

**.MINUTES OF A REGULAR MEETING OF THE CITY  
COUNCIL OF THE CITY OF COEUR D’ALENE, IDAHO,  
HELD AT THE LIBRARY COMMUNITY ROOM  
JANUARY 17, 2012**

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 January 17, 2012 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Loren Ron Edinger                    ) Members of Council Present  
Steve Adams                         )  
Woody McEvers                     )  
Deanna Goodlander                )  
Dan Gookin                         )  
Mike Kennedy                      )

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

**PLEDGE OF ALLEGIANCE:** The pledge of allegiance was led by Councilman McEvers.

**PUBLIC HEARING – ZC-4-11 – ZONE CHANGE FOR NORTH IDAHO COLLEGE EDUCATION CORRIDOR:** At the beginning of this meeting Mayor Bloem announced that that the applicant has requested this public hearing be continued to February 7, 2012. Motion by Goodlander, seconded by Kennedy to continue this public hearing to February 7, 2012. Motion carried.

**PUBLIC COMMENT:**

**MC EUEN PARK:** Frank Orzell, 310 E. Garden Avenue, urged everyone to work together to resolve the divide over the McEuen Field project. He believes that every citizen has a right to direct how their tax dollars are spent and believes that a public vote is required on this project. Les Wigen, 1130 W. Reone, requested a public vote and commented that incumbents are voted out of office if they don’t listen to the people. Tina Johnson, 601 E. Front, spoke in support of the conceptual plan and opposed a public vote. Gary Johnson, 601 E. Front, commended the Council for their hours that have been spent on this project including holding several public meetings. He urged the Council to hold firm on their previous vote to proceed with the project without a public vote. Sara Meyer, 1034 E. Pine Avenue, likes the overall concept of the proposed park and opposes a public vote. She noted that the public has had numerous opportunities to voice their opinions on this project. Justin Druffel, 1001 E. Lakeshore Drive, voiced his concern of putting this issue to a public vote and believes that it is the Council’s responsibility to determine the highest and best use of the public assets including McEuen Park. Gerald Peterson, 2039 W. Normandie Lane, commented that the revenue that has been reserved for McEuen should be going to the property taxpayers instead of McEuen Park. Karen Lawson, 333 Park Drive, believes that the last Council election dictates that the McEuen Park project should go to a public advisory vote. Jim Purtee 2905 E. Fernan Hill Road, believes there is a third alternative besides having the public vote on McEuen. Dennis Hinrichsen, 946 E. Spruce, believes that McEuen Park should go to a public vote and believes the City Council is not listening to the public. Peter Cooper, 1628 E. Miles, Hayden, Idaho, believes that the McEuen Park Design is not a viable design. He supports

