

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

July 15 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 City Library Community Room July 15, 2014 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

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

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

**INVOCATION:** Pastor Mike Slothower, River of Life Friends Church, provided the invocation.

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

**AMENDMENTS TO THE AGENDA:** **Motion** by Gookin, seconded by McEvers to amend the agenda to include the recess of the meeting to July 22, 2014 at 12:30 p.m. in the Old Council Chambers for a meet and greet with the Police Chief candidates. **Motion carried.**

**PRESENTATIONS:**

**Fire Operations Training:** Fire Chief Kenny Gabriel stated the Mayor had attended the last Fire Operations Training and presented a video of events at the training. Captain Pichette provided the training to the Mayor, which included the tower climb, search and rescue, and use of the Jaws of Life. Chief Gabriel and Captain Pichette presented the Mayor with a fire helmet. Mayor Widmyer stated that it was a great experience.

**PUBLIC COMMENTS:**

Mayor Widmyer stated that the recent shooting of Mr. Jones's dog was regrettable and accepted responsibility for the actions of the City. Interim Police Chief Clark also stated the shooting of the dog was regrettable and he has talked to the dog owner, Craig Jones, and expressed that there is a current review of the incident. He stated that the Police Department will work to avoid such an event in the future. Additionally, they will have an outside party review the investigation and open it for public review upon completion. Chief Clark clarified that personnel discipline

matters are not releasable records. He explained the extensive training that officers undergo and expressed hope that this one event will not change the community's opinion of the whole department. Mayor Widmyer offered apologies to Mr. Jones and that the restaurant owners where the incident occurred are not responsible in any way. The Mayor and City Council are in full support of the Police Department and if mistakes are made they take full responsibility for those actions.

#### Dog Shooting:

Michelle Brown, Post Falls, asked if Police Officers are specifically trained for dog encounters. She thanked the Mayor and City Council for stepping up and taking responsibility and looks forward to the investigation information being released.

Russell McLain, Kootenai County, stated that he subsidizes the Police Department through a school tax and would like to see the city contract with the Sherriff's Department. He also stated that he subsidizes the city through the LCDC and would like an elected County Official to be on the LCDC Board.

Jessie Johnson, Coeur d'Alene, stated that she witnessed the incident on Wednesday but wanted to do the right thing by stating what she witnessed. She encouraged a thorough investigation and stated that she believes it was a cover up. Craig Jones was not notified that his dog was shot before the officers left the scene which was disturbing to her.

#### BNSF Land Acquisition:

Chet Gaede, Coeur d'Alene, stated that he serves on the Mill River Property Owner's Association and the Spokane River Development Committee; as such he has talked to a lot of people about what they would like to see happen along the river corridor. He believes the property is vital to the dreams of the community as expressed through the Park's Master Plan and the 2030 vision group. The City Council has accepted the 2030 Vision and the Park's Master Plan and he hopes the City Council will consider the acquisition of the land. He believes that if the City purchases the land it will have skin in the game and be in a better negotiation position. He encouraged the City Council to take this land purchase opportunity.

Leo Notar, Coeur d'Alene, stated that he likes the idea of the retention of the trail system that are a big part of the lifestyle here. He stated that there have been negotiations on the Stimson Mill site property for several months. He clarified that he represents Stimson and stated that the purchase agreement is set and those involved would like a quick closing and would like to meet with the city within 30 days. He believes the city should act as a mediator rather than a land purchaser and that the acquisition should be addressed during the annexation process.

June McClain, Coeur d'Alene, stated that she is a member of the Natural Open Space Committee and believes that since the public owns the river, they need access to it in order to use it. She believes that looking through buildings is not access and that the best chance to have a say in the development is for the City to purchase the property. Once the property is gone, it is gone and she believes it is a once in forever opportunity.

Tina Johnson, Coeur d'Alene, stated that she supports trails and parks and would like the city to purchase the property for connectivity and that it would keep bikers and walkers off of Seltice Way. Additionally, she urged the Police Department to enforce the leash law, as dogs off leash cross the path of bikers and it is dangerous.

John Bruning, Coeur d'Alene, stated that he represents a Centennial Trail Foundation Board and that the Foundation endorses the project and encourages the City Council to purchase the property. The mission of the Committee is to promote non-motorized trail connectivity throughout North Idaho, and this property acquisition would meet that mission. There is an existing trail on Seltice Way and it would be a different experience along a river. Seltice Way and Hwy 41 is a very dangerous intersection and the State and County have nothing in the works that would fix that; this acquisition would be a step in the right direction.

Roger Smith, Coeur d'Alene, stated that a few years ago he thought there should be a plan in place to preserve the riverfront property. He believes there is a huge opportunity for the City to play a role in the protection of the riverfront by acquiring the railroad right-of-way. He believes there will be a connective trail system in that area and he also envisions a 50' to 100' natural space area along the river. He believes that Bend, Oregon has a model for space along the Deschutes River and would be an example to follow. He agrees that it is a once in a lifetime moment aka a "Tubbs Hill moment."

Dan Panther, Coeur d'Alene, spoke in support of acquiring the railroad right-of-way. The homeowners in the Mill River development have hoped for the trail to be developed through it and the acquisition of the land would increase the viability of Mill River. Johnson Park is full every day and he believes more space is needed so everyone does not have to congregate in one space.

Terry Godbout, Coeur d'Alene, stated that he has served on the Centennial Trail Board and was active on the Dike Road tree group and recently joined the Natural Open Space Committee. He is a proponent of acquiring the property and putting a trail through this area and he believes it meets the goals of the region. He stated that the community is going to continue to grow and the river front is a limited resource. He agrees the City could negotiate something through annexation, but does not think it would be great like NIC where the public has direct access. The city should put itself in a better negotiating position by owning the property.

Bruce McNeil, Coeur d'Alene, stated that he has had dogs as companions and family members for years. He expressed his regrets for the shooting of Mr. Jones' dog. He stated that the Mayor and City Council should have a broad vision of this property and not to be rushed to make a decision for a developer. This is about the future of the city by the lake and water resources. He believes that access to water is important and that there are few parcels left. He does not take large expenditures of tax payer dollars lightly but does support this expenditure. He provided the Council with a data sheet. He encouraged the Council to involve the community in the expenditure. Councilmember Gookin stated that during the Person Field purchase discussions Mr. McNeil told the Council to raise his taxes to purchase the field and asked if he felt the same for this purchase. Mr. McNeil stated that if the Council got the community involved in a site

plan; he would pay more taxes and reiterated that is, if the Council asks the rest of the community what they think.

John Kelly, Coeur d'Alene, stated that he presented a letter to the July 9 Pedestrian Bicycle Committee, on behalf of the Bike CDA organization regarding safety of bicyclists within the city street system. He stated that the Street Department is painting bike lanes less than 5 feet wide which endangers the bicycle community. His group requested that the Pedestrian Bicycle Committee draft a letter to the city requesting that the painting process be stopped and an assessment be conducted and that a committee be formed to question and make recommendations for the future.

Susan Snedaker, Coeur d'Alene, expressed concern about trail realignment and wondered if the city purchases the property could a developer purchase part of it and then realign it so they have more river frontage. She agreed that the property is a once in a lifetime opportunity and that the shoreline ordinance is not being enforced as original intended. She encouraged the City Council to stand strong and protect the property for the future generations and maintain the shoreline for the public. She believes the citizens will endorse the purchase.

**MOTION:** Motion by Gookin seconded by Adams move the BNSF item forward on the agenda.

**DISCUSSION:** Councilmember Gookin explained that the only time to have public comment is during the public comment period as the BNSF property acquisition is not a public hearing item.  
**Motion Carried.**

## **ACQUISITION OF BNSF PROPERTY**

**STAFF REPORT:** City Attorney Mike Gridley stated that the City has been working on this project for many years. Historically the rail lines were established in the early 1900's and an electric rail line was used to travel from Spokane to Coeur d'Alene. He presented a map and photographs of the area being discussed. Most of the current railroad property is 60 feet wide with some points up to 200 feet wide. This area of the city is referenced in the Comprehensive plan as the Spokane River District, which states that public access to river should be a priority. The Shoreline Ordinance was adopted several years ago to protect the shoreline and it has been modified to allow for trails, etc. The Ordinance typically establishes a no build area outside of a planned unit development. The railroad decided to abandon the use of the property in 2009, and since that time there have been meetings with community members and developers to figure out a way to acquire this for the community. A recent appraisal came back in November 2013 with a value of \$4.3 million. Negotiations began with a letter of support by Senator Jim Risch, the County Commissioners, and Mayor Widmyer. Finally the negotiated price settled at \$2.5 million. Mr. Gridley believes that based on appraisals and significance to the community it is a valuable piece of property. If the City Council decides that staff should move forward, then staff will be able to begin with a purchase and sale agreement including environmental review and survey of the property. If we cannot reach an agreement then the deal does not finalize. Funding would then need to be determined. The Railroad is looking for 60 days to reach a sale agreement with closing occurring in December or January.

**DISCUSSION:** Councilmember McEvers asked how the Shoreline Ordinance worked for Bellerive and Mill River developments. Mr. Gridley clarified that they were planned unit developments and that Bellerive has a public boardwalk along the river and Mill River has the Johnson Park area as negotiated public space/access. Councilmember McEvers asked for clarification regarding any of the property that abuts the river. Mr. Gridley clarified that there is no railroad right-of-way abutting the river, but one inlet used for log retrieval. Councilmember Gookin stated that the Shoreline Ordinance was used for maintaining views and vistas and access to the water, but that is allowed through the PUD which diminishes the Shoreline Ordinance. He fears that the City would negotiate a deal in which a skinny portion of water front is allowed to be developed and he does not want to trade away public access and that he wants to hear what the public has to say about the large cost. Mr. Gridley clarified that the motion requested tonight is to direct staff to move forward and then bring back funding options. Mayor Widmyer clarified that there is no portion of land that touches the water and at some point in the future there would need to be a public/private partnership to achieve access. Mr. Gridley clarified that the City could trade or buy the land and do what is best. Councilmember Gookin expressed concern regarding public/private partnerships and he would prefer to purchase the entire mill site.

