

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT COEUR D'ALENE CITY HALL
February 1, 2005**

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 Hall February 1, 2005 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Dixie Reid) Members of Council Present
Woody McEvers)
A. J. Al Hassell, III)
Deanna Goodlander)
Loren Edinger)

Ben Wolfinger) Member of the Council Absent

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

INVOCATION: The invocation was led by Pastor Ron Hunter, Church of the Nazarene.

PLEDGE OF ALLEGIANCE: The pledge was led by Council President Reid.

TONIGHT'S BOND ELECTION: Mayor Bloem that the polls are open until 8:00 p.m. and encouraged residents that have not yet voted to get out and vote.

TELEVISED COUNCIL MEETINGS: Councilman McEvers explained that tonight's Council meeting is the first night in which the City is broadcasting this evening's meeting.

PRESENTATION-CHERRY HILL 9/11 MEMORIAL PLAYGROUND: Doug Eastwood and Kenny Gabriel presented the proposed site plan for the playground and memorial area at the Cherry Hill property. Mr. Eastwood reported that staff is not requesting City funds for this project and announced that the Panhandle Kiwanis Club has already pledged \$20,000 towards this playground and other organizations have also voiced an interest in funding for this project. He noted that in 2-3 weeks the City will be going out to bid for the parking lot for this park. Council President asked, besides the large scale playground equipment, are there smaller scale playgrounds items to play on. Doug responded that yes, besides the fire truck, police car and fire helmet that teeter totters, etc. will also be available. Chief Gabriel reported that the City's 1924 LaFrance fire truck could be used as a model for the design of the jungle-gym for this area. He noted that the memorial would house a piece of the world trade center and would also be a smaller scale memorial than the memorial displayed in Boise. Councilman Goodlander

expressed her appreciation for Chief Gabriel and his vision for the city. She also expressed her appreciation for the Kiwanis club and their generosity.

PUBLIC COMMENTS:

SNOW GATE PROGRAM: Gene O’Meare, 1522 Penn Avenue, expressed his appreciation for the great job that the Council is doing. He also believes that the snow gates are probably one of the best things that the city has done for the citizens of Coeur d’Alene. He recalled the amount of snow that used to be plowed in front of a residential driveway and how effective the snow gates have done in removing the majority of snow from driveways.

FREQUENTLY ASKED QUESTIONS: I never know when garbage pickup will be delayed due to a holiday, can you tell me when pickup is delayed? Troy Tymesen, Finance Director noted that garbage service is delayed only when major holidays occur and the major holiday falls on a weekday – Monday through Friday. The six major holidays that could delay garbage pickup are Memorial Day, 4th of July, Labor Day Thanksgiving, Christmas and New Years.

CONSENT CALENDAR: Motion by Reid, seconded by Goodlander to approve the Consent Calendar as presented.

1. Approval of minutes for January 18m 25, 2005.
2. Setting the Public Works Committee and General Services Committee meeting for February 7, 2005 at 4:00 p.m.
3. RESOLUTION 05-007: A RESOLUTION OF THE CITY OF COEUR D’ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE BELOW MENTIONED CONTRACTS AN OTHER ACTIONS OF THE CITY OF COEUR D’ALENE INCLUDING APPROVAL OF SS-14-04 – FINAL PLAT WITH SUBDIVSION IMPROVEMENT AGREEMENT FOR CAYMUS 1ST ADDITON; APPROVAL OF SS-15-04 – FINAL PLAT WITH SUBDIVISION IMPROVEMENT AGREEMENT FOR STAGECOACH COMMERCIAL PARK; APPROVAL OF S-5-03 – FINAL PLAT APPROVAL WITH MAINTENANCE/WARRANTY AGREEMENT FOR SUNSHINE MEADOWS, 3RD ADDITION; APPROVAL OF S-5-03 – FINAL PLAT APROVAL WITH SUBDIVISION IMPROVEMENT AGREEMENT FOR SUNSHINE MEADOWS 5TH ADDTION AND APPROVAL FOR THE DESTRUCTION OF RECORDS FOR THE LIBRARY.
4. SS-1-05 – Final Plat approve for Isles of Troy Subdivision
5. Setting of public hearings: ZC-3-04m.1 and S-2-04m.1 – Copper Ridge zone change and plat for March 15, 2005 and ZC-10-04 – zone change for 3617 and 3625 Fruitland Lane for March 1, 2005
6. Authorizing the disposal of water Department Surplus material and equipment.
7. RESOLUTION 05-010 – A RESOLUTION OF THE CITY OF COEUR D’ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A CONTRACT FOR REMOVAL, INSPECTION, AND REPAIR OF THE LINDEN WELL SPIDERS WITH H2O WELL SERVICE INC. ITS PRINCIPAL PLACE OF BUSINESS AT 582 W. HAYDEN, ID 83835.