a public vote. Jennifer Drake, 1419 E Skyline Drive, opposes a public vote and believes that those that will be affected most by the park improvements are those that cannot vote, our children. Lorna Kaiser, 8635 Sunnyside Road, Kootenai County, wants to have a public vote and believes that this project will have a continuous financial drain on this community. Rick Williams, 1724 Lakeside, opposes all McEuen Park improvements and believes that this project is a “bunch of crap”. Lorna Carpenter, 901 E. Hastings, opposes the McEuen Park Project and requests a public vote. Kellie Palm, 671 Round Up Circle, Hayden Lake, believes that it is an Idaho constitutional requirement that this be put to a public vote. Julie Clark, 602 Crestline Drive, believes that the Council should create a new plan and that the present plan should go to a public vote. Bill Green, 2803 N. 4<sup>th</sup> Street, believes that it might be a good time to relieve the pressure in the community and have a public vote. Benjamin Drake, 1419 E. Skyline Drive, believes that a public vote will not accurately reflect the views of the citizens as it would be those that oppose McEuen that would vote. Terry Cooper, 125 E. Eagle Crest Drive, representing the Downtown Association Board of Directors, voiced their opposition to a public vote and would like to see this project move forward. Russell McLain, 839 N. 17<sup>th</sup> Street, questioned where the money is coming from and that the City currently has a ridiculous payroll and staff is overpaid. He commented about the failed projects of LCDC and believes that it is the citizens that will end up paying for it. Steve Wilson, 2233 Silver Beach, representing the Chamber of Commerce, believes that every citizen has had the opportunity to voice their opinion in this project. John Barlow, 3403 Fernan Hill Road, reviewed the process that has taken place that has led up to the Council’s adoption of the design concept of McEuen Park. He urged the Council to move forward without a public vote. LaDonna Beaumont, 2040 Mountain Vista Drive, opposes a public vote as she believes that a public vote would not be a fair vote and realistic vote. Patrick Krapfl, 3149 N. 9<sup>th</sup> Street, believes that the citizens have already spoken and they want a public vote and believes it is the duty of the Council to hold a public vote. Sandy Emerson, 2929 Lookout Drive, Coeur d’Alene, believes that a good design cannot be done by public vote. He believes that the various specific design components need to be addressed as they come up for consideration but believes the Council needs to move forward. Sharon Hebert, 4255 Wirth Drive, suggested that rather than a public advisory vote, do a public survey. Linda Wright (Belovich), 1018 B Street, believes that by removing Tubbs Hills from the plan, keeping the boat launch, and removing the underground parking this project would not be an issue. Bill Reagan 2491 E. Hanley, Dalton Gardens, asked that the Council keep their interests in mind. Susan Snedaker, 812 E. Hastings, commented that the Council either move forward with the Walker Macy Plan as adopted or create a real plan and let the citizens vote. Tom Caine, 745 N. 3<sup>rd</sup> Street, believes that there is a 3<sup>rd</sup> alternative than the two alternatives that have been presented tonight. Jeff Connaway, 717 E. Mill Avenue, believes that the Council should welcome a public vote and the vote should be to simply move forward or to stop the plan. Rita Sims-Snyder, 808 E. Front Avenue, believes that the only thing that is part of McEuen Park is the play area and splash pad and all the other amenities are not inside the park. She would like a public vote and would like to seek a more reasonable plan, not the proposed park plan. Adam Graves, 748 N 2<sup>nd</sup> Street, believes that the Council has the accurate information and not the misinformation that the public has received from a third party and does not believe that a public vote is warranted. Darin Hayes, 5779 Harcourt Drive, urged the Council to move forward without an advisory vote. Ron Ayers, 1808 Northwest Blvd., believes that this is an administrative process and does not need a public vote. Matt Turner, 1813 E. Front Avenue, believes that we all want a nicer place and asked that the Council listen to the concerns of the citizens and leave the boat ramp and softball field in the park and then move forward with improvements to the park. He believes that if the Council would resolve the areas of conflict in the proposed plan, then we would not need a vote.

The following citizen letters to the Council were read into the record: Rick Buus, 601 E. Front Avenue, opposing a public vote; Kay Nelson, 2140 Crestline Drive, opposing a public vote; Jim Elder, 111 Hazelwood, Fernan Village, opposing a public vote; JoAnn Nelson, 2140 Crestline Drive, opposes a public vote; Harry Amend, opposes a public vote; Jack Riggs, 105 N. 4<sup>th</sup> Street, opposes a public vote.

RECESS: Mayor Bloem called for a recess at 8:05 p.m. The meeting reconvened at 8:20 p.m.

**MC EUEN PARK PUBLIC VOTE:** Motion by Edinger, seconded by Kennedy to move this item forward. Motion carried.

Councilman Edinger noted that he has not made a decision on the McEuen Park Plan but has stated that he opposes the removal of the boat launch, the American Legion ball field and underground parking.

MOTION: Motion by Edinger, seconded by Gookin to proceed with a public advisory vote on the McEuen Park Design.

DISCUSSION: Councilman Kennedy asked Councilman Edinger what will be the wording of the ballot. Councilman Edinger believes that the ballot should have three yes/no questions: 1) Should the City of Coeur d'Alene relocate the 3<sup>rd</sup> street boat launch from its present location; 2) Should the City of Coeur d'Alene relocate the American Legion baseball field from its present location on McEuen; and, 3) Should the City of Coeur d'Alene proceed with the construction a parking garage on Front Street. Councilman Gookin thought that the motion was simply to call for a public vote. Councilman Edinger confirmed that that is the motion as seconded by Councilman Gookin. Councilman Kennedy asked, if the three items he requested on the ballot were resolved, does he (Councilman Edinger) believe we need to have a public vote. Councilman Edinger said that no, we wouldn't need to have a public vote if the boat launch remained, the American Legion field remained and the underground parking was relocated. Councilman McEvers is willing to "chuck the whole thing" and start all over and work on a compromised solution to the plan. He also noted that he likes the below-grade parking area. Councilman Kennedy agrees with Councilman McEvers that we can work together for a resolution to the concerns voiced. Councilman Goodlander expressed her concern of having a public vote but likes the idea of working together and believes that simply voting on a \$40 million dollar park would not get her vote, but this cost is not just McEuen Field as it also includes a parking facility which is vital to a healthy downtown. Councilman Edinger takes exception to the comments that have been made that his stand on McEuen was to get re-elected. He also commented that a parking garage could be built just north of the Federal Building. Councilman Gookin believes that a McEuen Field public vote is an issue that is dividing the community and believes that it should be put to a public vote. Councilman Adams believes that there was a conceptual plan that was adopted by the Council and believes that vote should be on whether to accept the approved conceptual plan. He believes that we should eliminate urban renewal and go to a public vote. Councilman Kennedy commented that he had been told that the City had the advisory vote at the last election. He does not see that there is a true mechanism by which to lay out a ballot for a public vote and does not believe that a public vote will give actionable, clear guidance on all the aspects of McEuen Park development.

City Attorney Mike Gridley responded to comments made that the constitution requires a public vote. He noted that is not accurate in that the funds are budgeted so the City would not be incurring any future indebtedness on this project. Councilman Adams believes that LCDC subverts the laws provided in the Idaho constitution. Councilman Edinger noted the initiative elections on hydroplane races, the collective bargaining, height regulations, are no different than an advisory vote on McEuen. Mayor Bloem believes that everyone wants some improvements to McEuen and we don't want to go into debt on the park unless we go to a vote of the people; however, she believes that a compromise is evident and there have been a lot of compromise solutions suggested this evening. She also noted that studies show that young people look for public spaces for relocating to any particular area. She believes that public spaces are vital to the community and looking at the Centennial Trail, Northwest Boulevard, and the Library they were all contentious issues but have created a better place for our citizens. She believes that a public vote cannot create a synergy of this community but asked why the City would want to restrict our options to a vote of today as future options may be far better than what currently exists. She asked that the citizens trust their heritage of this community if they do not trust the Council. She believes that the plan is a compromise and is not perfect for any one person. Councilman Edinger asked that if the advisory vote is not done, then what will be the conceptual plan. Mayor Bloem responded that the plan is a conceptual plan and it does not move forward without the approval of the Council on the components of the plan. Councilman Kennedy asked, if the advisory vote came down to a three-vote margin, what has it really resolved.

ROLL CALL: Edinger, Aye; Adams, Aye; McEvers, No; Goodlander, No; Gookin, Aye; Kennedy, No. Motion failed with the Mayor voting no.

SITTING RECESS: Mayor Bloem called for a sitting recess at 9:15 p.m. The meeting reconvened at 9:20 p.m.

**CONSENT CALENDAR:** Motion by Kennedy, seconded by McEvers to approve the Consent Calendar as presented.

1. Approval of minutes for January 3, 5, 2012.
2. Setting of General Services Committee and the Public Works Committee meetings for January 23, 2012 at 12:00 noon and 4:00 p.m. respectively.
3. RESOLUTION 12-001: 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 ADOPTING A POLICY FOR YOUTH SPORTS SCHOLARSHIPS AND APPROVING A BID AWARD AND CONTRACT WITH BUDDY'S BACKHOE SERVICE FOR SLOPE REPAIR AND EROSION CONTROL.
4. Approval of Bills as submitted and on file in the Office of the City Clerk.
5. Declaration of surplus property of two used Leer Tonneau covers.
6. Setting of public hearing for O-1-12 (amending plat extensions) for February 21, 2012.
7. Authorizing the purchase of four (4) replacement Patrol vehicles.

ROLL CALL: Edinger, Aye; Adams, Aye; McEvers, Aye; Goodlander, Aye; Gookin, Aye; Kennedy, Aye. Motion carried.

**ANNOUNCEMENTS:**

**COUNCILMAN MCEVERS:** Councilman McEvers feels empty and hopes that we can pursue something more productive in the future on McEuen than the current Yea and Nay actions.

**COUNCILMAN GOOKIN:** Councilman Gookin believes that this a conceptual plan and that compromise will happen as the concept moves forward. He reported that during his first two weeks as Councilman his activities have included visiting with ITD regarding the Silver Beach Launch, meeting with the City Engineer, learning that a yellow flashing turn lane signal means that traffic can turn when oncoming traffic allows, visiting with the Water Department and touring the Wastewater Treatment Plant, meeting with the Parks Director regarding the American Legion ball field, and meeting with the Mayor. He also read the KMPO book and the Water comp plan from 1999 and rate study from 2006 .

**COUNCILMAN GOODLANDER:** Councilman Goodlander announced that the Arts Commission projects are moving along and announced that Olympia, the Greek Restaurant, is raising funds for the purchase of the Blue Heron located in front of their restaurant which will become a part of the public art inventory. The Arts Commission is in the process of finalizing the pieces of art that will be placed in front of the Wastewater Treatment Plant. They are also in the process of displaying the proposed artwork for the Education Corridor for public comments. Councilman Kennedy summarized the history of the 1% for public art and noted that former Councilman Nancy Sue Wallace led that legislation and is a great resource on the history of the 1% for artwork.

**APPOINTMENTS – PARKS AND RECREATION COMMISSION, PARKING**

**COMMISSION AND URBAN FORESTRY:** Motion by Edinger, seconded by Kennedy to re-appoint Virginia Tate to the Parks and Recreation Commission, to appoint Randy Teall to the Parking Commission and to re-appoint John Schwandt, Steve Bloedel, and Glenn Turcott to the Urban Forestry Committee. Motion carried.

**PURCHASE OF WATER DEPARTMENT DUMP TRUCK:** Chairman Goodlander asked that the Water Superintendent reiterate his staff report from the Public Works Committee.

**STAFF REPORT:** Water Superintendent Jim Markley reported that the Water Department routinely hauls asphalt, concrete, boulders and other various types of materials often encountered in water main construction and maintenance. Our existing dump truck is too light duty to efficiently carry this material. In planning for the current fiscal year we requested budgetary authority to purchase a replacement dump truck. The trucks bid in partnership with the Wastewater Department are best suited to carry the variety of materials for our respective purposes and meet our current and future construction and maintenance needs. Mr. Markley noted that the Water Department currently has an approved line item in the budget for fiscal year 2011-2012 for the purchase of a replacement for our 1986 Chevrolet C60 dump truck. The current budget line item is \$100,000.00. Staff felt that bidding two relatively identical dump trucks in partnership with the Wastewater Department would serve to garner a better price for both trucks. However, despite aggressively seeking bids, we only received two, one from Freightliner of Idaho/Freedom Truck Centers, Inc. of \$126,219.00 and the other from Western States Equipment of \$161,522. The bid submitted by Freightliner of Idaho/Freedom Truck Centers, Inc. of \$126,219.00 exceeds our current budget amount but is the lowest responsive bid. The funds will

be from rate revenue in the current budget as we anticipate reduced expenditures in other project line items. The truck being replaced will be made available to other city departments for addition to their fleet.