**MOTION:** Motion by Gookin, seconded by Adams to purchase the entire mill site, including the railroad right-of-way.

**DISCUSSION:** Councilmember Gookin stated that this is a Tubbs Hill type of moment and looks at the entire parcel as an opportunity and that the threshold for a bond is really high but wanted to have the discussion with entire City Council. Mr. Gridley clarified that the entire property might be approximately \$10 million. Councilmember Adams asked if the sale contract would have a time frame for negotiations that could include enough time to seek a public bond. He knows that one funding mechanism would be LCDC and he would not agree with that option. Councilmember Adams stated that \$10 million would be less than the McEuen project, but would be more property. Mayor Widmyer stated that the property is currently under contract for sale and the other has been sold. Mr. Gridley stated that the railroad would like to deal with the City, and felt that the City could ask for the time to do a bond. Councilmember Miller stated that being rushed is challenging, especially for an item that will affect generations to come. She clarified that the city would not be buying shoreline views or access, rather buying the railroad right-of-way piece and some leverage. Councilmember Miller stated that a bond for the entire property could fall into exploring the options for purchase and wanted to ensure that the city has the ability to acquire rail road property either way. Councilmember Edinger asked for clarification regarding which property would be included in the \$10 million purchase. Mr. Gridley clarified that the current \$2.5 Million cost would be for the rail road right-of-way property and that the \$10 Million is an estimate of the other two parcels. He clarified that Councilmember Gookin's motion was to acquire the railroad right-of-way and the entire parcels the rail road runs through that are not currently for sale. Councilmember Evans asked for clarification regarding what the next step would be if the motion is approved tonight. Mr. Gridley stated that he would recommend separating the two issues as they have been negotiating with the railroad for several years on the right-of-way piece and would like to settle that, and then pursue the other piece separately. Councilmember Adams stated that he felt that the motion

could be amended to accomplish what is needed by asking to include a request for staff to look at options to acquire the additional property.

**MOTION WITHDRAWN:** Motion by Gookin, seconded by Adams to withdraw the motion to purchase the entire mill site, including the railroad right-of-way.

**MOTION:** Motion by Adams to amend the main motion to add acquiring additional property to be purchased with a bond election. **Motion failed for lack of a second.**

**DISCUSSION:** Councilmember McEvers stated that he would like to move forward with the railroad right-of-way purchase and separate out the other property. Councilmember Gookin clarified that the City Council will be getting options for funding from staff.

**MAIN MOTION:** Motion by McEvers, seconded by Gookin to accept the land purchase offer with BNSF and direct staff to proceed with negotiating a mutually acceptable purchase and sale agreement and funding.

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

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

1. Approval of Council Minutes for July 1, 2014.
2. Approval of Bills as Submitted.
3. Setting of General Services and Public Works Committees meetings for July 21, 2014 at 12:00 noon and 4:00 p.m. respectively.
4. Approval of Beer and Wine License for Vault Coffee, 324 Sherman Avenue; Danelle and Bill Reagan (new)
5. Approval of Beer and Wine License for LaQuinta Inn & Suites, 333 Ironwood Drive, Brian Blak, J. Scott Ableman, and Brad Charles (transfer from Ameritel to LaQuinta)
6. Setting of Public Hearing for Vacation of a 10 Foot Strip of Right-of-Way, Adjoining Mountain Avenue, from the Lake Shore Addition Plat for August 5, 2014
7. Setting of Public Hearing for August 19, 2014:
  - a. A-4-14, Proposed Annexation from County AS to City R-8 for property located between I-90 and Lake Villa on East side of city
  - b. ZC-1-14, Proposed Zone Change from County AS to City R-3, R-8, R-17 Zoning District for property located between I-90 and Lake Villa on East Side of City
  - c. ZC-2-14, Proposed Zone Change from R-17 to NC (Neighborhood Commercial), for property located at 602 E. Garden
8. Approving the Concept and Authorizing Staff to Negotiate an MOU with the City of Dalton Gardens to read the City of Dalton Garden's Water Meters on Government Way between Dalton Avenue and Hanley Avenue
9. SS-1-14, Gary's Place Subdivision, Final Plat Approval
10. Approval of **Resolution No. 14-028** A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING S-1-14, LAKE FOREST

WEST SUBDIVISION, FINAL PLAT, SUBDIVISION IMPROVEMENT AGREEMENT  
AND SECURITY WITH LAKE FOREST LLC, WITH DELBERT L. KERR, MEMBER

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

**COUNCIL ANNOUNCEMENTS:**

Councilmember Gookin stated that it was nice to have Councilmember Edinger back in attendance.

**ADMINISTRATOR'S REPORT:** Interim City Administrator Troy Tymesen thanked the many sponsors and staff for a successful Parks Day celebration on July 12, 2014. He reminded motorists who park at the new structure adjacent to McEuen Park to obtain a ticket from the automatic pay stations. The first two hours of parking is free; however, motorists must still display a ticket in their vehicle indicating what time they arrived. Three parking pay stations are located at the Third Street Entrance, and at the bottom of the stairs on 5th Street and 6th Street. The second piece of artwork planned for McEuen Park was recently placed on its new perch overlooking Lake Coeur d'Alene near the Third Street Boat Launch. The \$10,500 Blue Heron art piece was donated by Dr. Justin StormoGipson of Coeur d'Alene in memory of his late wife, Maj StormoGipson. The popular artwork by artist Jerold Smiley of Sheridan, Wyoming won the 2013 People's Choice Award for best temporary art. The next piece of artwork planned for McEuen Park is "Allium Spring Chorus" which will be placed at Front Avenue and Third Street on July 23rd. Summer Reading, "Fizz, Boom, Read," has begun in the Seagraves Children's Library on the lower level, and continues through July 30th when the Library will host a Science Fair and Extreme Science with Radical Rick. All programs, for ages newborn and up, are free and most do not require registration. Even if children do not attend programs, families are invited to visit the library for a reading log to keep track of the time children spend reading or being read to. For every three hours of reading time bring the log back to the library to collect a prize. For more information about the "Fizz, Boom, Read" summer program, call the Library at 769-2315. The July issue of Municipal Milestones, a monthly e-newsletter covering city news and events, employees, departments at work, and other timely city information and issues, is available on our website. The newsletter is also emailed on the second Tuesday of each month. To view the newsletter and instructions for receiving a monthly email version, visit the city's website [www.cdavid.org](http://www.cdavid.org), and click on the icon on the lower left corner. The Coeur d'Alene Arts Commission is seeking nominations for the 19th Annual Mayor's Awards in the Arts. Please consider nominating a deserving individual, business, or organization in the categories of Excellence in the Arts, Support of the Arts, and Arts in Education. Nomination forms are available at City Hall, and can be downloaded from [www.cdavid.org](http://www.cdavid.org). Nominations must be submitted by September 1, 2014. For more information, call Steve Anthony at 769-2249, or email [stevea@cdavid.org](mailto:stevea@cdavid.org). Coeur d'Alene Mayor Steve Widmyer has established a direct telephone line for callers to leave a comment, idea or concern. To leave a message 24/7 with the mayor, call 769-2220, extension 503, or visit the city's website and click on the icon shown on the screen.

## **REQUEST BY MARK BROWN, SOCIALLY GEARED CDA TO AMEND THE MUNICIPAL CODE PERTAINING TO OPEN CONTAINER OF ALCOHOL.**

**DISCUSSION:** Councilmember Adams stated that this request was heard at the General Services meeting and it was the desire of the Committee to bring the item forward for the entire City Council to discuss. Mr. Gridley stated that the City Clerk's office issues licenses and that the Legal Department is involved in the interpretation of the city code. There is a current city code that does not allow open container of alcohol within city on city-owned property with some exceptions for public parks and Library Foundation fund raisers. The Socially Geared bike has a driver with customer of the bike providing pedaling power. The City of Boise allows for the consumption of beer and wine upon the bike by its customers through a city issued permit. This exception would allow customers to bring their own beer and wine and not allow alcohol outside of the bike area. The Police Department has expressed concern about another exception to the open container rule.

Councilmember Edinger asked if the new ordinance would solely allow for open container upon the pedal bike but not open it up throughout the city. Mr. Gridley stated that the City Council can define how they want it to be described, it could include all human powered vehicles with a certain number of people are allowed or otherwise. Mr. Brown has requested an amendment just for his business. Mr. Gridley clarified that the City of Boise has a strict licensing process. Councilmember Edinger stated that he would hate to see the open contain law repealed, as over the years the City has had problems with downtown and feels it would open a can of worms. Councilmember McEvers asked who would be responsible for not over serving and/or having the customer over drink. Mr. Gridley stated that over service of alcohol is typically monitored by the Alcohol Beverage Control Bureau and clarified that the customer would bring their own beverage so Mr. Brown would not be the point of sale. Mr. Brown clarified that his business would not be selling and/or serving alcohol and they would only allow beer and wine. He would like to do more scenic tours and allow customers to enjoy a beer or wine along the way. He is also interested in doing some non-profit fund raising events. Councilmember McEvers stated that he is concerned about control points and is concerned about taxi cabs and similar businesses not being able to do the same thing. Mr. Brown stated that the beverages would be limited to beer and wine and believes that keeping people moving is better than sending them into a bar and allowing them to drive home. They are trying to create a tourist friendly atmosphere and provide scenic tours, and most responsible adults are responsible people. He has had a lot of customers state that they do not want to do the bar hopping thing but would rather have a scenic tour with a glass of beer and stated that the City of Boise as a good example. Mr. Brown spoke with the operator of the Boise cycle and learned that they have only had one incident of over drinking in Boise and they kicked the passenger off the bike. Additionally, they will not serve alcohol when there are minors on the bike.