ROLL CALL: Edinger, Aye; Hassell, Aye; Goodlander, Aye; McEvers, Aye; Reid, Aye. Motion carried. Motion carried.

ENOUGH IS ENOUGH Council Preside Reid announced that the Enough is Enough Committee has put together a road show which explains the activities that are taking place for our community – the presentation was put together by the Bridge Academy. The program is to help reduce substance abuse in our community.

OFFICER KRALICEK: Mayor Bloem thanked the community for their support with the successful fund raiser dinner held this past week for Officer Kralicek.

EXECUTIVE TEAM REPORT: Wendy Hague, representing the Executive Team, announced the following: Coeur d'Alene Police are offering the public a visible way to show support for recuperating police officer Michael Kralicek. A magnetic sticker designed with "In the Line of Duty" curving over the top and Officer Kralicek's name around the bottom, are being sold for \$10.00 each, with all proceeds going to the Kralicek fund. Supporters can buy the sticker at the Police Department front desk, 3818 Schreiber Way, or by calling Lt. Randy Miller at 769-2320. Our U.S. Bank presentation team made a great pitch to the Economic Advisory Council to the Department of Commerce on Friday, January 28th. We received news yesterday that the Council approved a grant in the amount of \$226,235.00 to go toward the traffic signals on Seltice Way. This project is a true partnership between LCDC, U.S. Bank, the City, and the developer. You should see these signals up and operational this summer. Anyone who is interested in following the results of today's election as the precincts come in, can get the results by going to www.kcgov.us and click on "elections." Specialized Needs Recreation is hosting a Valentine's Dance on February 4, 2005, at Prairie View Elementary School, in Post Falls. The dance will be held from 6:30 p.m. to 8:30 p.m. and the cost is \$3.00. All ages are welcome. For information about this event or any of the other programs Specialized Needs Recreation provides, contact Angie Goucher at 769-2317. Youth Swimming registration is coming up on February 26th, at the McGrane Swimming Center, from 10:00 a.m. to 2:00 p.m. The entry deadline for 2005 Men's Spring Basketball is February 21, 2005. Please pick up an application at the Recreation Department. In addition, registration for our Youth Volleyball program begins today and runs through February 29th, with the first session beginning March 10th. Lastly, registration for the Youth Gymnastic/Tumbling Program begins today and runs through February 18th, with the first session beginning February 19th. For more information, please visit our web site at www.cdavid.org, or call the Recreation Department at 769-2250. The Street Maintenance asked residents to help them with snow plowing by keeping parked cars off of the street during plowing operations. The Mayor's Committee overseeing the process for submitting the application for the community center has initiated a pledge drive to solicit \$1 million in pledges from the North Idaho community and businesses to keep up with on-going operations. The deadline for pledges is February 14th – Valentine's Day. Pledges can be mailed to Jack Riggs, P.O. Box 2145, Coeur d'Alene, Idaho, 83816-2146, or emailed to cdakroc@hotmail.com. A special thanks to Coach Bob Wood and the Lake City High School Swim Team for donating a check in the amount of \$2,500 to the Kroc