DISCUSSION: Councilman Gookin commented that the reason he voted no is because it is going over what was budgeted and believes that it is a want rather than a need. Councilman Adams asked if Mr. Markley has identified where he could save the difference. Mr. Markley responded that they have \$1.8 million in funds for capital outlay and that there will be savings on future projects and if there is no savings they will defer a project. Councilman Adams stated that he would be more comfortable with a definitive identification of possible savings. Councilman Edinger asked if, by putting off this purchase, it would affect the Water Department projects. Mr. Markley responded that there are several projects that could be affected by the level of productivity. Councilman Goodlander noted that the Water Department is an enterprise fund and thus is operates like a business and commented that budget changes will occur throughout the budget year and we need to be flexible in making budgetary decisions.

MOTION: Motion by Goodlander, seconded by McEvers to approve the budget line adjustment to purchase a 2012 Freightliner tandem axle dump truck in the amount of \$126,219. Motion carried with Gookin and Adams voting no.

**PUBLIC HEARING – V-11-6 – VACATION OF ALLEY BETWEEN LOTS 16 & 17, BLOCK 2, TAYLORS PARK ADDITION:** Mayor Bloem read the rules of order for this legislative public hearing. Councilman Gookin asked if he has conflict of interest on this item since his son works for the applicant. City Attorney Gridley stated that since his son does work for the applicant he does have a conflict of interest. Councilman Gookin therefore declared a conflict of interest and recused himself from the hearing. Gordon Dobler, City Engineer gave the staff report.

Mr. Dobler gave the applicant's name as Fort Grounds, LLC and the request as the vacation of a portion of the fifteen foot (15') platted alley that lies between Lots 16 & 17, Block 2, of Taylor's Park Addition adjoining River Avenue.

He reported that the Taylor's Park Addition subdivision which was platted in 1906, originally consisted of sixty four (64) residential lots, but now contains fewer than twenty (20) actual residences, one (1) commercial enterprise, and, portions of the North Idaho College. Over the past year, an infrastructure development project funded by the Lake City Development Corporation (LCDC), has constructed a new network of roads to provide access and service to this area, and that construction changed some points of access while eliminating others. The subject of this request is one of the points of access that was eliminated. The subject alley was previously accessible from River Avenue, however, that point of intersection is now gone.

The area requested for vacation is a fifteen foot (15') wide public alley that now terminates at the back of the newly installed River Avenue sidewalk. The reconstruction of River Avenue, as part of the Education Corridor Phase 1A Project, eliminated the through access for the alley due to the construction of the round-about at the Hubbard/River intersection. The upper portion of the alley now is accessible via an approach that was installed on Hubbard Street. The applicant wishes to enlarge the parking area for his commercial enterprise (Fort Grounds Grill) to the east of the alley, and should the vacation be approved, would construct a parking lot with the additional ground.

The subject alley contains City sewer and water utility mains, which if the alley were vacated, would be contained in an easement as part of the vacation ordinance. This easement would allow unrestricted access to the City utilities in that area.

Mr. Dobler noted that North Idaho College, the adjoiner to the west of the alley, fully supports this request by the Fort Grounds, LLC, and if approved, has no interest in receiving any portion of the vacated alley.

Mr. Dobler reported that a total of 21 notices were mailed regarding tonight's public hearing with 4 responses being received: 4 in favor, 0 opposed.

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

**MOTION:** Motion by Edinger, seconded by Kennedy to approve the vacation request by the Fort Grounds, LLC, and to vacate the area of request to the applicant.

**ROLL CALL:** Adams, Aye; Edinger, Aye; Goodlander, Aye; Gookin, Abstain; Kennedy, Aye; McEvers, Aye. Motion carried.

**ADJOURNMENT:** Motion by Kennedy, seconded by McEvers that, there being no further business before the Council, this meeting is adjourned. Motion carried.

The meeting adjourned 9:50 p.m.

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Sandi Bloem, Mayor

ATTEST:

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Susan Weathers, CMC  
City Clerk