Councilmember Gookin stated that he spoke to Deputy City Attorney Somerton regarding the repeal of the open container law and he is concerned that it will remove a tool that law enforcement currently uses. Mr. Gridley stated that he talked with the Boise City Attorney who stated that they have been trying to be more open to exceptions, such as tail gating before Bronco games. Boise now allows open containers in a zone around the stadium from 10:00 a.m. to 4:00 p.m. on home game days. Councilmember Miller stated that it is important to separate the



minors from the alcohol and does not agree with repealing the open container law. She expressed concerns regarding the many exceptions, which may send mixed messages to the tourists and citizens. Councilmember Miller also stated that she thinks this is a good idea and there are other laws that law enforcement can use to enforce drunk and disorderly issues. She would like to consider alcohol by permit only citywide without drilling down into specifics such as hours/districts/pedal powers. Councilmember Gookin asked if this would affect limousines. Mr. Gridley stated that one can drink in vehicles that are designed for carrying people for hire when the occupants are separated from the driver. Councilmember Adams stated that although he does not drink he is a big believer in personal liberty and personal responsibility. He believes that the nation has been through prohibition and felt it made it worse. He does not believe the idea is bad, but he feels the open container laws are repressive and it will cause confusion to make exceptions and not repeal it entirely.

**MOTION:** Motion by Evans, seconded by Gookin to direct staff to amend the Municipal Code to allow for open container on City property by permit for a recreational transit operator while operating within the City limits.

**DISCUSSION:** Councilmember Adams stated that the current open container law forces people to sneak consumption and people need to exercise responsibility. If people get out of hand there are laws to deal with them. Councilmember Gookin asked if there should be a sunset clause of six month should be included in the amendment. Mr. Gridley clarified that a sunset clause would automatically repeal the ordinance and there are costs associated with codification and Council can repeal the code at any time they feel it is not working.

**ROLL CALL:** Adams Aye; McEvers No; Gookin Aye; Miller Aye; Edinger No; Evans Aye.  
**Motion carried.**

#### **ADOPTION OF “LET’S MOVE!” INITIATIVE WITH PANHANDLE HEALTH DISTRICT.**

Interim City Administrator Troy Tymesen stated that this is a special initiative from Panhandle Health District to encourage healthy living. He introduced Kimberly Young, registered dietician and nutritionist. Ms. Young stated that the Let’s Move Initiative is a movement to combat childhood obesity. She is asking the City to commit to five goals and seek a level of national recognition. Boise is a Let’s Move city and provides workshops to childcare centers regarding early childhood nutrition education. She stated that Coeur d’Alene already promotes healthy lifestyles through Ironman and local triathlons for adults and children, as well as the many parks. Moscow, Idaho is the closest Idaho city that is a Let’s Move community. She clarified that there are no costs to sign up and that Panhandle Health District would like to take the lead on the project and work with community partners.

**MOTION:** Motion by Evans seconded by Gookin to support the “Let’s Move!” initiative.

**DISCUSSION:** Councilmember McEvers asked if it made a difference that the City is not member of National League of Cities. Ms. Young clarified that the City does not need to be a member to participate in this program. Councilmember Gookin asked what agency was driving

the program and how they evaluate success. Ms. Young stated that she has a contract with Panhandle Health District to lead the program and its success is measured by the community receiving recognition medals. Councilmember Gookin expressed concerned about past programs that have not been successful. Ms. Young stated that the trends in childhood obesity are leveling off and anything the nation can do to help get information out and promoting the city as a healthy city really encourages people to visit and/or move to our community.

**Motion Carried** with Adams voting No.

**RECESS:** The Mayor called for a 10 minute recess at 8:29 p.m. The meeting resumed at 8:43 p.m.

### **COUNCIL BILL NO. 14-1012**

~~AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADDING TO TITLE —, A NEW CHAPTER —, ENTITLED ROBOT REGULATIONS; PROVIDING REPEAL OF CONFLICTING ORDINANCES; PROVIDING SEVERABILITY; PROVIDING THE PUBLICATION OF A SUMMARY AND PROVIDING AN EFFECTIVE DATE.~~

Councilmember McEvers stated that the Public Works Committee reviewed this request and wanted the entire Council to consider this item. Mr. Gridley stated that this is a request from a citizen, Nick Smoot, who is representing the robotics and technology industry. Many of our schools and North Idaho College compete nationally. This is an attempt to acknowledge the development in the robotics industry and would indicate that our community is open to this type of technology. Mr. Gridley stated that there is a legitimate concern to regulate activity upon our sidewalks and rights-of-ways, and that at this time there is no other example of this type of regulation. Mr. Gridley clarified that bringing this item forward is an opportunity to get public feedback and suggested Council discussion and input and that he will bring an ordinance forward later.

