

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

May 5, 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 May 5, 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 Dave Hoit from Prairie Avenue Christian Center.

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

Mayor Widmyer mentioned the shooting of Sergeant Greg Moore, who served this community for 16 years, and stated that his thoughts and prayers were with his friends and family. In light of the tragic event the City Council will be amending the agenda to expedite the meeting.

AMENDMENT TO THE AGENDA: Motion by: Gookin, seconded by Edinger to amend the agenda to include only Consent Calendar, Announcements, Public Hearing, and Executive Session. All other items will be continued to the next Council meeting. **Motion Carried.**

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

1. Approval of Council Minutes for April 21, 2015.
2. Approval of Bills as Submitted.
3. Setting of General Services and Public Works Committees meetings for May 11, 2015 at 12:00 noon and 4:00 p.m. respectively.
4. **RESOLUTION NO. 15-018:** 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 APPROVING AN AGREEMENT WAIVING OPPOSITION TO ANNEXATION WITH PAUL AND JULIE STANCZYK FOR 1067 S. MILLVIEW LANE – SKY BLUE ACRES; APPROVING A CONTRACT WITH KNIFE RIVER

CORPORATION FOR THE 2015 OVERLAY PROJECT; DECLARATION OF SURPLUS 1995 CROWN VICTORIA, 2000 CHEVROLET IMPALA, AND 1986 ASTRO VAN; APPROVING A CONTRACT WITH T. LARIVIERE EQUIPMENT AND EXCAVATION, INC. FOR THE 2015 OPEN TRENCH PROJECT; APPROVING A SCHOOL RESOURCE OFFICER AGREEMENT WITH COEUR D'ALENE SCHOOL DISTRICT #271 FOR THE 2015-2016 SCHOOL YEAR; AND APPROVING A SCHOOL RESOURCE OFFICER AGREEMENT WITH NORTH IDAHO COLLEGE FOR THE 2015-2016 SCHOOL YEAR.

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

APPOINTMENTS: Mayor Widmyer asked for confirmation of the appointments of Lynn Fleming and Lewis Rumpler to the Planning Commission.

MOTION: Motion by McEvers, seconded by Gookin to approve the appointments of Lynn Fleming and Lewis Rumpler to the Planning Commission. **Motion Carried.**

PUBLIC HEARING: ZC-1-15 – PROPOSED ZONE CHANGE FROM R-12 TO C-17 BY MILLER DEVELOPMENT; 3113 N. GOVERNMENT WAY

STAFF REPORT: Planner Lori Burchett reviewed the zone change location, located at 3113 Government Way with access from 2nd Avenue. The Planning Commission has heard this item and recommended approval. She outlined the findings that will need to be included tonight as follows: that the proposal is or is not in conformance with the Comprehensive Plan; that the location, design, and size of the proposal are such that the development will or will not be adequately served by existing streets, public facilities and services; that the physical characteristics of the site make or do not make it suitable for the request at this time; and that the proposal would or would not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, and/or existing land uses.

Ms. Burchett explained that there have been several other zone change requests within the area from R-12 to C-17 that have previously been approved. Utilities are available within the area but may need to be increased and/or extended. A stormwater management plan would be required for development of the property and the trip generation would be sporadic and not concentrated. There are no recommended conditions with the request.

DISCUSSION: Councilmember McEvers stated that the Planning Commission Minutes stated that the Fire Department wanted two access points off of Second Street and wondered if that was problematic for the development. Ms. Burchett stated that the applicant was interested in extending 2nd Street and the Fire Department is agreeable to the future access capability to the site. Councilmember Gookin expressed concern with the references to the storage unit development throughout the staff report rather than sticking to the zoning issues. He wanted to see more information regarding the effect of the zone change into the future specific to the higher intensity uses within a C-17 zone; therefore, he believes the staff report is inadequate. Ms. Burchett stated that the Water and Wastewater Departments have services available within 200

feet of the property and that the departments are more concerned with specific development requirements at the building permit stage. Councilmember Gookin expressed concern regarding higher impact uses. Councilmember Evans referenced the fact that page 9 of the staff report clarifies what is allowable in the zone. Councilmember Gookin reiterated that he does not feel that the staff report addressed other uses and does not want a problem down the road regarding a future hotel or high density use. Ms. Burchett clarified that during the comment review process with staff they also reviewed a project review specific to the storage unit development, which may have caused the overlap in the staff report. However, with the staff review of traffic, water, and wastewater it was felt that the C-17 zone could be adequately served. City Administrator Jim Hammond stated that he understands the concerns from Councilmember Gookin and will make sure that the future reports will clearly state that a specific zone can be adequately served to the highest use.

MOTION: Motion by Gookin to send the item back to staff to revise the staff report with additional information and bring it back to Council thereafter. **Motion failed for a lack of a second.**

DISCUSSION: Mayor Widmyer asked if the item would have to go back to the Planning Commission. Mr. Gridley stated that it would not have to go back to the Planning Commission. Councilmember Adams asked if the Planning Commission reviewed the same issues as brought forward by Councilmember Gookin. Ms. Burchett clarified that the Planning Commission reviewed the item under the same staff report and that since that meeting she has followed up with the Wastewater Department and has clarified where the manholes are located. Councilmember Gookin reiterated that he wants to make sure that the information is not project specific but specific to the zoning requested. Councilmember Edinger asked if this was urgent to hear tonight. Mr. Hammond clarified that this has been advertised for tonight and is a public hearing that would need to be re-advertised if not heard tonight. Councilmember McEvers asked to review the existing land use map with the previous zone change approvals. He stated that he believes that the development is what will move the opening of 2nd Street and he thinks that the zoning fits.

APPLICANT: Chad Oakland stated that he is the owner of Miller Development Group, the applicant. He clarified that he does plan to build storage units and it is his understanding that the utilities can handle the C-17 zone uses. Councilmember Gookin stated that he does think the project fits in the area and clarified that his concern is for future changes to the land. He believes that Council should be considering the entire impact of a C-17 zone at the time the zone is changed. Mr. Oakland stated that Mr. Becker from the Wastewater Department is present if the Council has questions pertaining to Wastewater.

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

APPLICANT REBUTTAL: Mr. Oakland stated that Mr. Kulhanek, who is noted in favor of the zone change, lives adjacent to the proposed property.

MOTION: Motion by McEvers, seconded by Edinger to approve the proposed Zone Change from R-12 to C-17 by Miller Development, 3113 N. Government Way, and direct staff to prepare the Findings and Order.

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

MOTION: Motion by Gookin, seconded by Adams 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.

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

The City Council entered into Executive Session at 6:38 p.m. Those present were the Mayor, City Council, City Administrator, Finance Director, City Engineer, and City Attorney. Council returned to regular session at 6:55 p.m.

RESOLUTION NO. 15-022

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO
AUTHORIZING CONDEMNATION PROCEEDINGS.

MOTION: Motion by Gookin, seconded by McEvers to approve **Resolution No. 15-022**, authorizing condemnation proceedings.

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

RECESS: Motion by Gookin, seconded by McEvers to recess to Tuesday, May 12, 2015, at 4:00 p.m. in the Old Council Chambers, City Hall, for a Council Strategic Planning Workshop.
Motion Carried.

The meeting adjourned at 6:57 p.m.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk