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 April 21, 2020 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor
Dan Gookin          )  Members of Council Present
Woody McEvers       )
Christie Wood       )
Dan English         )  Participated via Zoom teleconference
Amy Evans           )  Participated via Zoom teleconference
Kiki Miller         )  Participated via Zoom teleconference

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

INVOCATION: Pastor Jon Anderson with Peace Lutheran Church provided the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Wood led the Pledge of Allegiance.

Fiscal Year 2019-2020 Annual Audit - Toni Hackwith, Anderson Brothers, CPA’s provided the city’s Fiscal Audit Report for the year ending September 30, 2019. She explained that Idaho State statutes note that the primary purpose of an audit is to assure that the financial statements, in all material respects, fairly state the financial position as of a certain date. Statements conform with GAAP (Generally Accepted Accounting Principles) and Governmental GAAP. She has provided the City with an unmodified opinion, commonly referred to as a clean opinion for the financial statements, internal controls, and compliance. She reviewed the revenue and expenses for the General Fund. Ms. Hackwith explained that the fund balance is used for circumstances when revenue streams are not consistent, and that it is prudent to protect against catastrophic events, uncertainties of state and federal funding, and unnecessary borrowing. The generally recommended benchmark for a fund balance is a percent of regular operating expenses equal to two months, which is 5-15%. The 2019 fund balance for the City was 24%. The proprietary funds were increased due to charges for services. Councilmember Wood asked what the difference was between assigned and unassigned funds within the General Fund. Ms. Hackwith noted that in 2019 there was $9 million of unassigned and $25,000 of assigned, and $891,000 of restricted that cannot be spent for other purposes. Councilmember Wood asked about the investments made by the City and commented that she thought the City could do better. Ms. Hackwith noted that was more of a question for a financial adviser, as the audit is for compliance with state statues and not to provide recommendations for investments. Councilmember Wood thanked the City staff for a clean audit.
SIX MONTH FINANCIAL UPDATE - City Administrator Troy Tymesen noted that he will bring additional information forward next month regarding projected revenue. He said that most of the departments are on track with personnel expenses for the first six months of this fiscal year. The Finance Department service and supplies line item is at 94% because the ICRMP premium has been paid for the year. The General Government items are at 1265% due to the employee trust being funded. Mayor Widmyer asked if it should be an asset or an expense. Mr. Tymesen explained that it will be a component unit of the City and will be a balance sheet item, which will technically be an asset listed on the balance sheet. The signal on Northwest Boulevard will be a part of the budget amendment and it is still underway. The Street Department had a grader lease that was closed, which is an accounting process for doing a lease. The Building Division has purchased the cars that were budgeted in the capital items line. Councilmember McEvers said that he knows there are impacts from COVID-19, and asked where those will be. Mr. Tymesen explained that he is anticipating several revenue sources will be down including sales tax, building permit revenue, gas sales tax, rental of parks facilities, parking revenue, and wastewater revenue. Liquor sales seem to be doing good. Councilmember Wood asked if the line items that haven’t spent much of their budget are waiting for projects to be completed. Mr. Tymesen confirmed that is generally the case, or it is part of the non-essential services such as art projects, so they are delayed. However, the Arts fund is a dedicated fund and must be reserved for that purpose. Mayor Widmyer noted that the reduction in revenue will mean next year’s budget will be challenging, especially the forecasting of revenues.

COUNCIL COMMENTS:

Mayor Widmyer announced the “Support Local Gems” initiative sponsored by Senator Risch and in partnership with the Idaho Department of Commerce, Governor Little, AIC, Idaho Commerce Alliance, and other business associations. The program kicks off this Friday, April 24, and is intended to encourage support of local small businesses through the purchase of gift cards, positive online reviews, or ordering take-out food. The COVID pandemic has caused many small businesses to close and/or limit their businesses during this time and they need the community’s support. He encouraged the community to support the initiative.

Mayor Widmyer asked for confirmation of the appointments of Scott Rasor and Barry Stearns to the International Board of Appeals and Steven Bloedel to the Urban Forestry Committee

MOTION: Motion by McEvers, seconded by Gookin to appoint Scott Rasor and Barry Stearns to the International Board of Appeals and Steven Bloedel to the Urban Forestry Committee. Motion carried.

CONSENT CALENDAR:

1. Approval of Council Minutes for the April 7, 2020 Council Meeting.
2. Approval of Bills as Submitted.
4. Setting of General Services/Public Works Committee meeting for Monday, April 27, 2020 at 12:00 noon.
5. Setting of a Legislative Public Hearing for ZC-1-20- Requested zone change from C-17L to C-17, at 4301 N. Crown Avenue
6. Approval of SS-20-04c – Seven27 Condominiums, Final Plat
7. Approval of SS-20-01c - Cottage Grove Condominiums, Final Plat
8. Approval of a Cemetery Transfer from Warren Phillips to Mark and Karin Bowlin for lots 08,09 Block 6, Section N, Forest Cemetery.

MOTION: Motion by McEvers, seconded by Wood, to approve the Consent Calendar as presented, including Resolution No. 20-026.

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

ATLAS WATERFRONT PROJECT UPDATE

STAFF REPORT: City Attorney Mike Gridley noted that he will clarify any information regarding the contract transfer and Phil Boyd, with Welch Comer Engineering, Inc. will provide the project update. Mr. Boyd noted that the overall project status is near completion and provided an updated drawing of the project. He noted that Phase I is the next portion of the project, which included the ignite request for proposals from developers. The current proposal included a switch from town homes to single family homes. The area to the west is a commercially zoned area but the proposal did not include the design approved by the PUD, so they requested an amendment to the PUD to allow for the proposed mixed use with the lower level commercial and upper level as residential. During the PUD amendment, they also requested the same change to the eastern area held out to be a restaurant. He presented the recently completed items. He explained how Mount Henk was utilized as fill rather than bringing more expensive fill to the site. This use of fill allowed the roadway work to be done faster and gives ignite a cost savings to move into the contract with LaRiviere. They would like to use that contractor for the future phases of the project as they are already mobilized and are familiar with the site and it would expedite the construction of Phase 1. He noted that the waterfront area is continuing to be developed as noted in the agreement.

DISCUSSION: Councilmember McEvers asked if all the parcels were sold. Mr. Boyd noted that none of the parcels have been sold as the process consists of ignite conducting a request for proposals “RFP,” then conducting a negotiation process. As they move closer they would finalize the sale. Councilmember McEvers expressed concern that the Council hasn’t been involved in any changes. Mr. Boyd noted that the Planning Commission brought forward the development standards for the PUD, and they envisioned several different housing product types as they were not sure what the market would drive. They did bring the development standards to the Council, which are being used for the project. The area noted as Area 6 is currently out with a RFP because of the availability of infrastructure. The RFP for the four parcels and Area 6 has already closed. The RFP that closes this Friday is for Area 12 and 13. Mr. Boyd noted that there was not a responsive proposal on Area 12, so they decided to move Areas 12 and 13 forward separately. Councilmember Miller asked if Area 13 was changed from commercial to mixed
Mr. Boyd explained that when they originally outlined land uses, they noted Area 12 and 13 as commercial, and the others were already planned to be mixed use. Councilmember Miller asked if, while they were screening soils at the Mount Henk site, did they agree to use all the material on site or will it be taken elsewhere. Mr. Boyd clarified all material will stay on site and the park area will be the long-term disposal area for soils that can’t be used. Councilmember Miller asked who was on the Steering Committee considering the changes for the project. Mr. Boyd noted that the committee includes Councilmember Wood, ignite members Mandel, Anderson, Berns, Metts, and Mr. Tymesen. Councilmember Miller noted that the community is looking for a place to find status updates and timelines. Mr. Berns said he will keep Council informed through City staff and Councilmember Wood, and will align the communication. Councilmember McEvers noted that the Council would like to be better informed as this is a large project they are committed to. Mr. Boyd noted that they are now at a point to review the financial picture and map out with certainty, since they now have firm proposals and can now show the net revenues and how to move forward. They can then bring the financial picture to Council as the next step toward the Financing Agreement.