Mr. Smoot stated that they have two events coming up including a conference at NIC wherein they will have international and national speakers. Additionally, they will have coordinated a think tank in Coeur d'Alene with about 40 leaders in robotics, which will have national attention. He stated that the ordinance comes down to a few points which include the ability to be an economic driver. He believes that the ordinance will protect, attract, and normalize robotics. Mr. Smoot would like to add some additional verbiage to the proposed ordinance based on feedback from his industry. Mr. Gridley was in concurrence that additional comments from the public and City Council would be beneficial.

**DISCUSSION:** Councilmember McEvers stated that he loved seeing the other examples of robots, and wanted clarity about whether or not this ordinance would be a public hearing. Mr. Gridley stated that this is the current public process; it would not be a public hearing. Mayor Widmyer clarified that this item will be brought forward at the next City Council meeting with additional comments incorporated into the Council Bill.

## RESOLUTION 14-029

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE FUNDING AND LETTER OF AGREEMENT FOR PUBLIC TRANSPORTATION WITH KOOTENAI COUNTY.

Councilmember McEvers stated that this program goes back a few years and this is the City's share of the local bus system and clarified that this is a budgeted item. Mr. Tymesen stated that this is a partnership with abutting cities and that the County leads this contract through the Kootenai Metropolitan Planning Organization (KMPO). He clarified that the contract amount has not risen in several years.

**MOTION:** Motion by McEvers, seconded by Miller to adopt Resolution 14-029 approving the agreement and funding for the city's portion of the public transportation within the urbanized area of Kootenai County, also called the Kootenai County Transit System, in the amount of \$43,983.

**DISCUSSION:** Councilmember Gookin stated that he receives feedback from community members that do not like the free bus service and bus stop locations. He believes that the para-transit service is a big benefit to those who cannot drive to the store and/or medical appointments. Councilmember Gookin stated that he is looking into a way to allow for donations to ride the bus, but due to the federal funding they cannot currently charge for the service.

**ROLL CALL:** Gookin Aye; Miller Aye; Evans Aye; Adams No; McEvers Aye. **Motion carried.**

## Resolution No. 14-030

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ESTABLISHING A NOTICE OF TIME AND PLACE OF PUBLIC HEARING OF THE PROPOSED BUDGET FOR FISCAL YEAR 2014-2015, AND INCLUDING PROPOSED EXPENDITURES BY FUND AND/OR DEPARTMENT, AND STATEMENT OF THE ESTIMATED REVENUE FROM PROPERTY TAXES AND THE TOTAL AMOUNT FROM SOURCES OTHER THAN PROPERTY TAXES OF THE CITY FOR THE ENSUING FISCAL YEAR AND LISTING EXPENDITURES AND REVENUES DURING EACH OF THE TWO (2) PREVIOUS FISCAL YEARS, AND PROVIDING FOR PUBLICATION OF THE SAME.

WHEREAS, it is necessary, pursuant to Idaho Code 50 1002, for the City Council of the City of Coeur d'Alene, prior to passing the Annual Appropriation Ordinance, to list expenditures and revenues during each of the two (2) previous fiscal years, prepare a Budget, tentatively approve the same, and enter such Budget at length in the journal of the proceedings and hold a public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene that the following be and the same is hereby adopted as an Estimate of Expenditures and Anticipated Revenue of the City of Coeur d'Alene for the fiscal year beginning October 1, 2014:

	<b>FY 2011-12</b>	<b>FY 2012-13</b>	<b>FY 2013-14</b>	<b>FY 2014-15</b>
	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>BUDGET</b>	<b>PROPOSED</b>
<b>GENERAL FUND EXPENDITURES:</b>				
Mayor and Council	212,343	212,564	\$ 224,206	\$ 237,027
Administration	518,724	355,570	388,505	294,883
Finance Department	701,441	665,024	713,702	735,744
Municipal Services	1,372,554	1,389,954	1,411,958	1,572,290
Human Resources	239,002	277,807	274,471	246,929
Legal Department	1,405,891	1,435,417	1,481,826	1,515,048
Planning Department	443,586	487,582	442,225	549,988
Building Maintenance	489,465	389,617	422,261	480,102
Police Department	9,219,551	9,799,043	10,503,340	11,216,460
Drug Task Force	18,334	76,085	70,256	25,710
ADA Sidewalks	207,147	212,635	248,844	265,657
Byrne Grant - Police Dept	340,749	291,124		
COPS Grant - Police Dept	221,325	79,046	116,206	169,690
Fire Department	7,470,876	7,838,051	7,930,411	8,265,708
General Government	2,439,298	942,467	216,920	49,150
Engineering Services	1,221,329	1,374,698	1,265,481	1,287,825
Streets/Garage	2,129,874	2,317,317	2,457,859	2,666,577
Parks Department	1,703,819	1,766,407	1,925,661	1,992,380
Recreation Department	700,389	699,757	755,235	796,341
Building Inspection	698,512	743,973	893,846	877,057
<b>TOTAL GENERAL FUND EXPENDITURES:</b>	<b>\$31,754,209</b>	<b>\$ 31,354,138</b>	<b>\$ 31,743,213</b>	<b>\$33,244,566</b>
<b>SPECIAL REVENUE FUND EXPENDITURES:</b>				
Library Fund	\$ 1,253,860	\$ 1,232,907	\$ 1,327,173	\$ 1,387,111
Community Development Block Grant	255,914	81,579	297,298	359,966
Impact Fee Fund	349,405	1,109,884	731,710	194,956
Parks Capital Improvements	301,461	1,528,058	460,800	244,000
Annexation Fee Fund	133,000	70,000	14,000	68,500
Insurance / Risk Management	3,826,052	243,107	280,000	570,000
Cemetery Fund	211,866	241,446	272,255	284,190
Cemetery Perpetual Care Fund	97,374	97,267	98,000	97,500
Jewett House	22,254	36,742	59,640	67,089
Reforestation/Street Trees/Community Canopy	89,496	65,016	68,500	68,500
Arts Commission	5,974	5,580	6,600	6,750
Public Art Funds	156,945	185,066	250,800	210,600
<b>TOTAL SPECIAL FUNDS:</b>	<b>\$ 6,703,601</b>	<b>\$ 4,896,652</b>	<b>\$ 3,866,776</b>	<b>\$ 3,559,162</b>

<b>ENTERPRISE FUND EXPENDITURES:</b>				
Street Lighting Fund	643,560	524,154	\$ 572,000	\$ 535,600
Water Fund	6,976,312	6,904,414	8,202,517	8,325,955
Wastewater Fund	12,692,249	12,445,162	20,877,169	14,709,771
Water Cap Fee Fund	58,859	255,142	1,100,000	700,000
WWTP Cap Fees Fund	677,649	445,948	900,000	1,913,000
Sanitation Fund	3,291,325	3,405,679	3,499,362	3,560,334
City Parking Fund	859,966	556,108	179,957	220,839
Stormwater Management	1,182,873	867,755	1,016,995	1,179,109
<b>TOTAL ENTERPRISE EXPENDITURES:</b>	<b>\$26,382,793</b>	<b>\$ 25,404,362</b>	<b>\$ 36,348,000</b>	<b>\$31,144,608</b>

FIDUCIARY FUNDS:	2,474,276	2,540,048	\$ 2,567,700	\$ 2,575,420
STREET CAPITAL PROJECTS FUNDS:	379,135	418,057	2,072,370	3,257,500
DEBT SERVICE FUNDS:	1,504,500	1,302,955	1,255,435	1,249,016
<b>GRAND TOTAL OF ALL EXPENDITURES:</b>	<b>\$69,198,514</b>	<b>\$ 65,916,212</b>	<b>\$77,853,494</b>	<b>\$75,030,272</b>

<b>ESTIMATED REVENUES:</b>	<b>FY 2011-12</b>	<b>FY 2012-13</b>	<b>FY 2013-2014</b>	<b>FY 2014-2015</b>
	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>BUDGET</b>	<b>PROPOSED</b>
Property Taxes:				
General Levy	\$15,841,744	\$ 16,441,980	\$ 16,523,620	\$17,290,076
Library Levy	1,216,658	1,218,117	1,189,170	1,273,511
Policeman's Retirement Fund Levy	155,718	155,752	152,000	152,000
Comprehensive Liability Plan Levy	365	15		489,513
Fireman's Retirement Fund Levy	250,000	250,000	250,000	250,000
2006 and 2008 G.O. Bond Levy	1,163,224	1,169,484	1,143,895	1,144,140
<b>TOTAL REVENUE FROM PROPERTY TAXES:</b>	<b>\$18,627,709</b>	<b>\$ 19,235,348</b>	<b>\$ 19,258,685</b>	<b>\$20,599,240</b>

