the balance of increased line items and no reduction in others. Mr. Tymesen explained that there were 29 line items included in the base bid and that determined the low bid. There were 55 overall line items included in the bid. Mr. Tymesen noted that the goal is to get the enterprise fund to a break-even status. Discussion ensued regarding glass recycling options and how it could be paid. Councilmember English summarized that there will be a savings over all, and looking at the big picture most customer would not notice a dollar or two savings but keeping the system stable and whole without increase, it makes sense to not make cuts in rates. Mayor noted that Mr. Tymesen would be providing additional information with the budget for fiscal year 2016/2017.

A-1-16 – ANNEXATION OF 2109 PRAIRIE AVENUE, FROM COUNTY AGRICULTURE TO CITY R-8 (RESIDENTIAL AT 8 UNITS PER ACRE), BY VISTA MEADOWS, LLC. PURSUANT TO COUNCIL ACTION ON MARCH 15, 2016.

RESOLUTION NO. 16-024

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN ANNEXATION AGREEMENT WITH VISTA MEADOWS, LLC.

MOTION: Motion by Edinger, seconded by McEvers to approve **Resolution No. 16-024**; approving an Annexation Agreement with Vista Meadow, LLC. for 2109 Prairie Avenue.

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

**ORDINANCE NO. 3535
COUNCIL BILL NO. 16-1007**

AN ORDINANCE ANNEXING TO, AND DECLARING TO BE A PART OF, THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTION 27, TOWNSHIP 51, NORTH, RANGE 4W, BOISE MERIDIAN; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

MOTION: Motion by Edinger, seconded by McEvers, to pass the first reading of **Council Bill No. 16-1007**.

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

MOTION: Motion by Gookin, seconded by Evans, to suspend the rules and to adopt **Council Bill 16-1007** by its having had one reading by title only.

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

A-3-15 ANNEXATION OF 2810 & 2960 W. PRAIRIE AVENUE; FROM COUNTY AGRICULTURAL TO CITY R-8 (RESIDENTIAL AT 8 UNITS PER ACRE) BY DONALD SMOCK, DBA HARMONY HOMES, LLC. PURSUANT TO COUNCIL ACTION ON FEBRUARY 2, 2016.

RESOLUTION NO. 16-025

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN ANNEXATION AGREEMENT WITH DONALD R. SMOCK, DBA HARMONY HOMES, LLC FOR GARDEN GROVE.

MOTION: Motion by Edinger, seconded by McEvers to approve Resolution No. 16-025; approving an Annexation Agreement with Donald R. Smock, DBA Harmony Homes, LLC for Garden Grove.

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

**ORDINANCE NO. 3536
COUNCIL BILL NO. 16-1008**

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTION 27, TOWNSHIP 51, NORTH, RANGE 4W, BOISE MERIDIAN; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

MOTION: Motion by Gookin, seconded by Evans, to pass the first reading of **Council Bill No. 16-1008**.

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

MOTION: Motion by McEvers, seconded by Edinger, to suspend the rules and to adopt **Council Bill 16-1008** by its having had one reading by title only.

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

**ORDINANCE NO. 3537
COUNCIL BILL NO. 16-1009**

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SECTION 2.98.050 ENTITLED DESIGN REVIEW COMMISSION – QUORUM AND MEETINGS, TO PROVIDE THAT A QUORUM FOR A DESIGN REVIEW COMMISSION MEETING SHALL BE FOUR (4) MEMBERS, WHICH MAY INCLUDE ONE OR MORE OF THE “STANDING ALTERNATES”; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

STAFF REPORT: Community Planning Director Hilary Anderson noted that it is difficult to get a quorum for the Design Commission, especially when there is a vacancy. There are many items coming forward that are required to be heard before the Commission, so this code amendment is a simple solution to give the Commission the ability to hold meetings, move items forward, and provide customer service.

DISCUSSION: Councilmember McEvers asked for clarification regarding the role of the Commission. Ms. Anderson clarified that the Commission meets as needed, and their purview is to provide review of any project subject to the design guidelines, such as required in the downtown and infill overlay areas. They review the projects to ensure they are consistent with design guidelines. Councilmember Gookin asked if this is an efficient way to provide design review. Ms. Anderson noted that it might not be as efficient as it could be, and she will be bringing forward additional code changes to make it more efficient, such as lowering the number of required meetings. Additionally, she will research the option of including the duties into the Planning Commission, which would be dependent upon design professionals serving on the Commission. Councilmember Miller noted that she has been in discussions with Mr. Hammond regarding the creation of a consolidated list of Committee, Commissions and Board that would note their purpose, goals, and mission, which would also clarify the Committee, Commission, and Boards have been established pursuant to Municipal Code.

MOTION: Motion by Gookin, seconded by McEvers, to pass the first reading of **Council Bill No. 16-1009**.

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

MOTION: Motion by Gookin, seconded by McEvers, to suspend the rules and to adopt **Council Bill 16-1009** by its having had one reading by title only.

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

MOTION: Motion by Gookin, seconded by Miller to enter into Executive Session as provided by Idaho Code 74-206 Section (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 8:19 p.m. Those present were the Mayor, City Council, City Administrator, and City Attorney. Council returned to regular session at 8:35 p.m.

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

The meeting adjourned at 8:35 p.m.

ATTEST:

Steve Widmyer, Mayor

Renata McLeod, CMC, City Clerk