Councilmember Wood noted that the Steering Committee format will be different with a bit more openness as she wasn’t sure how much she could share previously, and confirmed she will report on it going forward. Councilmember Miller said that she appreciates the need to make changes within the line, but feels Council should have more information and details as it moves forward. Councilmember Miller asked if the transfer of the contract to ignite would meet the public bid law. Mr. Berns said that they have reviewed it with their legal counsel and the legal answer is that it is allowed under the Idaho code and it is wise to do it for cost savings. Mr. Gridley noted that he concurred with the legal opinion and that the City has done this before, with phased projects. The safeguard is who you are dealing with and, if they are unable to negotiate terms, they can always go out to bid.

Parks and Recreation Director Bill Greenwood said that there were some cost savings and contingency funds within the project. The area near the dog park beach was wet and not useable at that site. The city code triggered a few additional items for stairs and connections within the food truck area. The rockery wall had to be extended at an additional cost. Savings included the soil borrowing, storage building metal siding and roofing material changes, and conventional framing for the storage building. He recommended that remaining funds be used for an irrigation pump station, purple irrigation pipe, porta potties further away from the flush toilets, ADA kayak chute decking and signage, staining the restroom, food truck wall, landscaping to the beach, and swimming area log booms at a total cost of $305,500.

**DISCUSSION CONT.** Councilmember McEvers asked if they had learned lessons from the use of lake water for irrigation at McEuen Park. Mr. Greenwood confirmed that they learned that the type of irrigation heads needs to be changed out so they don’t get sand in them and they will have a back-up mechanism in place in case the system goes down. Councilmember McEvers noted that the addition of lawn on the big beach will require additional maintenance through mowing. Mr. Greenwood said that he is looking at a different type of turf grass that will be more drought tolerant, hardier, and will use a soil supplement that will slow down the water needed, which will lead to a minimal amount of mowing. Councilmember Wood said that she walks the area regularly and it is very rocky, and she wondered if there are plans to change it. Mr. Greenwood noted that the contractor will pop out the large rocks and lay smaller fill on the
beach area, and then lay in the soil to the location of the beach and dog park area. Mayor Widmyer noted that the irrigation pump station is a good move and will save expenses over time as it will not use the domestic water source. Councilmember Miller asked about maintenance costs regarding the changed items. Mr. Greenwood explained that the new items will not change the operations budget much, other than the mowing of the grass, which will take approximately 1.5 hours, and savings in water will offset those costs.

**MOTION:** Motion by McEvers, seconded by Wood to authorize staff to spend the remaining $15,500 of project funding toward key park elements. **Motion carried.**

**RESOLUTION NO. 20-025**

A RESOLUTION OF THE CITY OF COEUR D’ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING THE ASSIGNMENT OF A CITY OF COEUR D’ALENE CONTRACT WITH LARIVIERE, INC., TO THE COEUR D’ALENE URBAN RENEWAL AGENCY, DBA IGNITE CDA.

**MOTION:** Motion by Gookin, seconded by English to approve Resolution No. 20-025 - Authorizing the assignment of a City of Coeur d’Alene contract with LaRiviere, Inc., to the Coeur d’Alene urban renewal agency, dba ignite cda.

**DISCUSSION:** Mr. Gridley noted that the City had a plan for the waterfront development and trails have been connected, which led to the purchase of the parcel. At the time, staff talked about coming back with hard numbers and determining how the City could pay for it, and that process will include a transfer of property ownership to ignite, with pay back for the original property purchase. Mr. Gridley noted that he believes the item will come forward in May. Councilmember Wood asked if the Land Transfer Agreement and Payback Agreement would come back to Council at the same time. Mr. Gridley confirmed that it is his intent to bring them back at the same time and that as ignite receives revenue, the City would get paid back.

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

**RESOLUTION NO. 20-027**

A RESOLUTION OF THE CITY OF COEUR D’ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH WELCH-COMER ENGINEERS FOR PHASE II ENGINEERING SERVICES FOR THE NORTHWEST WATER SYSTEM IMPROVEMENTS.