<b>ESTIMATED OTHER REVENUES:</b>				
Interfund Transfers	\$ 4,872,257	\$ 3,520,319	\$ 5,008,967	\$ 5,145,966
Beginning Balance	27,123,124	31,521,071	19,917,074	20,879,658
Other Revenue:				
General Fund	13,299,625	14,152,388	13,121,069	13,903,257
Library Fund	38,286	38,712	39,800	38,600
Community Development Block Grant	255,914	81,621	297,298	359,966
Parks Capital Improvement Fund	606,619	184,381	139,700	142,500
Insurance/Risk Management	3,147	2,717	1,500	
Cemetery	149,888	171,703	155,892	173,592
Annexation Fee Fund	67,554	14,256		
Impact Fee Fund	637,598	1,232,779	553,700	1,302,500
Cemetery Perpetual Care Fund	51,486	626	60,000	43,000
Jewett House	5,520	74,749	61,000	13,000
Reforestation	34,955	9,744	5,000	5,000
Street Trees	49,226	77,874	56,000	56,000
Community Canopy	1,952	1,283	1,500	1,500
Arts Commission	6,279	6,494	7,600	7,700
Public Art Funds	110,431	114,414		113,000
Street Lighting Fund	492,751	498,802	492,000	504,075
Water Fund	4,060,837	4,640,575	4,361,690	4,389,300
Wastewater Fund	6,095,146	6,641,122	14,308,600	6,999,200
Water Capitalization Fees	564,944	1,053,444	551,650	903,200
WWTP Capitalization Fees	1,513,972	1,895,311	800,000	2,002,500
Sanitation Fund	3,266,002	3,252,029	3,849,362	3,560,334
City Parking Fund	326,294	141,911	304,957	220,839
Drainage	96,524	770,044	1,019,297	1,015,320
Fiduciary Funds	2,343,550	2,291,236	2,342,650	2,344,420
Capital Projects Fund	82,638	225,152	1,382,290	2,940,044
Debt Service Fund	104,145	79,765	9,300	8,500

<b>SUMMARY:</b>	<b>FY 2011-12</b>	<b>FY 2012-13</b>	<b>FY 2013-14</b>	<b>FY 2014-15</b>
	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>BUDGET</b>	<b>PROPOSED</b>
<b>PROPERTY TAXES</b>	\$18,627,709	\$ 19,235,348	\$ 19,258,685	\$20,599,240
<b>OTHER THAN PROPERTY TAXES</b>	66,260,664	72,694,522	68,847,896	67,072,971
<b>TOTAL ESTIMATED REVENUES</b>	<b>\$ 84,888,373</b>	<b>\$ 91,929,870</b>	<b>\$ 88,106,581</b>	<b>\$87,672,211</b>

**STAFF REPORT:** Deputy Finance Director Vonnie Jensen stated that the Idaho Code requires the City Council adopt a tentative budget prior to the public hearing. The purpose of the Resolution will establish a ceiling for the proposed budget. The City Council workshop is scheduled for July 24, 2014. The City's accumulated foregone tax about is approximately \$3 Million. The tentative budget includes the new construction estimate of \$715,000 and includes a foregone amount of 3%. This will give the Council plenty of wiggle room when finalizing the budget at the workshop next week. Additionally, COLA's for employee groups are included as well as capital outlay. Total expenditures are \$2.8 Million less than the 2013 budget, mostly due to wastewater project being completed.

**MOTION:** Motion by McEvers, seconded by Adams to adopt Resolution No. 14-030 setting the preliminary budget for fiscal year 2014-2015 and setting a public hearing for September 2, 2014.

**DISCUSSION:** Councilmember McEvers asked for clarification as to what the proposed high-water mark was. Ms. Jensen stated that it was \$75,030,272. Councilmember Gookin stated that he will not support the Resolution because he will not take the 3% in foregone taxes and believes that foregone should be used for something like the ADA Abatement program. Ms. Jensen clarified that this is the high-water mark and that the City does not have the new growth numbers from the County, so if they come in high and the City does not plan for a higher amount it would not be able to take the new growth revenue.

**ROLL CALL:** Miller Aye; Evans Aye; Adams Aye; McEvers Aye; Gookin No. **Motion carried.**

**EXECUTIVE SESSION:** Motion by McEvers, seconded by Gookin to enter into Executive Session as provided by Idaho Code 67-2345 (1) § (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, or public school student; (c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency; (d) To consider records that are exempt from disclosure as provided in chapter 3, title 9, Idaho Code, 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. The mere presence of legal counsel at an executive session does not satisfy this requirement.

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

The City Council entered into Executive Session at 9:14 p.m. Those present were the Mayor, City Council, City Administrator, Police Chief, and City Attorney. Matters discussed were related to pending litigation or controversies not yet begin litigated. Council returned to regular session at 9:59 p.m.

**MOTION:** Motion by Gookin, seconded by Adams, to recess to July 22, 2014 at 12:30 p.m. in the Old City Council Chambers for a meet and greet with the Police Chief candidates; and then to July 24, 2014 at 9:00 a.m. in the Old Council Chambers located at 710 E. Mullan Avenue for a workshop regarding the Fiscal Year 2014-2015 budget. **Motion Carried.**

The meeting adjourned at 9:59 p.m.

ATTEST:

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Steve Widmyer, Mayor

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Renata McLeod, City Clerk