**STAFF REPORT:** Water Department Director Terry Pickel explained that originally the Huetter Road right-of-way was looked at as a solution for the transmission mains to get water to where it needs to go through the City. The drilling of Huetter Well has been completed. The water samples for the well came back good, and they moved forward with a request for proposals (RFP) to design and build the well. As they looked at how they need to lay out the system and how they will get the water to the City’s General Zone, they determined that while there was
plenty of water production in the upper zone, it did not have enough storage. The General Zone lacks the production capacity but has adequate storage. Initially the new well was intended to supply water to the General Zone. The consultant instead recommended using the new well in the High Zone and possibly converting an existing well to be utilized in the General Zone. The agreement would allow for the engineering of that system improvement. As they talked with Welch Comer, who conducted a model of the system, it demonstrated that the use of the Atlas Well, instead of the Huetter Well, would alleviate pressure concerns, but would be a little more complicated. The $585,800 cost includes a topographic survey, engineering, bid documents, and the final construction phase of the project. The plan is to place as much of the new main construction along the Prairie and Centennial Trails and a portion along Atlas Road. Mr. Pickel noted that the construction along Atlas Road will be challenging.

**MOTION:** Motion by McEvers, seconded by Wood to approve Resolution No. 20-027 - Approving a Contract with Welch Comer and Associates for Phase II Engineer Services for the Northwest Water System Improvements.

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

**AMENDMENTS TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CITIZEN PARTICIPATION PLAN AND ACTION PLAN FOR PLAN YEAR 2019 TO ACCEPT CDBG COVID-19 FUNDING AND RECOMMENDATION TO STAFF TO NEGOTIATE AN AGREEMENT WITH ST. VINCENT DE PAUL, FAMILY PROMISE AND LAKE CITY CENTER FOR RESPONSE FUNDING.**

**STAFF REPORT:** Community Planning Director Hilary Anderson, and CDBG Specialist Chelsea Nesbit noted that the Federal Government provided the City with $199,675 in additional CDBG funds for response, preparedness and prevention of COVID-19. The direction from HUD is to update the citizen participation plan and amend the Plan Year 2019 Action Plan. Ms. Anderson reviewed the funding budget proposed for the amendment. She explained how they propose to move the funds forward that will relate to COVID response, as required by HUD. She reviewed the requests from St. Vincent de Paul, Family Promise and Lake City Center as urgent needs to prevent and respond to homeless needs and expansion of the Meals on Wheels program. In the agreements there will be very specific requirements such as copies of invoices, timesheets, verification that there is no duplication of funding, performance reviews, and monitoring. The remaining funds, minus administration costs, provide for $85,965 in remaining funds to be further allocated.

**DISCUSSION:** Councilmember English noted that during the presentation it hit him that his church was one that supported Family Promise, but that is no longer available and he understands it is a critical need. Councilmember McEvers asked if all 20% of administration funding would be needed. Ms. Anderson explained that it is the maximum allowed by the grant. As they reviewed the additional hours needed to manage the new grant awards, it was determined that approximately $11,000 will be needed, and the remaining amount can go toward grants. Councilmember Gookin expressed concern about distribution of some of the funds now, while there are ten others that have made requests and it seems that St. Vincent’s gets the lion’s
share. He would like to see what the other requests are before finalizing the decision. Ms. Anderson noted that the $46,000 requested by St. Vincent’s is only if it is needed for sheltering homeless that are needed to shelter due to waiting for testing or having tested positive. Panhandle Health District has recommended the community have a plan for homeless infection and for food services. Ms. Anderson noted that 139 people were contacted on the stakeholder list and they were given a week to respond to the request. Mayor Widmyer asked when Ms. Anderson would be bringing forward the other applications. Ms. Anderson noted that she would bring them forward at the next Council meeting and they will need to meet HUD eligibly requirements. Mayor Widmyer said that there is a need to reserve funds for positive tests and/or 14-day quarantine requests for the homeless population; however, the City could reserve a quarter of the funds and request that they come back thereafter. Ms. Anderson noted that the agreement could be set up to review the need monthly and, after a certain period, if the funds are not used they could be turned back to fund other requests. Councilmember Wood asked what staff used as review criteria and commented that it would be good to provide that to Council. She noted that she knew the college put in a request that was very well done and they want to help other small businesses and produce P.P.E. (Personal Protection Equipment) Ms. Anderson noted that there were other criteria, specifically regarding the eligibility for COVID 19 response, prevention and preparedness, and they will continue to use the basic community opportunity grant criteria and are looking at the criteria recently used by United Way. Ms. Nesbit noted that the organizations requesting funds must prove they have the capacity to manage federal funds, the urgency of the need, readiness of the project, and how well-defined the project and the partnerships are to carry out a project. Specifically, HUD states that no other funding source can be available, in a duplicate way, and leveraging is an option.

**MOTION:** Motion by English, seconded by Gookin to approve amendments to the Community Development Block Grant (CDBG) Citizen Participation Plan and Action Plan for Plan Year 2019 to accept CDBG COVID-19 Funding and recommendation to staff to negotiate an agreement with St. Vincent de Paul for $24,000, Family Promise for $12,000, and Lake City Center for $3,685.92, for response funding.

**DISCUSSION:** Councilmember Miller asked if the administrative funds could be made available to other grants if they aren’t needed during this period of time. Municipal Services Director Renata McLeod noted that they are still reviewing grants and needs of the City and would request Council wait until that review time before making that recommendation. Councilmember McEvers noted that he would not vote due to his connection with the Lake City Center. Councilmember Gookin said that he agreed with the proposed motion for St. Vincent to provide hard shelter for two people.

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

**APPROVAL OF TEMPORARY JOB DUTIES FOR A COVID-19 PROJECT COORDINATOR POSITION.**

**STAFF REPORT:** Human Resources Director Melissa Tosi noted that the proposed job description includes the main duties to assist departments with inter-department
communications, community interactions, research and recommendation of policies, and facility management specifically related to COVID-19. The position is estimated to be needed for 6-12 months, based on the need within the community. The position would directly report to the City Administrator. She clarified that they are looking for a funding source but also looking for direction from Council to confirm they should move forward.

MOTION: Motion by Evans, seconded by Miller to approve temporary job duties for a COVID-19 Project Coordinator position.

DISCUSSION: Councilmember Gookin asked for clarification regarding the funding source. Ms. Tosi noted that there is no current funding source. They are trying to anticipate needs as things come forward, including the tracking of expenses and what they might need help with going forward. Mr. Tymesen reiterated that the funding source is not identified; however, staff is looking for outside sources, such as CDBG, FEMA, or other outside funds that may arise. If Council is supportive, staff will continue to seek funds and bring a contract forward. Ms. Tosi noted that the job description was updated two years ago, as a Project Coordinator position, so they used that for the position, with a specific focus on COVID-related items, with the inclusion of the PIO (Public Information Officer) duties. Councilmember Gookin said that there are three firefighters on light duty, and suggested that they be used for this focus. Ms. Tosi noted that the Fire Department has been using their staffing for some response to COVID, and the other two are temporary light duty and are coming back to regular work quickly. Councilmember Gookin said that it seems like existing staff are available and the City could take advantage of the FEMA funds for paying for staffing of the position. Mayor Widmyer noted that the City has not identified a person for the position, but feels that it is important to have a central point of contact. He noted that there are a lot of staff spending blocks of time not focused on their basic job duties. This proposed person would work with all Department Heads and the Mayor noted that the City will have changes in how it operates going forward. Councilmember Wood said that she understands the City has a need to have someone looking at this and likes the idea of having a first responder fill the roll. She commented that she doesn’t feel that the CDBG funds should be used for this type of position but, rather, should be used for community projects. She said that she would like assurance that if funds were found, the item would come back before Council before the person was hired. Ms. Tosi said that they were trying to avoid a contract employee category, so they would be paid salary, and they can certainly come back once funds are identified.

Councilmember English said that this is a small amount in the overall budget, and the City has doubled the fund balance as recommended, and he feels that the position is needed and could be paid for from the Fund Balance. Councilmember McEvers said that, as a government organization, everyone is contributing and that is what we do when something bad happens. He believes the City has done well and doesn’t understand bringing a new person coming in, considering how long it will take them to get up to speed, and why the position is needed. Mayor Widmyer noted that the situation is huge and will affect how every department operates, including public safety. The idea for the position was to bring someone in, hopefully familiar with the City’s operations, and get them in quickly as the situation changes every day. The estimated cost is $30,000 for six months, not with the intent to be a permanent position. It could be a tool to be used and if there were funding from FEMA, that would be the source they would
Mayor Widmyer also noted that the person can help with grant writing, and he
wants to be ahead of the game. Ms. Tosi noted that the position would be getting
communication out to staff and the community, which has been difficult as everything changes
so quickly. Councilmember Wood asked for clarification that it would come back to Council
when funds are identified, along with the final job description. Councilmember Miller said that
she felt that the City was late in getting the position funded and that the City needs to move
forward with this, and that the situation could be larger if they wait as things are changing by the
day and the hour. She noted that it may be a moot point if we don’t fill the position as soon as
possible. Councilmember Gookin said that it seems that finding funds, finding a person, and
getting them up to speed would not occur at the speed of light. It is more realistic to think about
it in terms of weeks and they don’t know what it looks like. He noted that he will vote no
because he believes they should use an existing employee. Councilmember Wood said that she
shares the concern but will vote yes, as it is exploratory, and does support using an existing staff
person, and doesn’t want to tie staff’s hands. Councilmember McEvers noted that past public
relations personnel took a long time to learn the ropes, so an internal candidate would be the best
bet. He noted that the position would take pressure off the Mayor and City Administration and
he would support it.

ROLL CALL: McEvers Aye; Gookin No; English Aye; Wood Aye; Evans Aye; Miller Aye.
Motion carried.

QUASI-JUDICIAL PUBLIC HEARING EXCHANGE REAL PROPERTY WITH
ACTIVE WEST DEVELOPERS, OF CITY OWNED LAND ON BLACKWELL ISLAND
FOR PARCELS 3 & 4 OF THE FORMER UNION PACIFIC RAILROAD RIGHT-OF-
WAY BETWEEN LACROSSE AVENUE AND LAKEWOOD DRIVE.

STAFF REPORT: Mr. Gridley that the City owns property on Blackwell Island as part of the
right-of-way on Highway 95. The access out of Riverstone at Lacrosse to Lakewood Drive has
been a priority for the City. The proposed exchange will provide the city with the land to be able
to complete the access.  PUBLIC COMMENTS: Mayor Widmyer called for public comments
and, hearing none, public comments were closed.

DISCUSSION: Councilmember Wood said that she felt that opening the traffic flow would
make traffic flow better and citizens happier. Mr. Gridley noted that it will also provide
improved access to future public space and trails. Councilmember Miller asked if the
neighboring property owners were notified of the exchange. Mr. Gridley said that they were not
notified any differently from the general public. Councilmember Miller said that the last time
this item came to Council the public was not in favor of the City surplusing waterfront property
the City owns. However, the City now owns extensive waterfront at Atlas, so it may not be as
much of an issue as in the past.

MOTION: Motion by McEvers, seconded by English, to approve the exchange of real property
with Active West Developers, of City-owned land on Blackwell Island for Parcels 3 & 4 of the
former Union Pacific Railroad right-of-way between Lacrosse Avenue and Lakewood Drive and
direct staff to complete the exchange of property pursuant to the terms of the applicable purchase
and sales agreements.
ROLL CALL: McEvers Aye; Gookin Aye; English Aye; Wood Aye; Evans Aye; Miller Aye. Motion carried.

ADJOURNMENT: Motion by McEvers, seconded by Miller that there being no other business this meeting be adjourned. Motion carried. The meeting adjourned at 8:46 p.m.

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Steve Widmyer, Mayor

ATTEST:

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Renata McLeod, CMC
City Clerk