Center, and for pledging \$4,500 annually for their pool fees. Also, thanks to Robert Cliff who pledged \$1,000 to the Kroc Foundation. Aspiring writers are invited to participate in the 17th annual Writers Competition at the Coeur d'Alene Public Library. The official entry form and rules will be available at the Library beginning January 31st. For more information contact David Townsend at 769-2315. The eighth running of the Sister City Reading Challenge begins today. The City of Coeur d'Alene is defending itself in a friendly rivalry with the readers in Cranbrook, B.C., to decide which community can read the greatest number of books in a one-month period. For information about the challenge or for entry blanks, visit the Library or contact David Townsend at 769-2315. Just a reminder, the Coeur d'Alene Parks Foundation is selling railroad spikes from the old tracks that were removed adjacent to the City Park. This will be a fundraiser for the foundation to help with acquisition and development for our park system. You can acquire one for \$15.00 by calling the Parks Department at 769-2252. The city is always looking for interested citizens to serve on its boards, commissions, and committees. Openings are on the Lake City Development Corporation Board, the Urban Forestry Commission, the Arts Commission, the Jewett House, and the Planning & Zoning Commission. Please call 769-2204 for an application and more information. The Coeur d'Alene Police Department is actively recruiting volunteers. If you are interested contact Wally Connally at 666-5732 or 769-2291.

YOUTH ADVISORY COUNCIL BYLAWS: Motion by Goodlander, seconded by to approve the bylaws created for the Youth Advisory Council. Motion carried.

RESOLUTION 05-008

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING RATE ADJUSTMENTS AS PROPOSED BY DELTA DENTAL, BLUE CROSS OF DIAHO PPO TO INCLUDE VISION; GROUP HEALTH OPTIONS, UNITED HERITAGE LIFE INSURANCE AND LONG TERM DISABILITY INSURANCE AND MAGNUSON MCHUGH a& COMPANY, P.A. FOR THE FLEXIBLE SPENDING ACCOUNT.

Motion by Goodlander, seconded by Hassell to adopt Resolution 05-008.

DISCUSSION: Councilman Hassell expressed his appreciation for staff for their efforts in keeping the rate increases low.

ROLL CALL: Hassell, Aye; Reid, Aye; Edinger, Aye; McEvers, Aye; Goodlander, Aye. Motion carried.

PUBLIC HEARING--O-1-04--AMENDING DEVELOPMENT REVIEW FEES: Mayor Bloem read the rules of order for this public hearing. Warren Wilson, Assistant City Attorney, gave the staff report.

Mr. Wilson noted that tonight's public hearing is to consider whether Municipal Code Section 17.10.015 should be amended to allow the Planning Director to waive some or all

of the application fees following a “without prejudice” denial. He reported that during the years of 2001-2003, four applications were denied without prejudice due to the reviewing body’s decision that while overall the project was a good concept, there were specific issues needing to be addressed prior to the application being approved. Three of the four applicants had reapplied for a total cost of \$5,000. Mr. Wilson is proposed that in an effort to be consistent with the City Council’s focus on customer service, it may make sense to allow the Planning Director to waive some, or all, of the re-application fee in this scenario.

DISCUSSION: Councilman Hassell asked for clarification on Section 1 Subsection C “the previous year”. Attorney Wilson responded that the wording could be changed to read “the previous 12 months”.

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

ORDINANCE NO. 3202

COUNCIL BILL NO. 04-1006

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D’ALENE, KOOTENAI COUNTY, IDAHO AMENDING SECTION 17.10.015 TO ALLOW THE PLANNING DIRECTOR TO WAIVE APPLICATION FEES FOLLOWING A “WITHOUT PREJUDICE” DENIAL; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE PUBLICATION AND AN EFFECTIVE DATE HEREOF.

Motion by Reid, seconded by Edinger to pass the first reading of Council Bill No. 04-1006.

ROLL CALL: Goodlander, Aye; McEvers, Aye; Reid, Aye; Edinger, Aye; Hassell, Aye. Motion carried.

Motion by Edinger , seconded by Reid to suspend the rules and to adopt Council Bill No. 04-1006 by its having had one reading by title only.

ROLL CALL: Goodlander, Aye; McEvers, Aye; Reid, Aye; Edinger, Aye; Hassell, Aye. Motion carried.

PUBLIC HEARING–0-5-04–AMENDING SUBDIVISION RE-PLAT FEES: Mayor Bloem read the rules of order for this public hearing. Warren Wilson, Assistant City Attorney, gave the staff report.

Mr. Wilson reported that tonight’s public hearing is for the Council to consider a new Municipal Code Section 16.10.016 to review the subdivision fees. He noted that the current fee provisions do not match current practice regarding fees. Additionally, the Council had recently adopted an amendment to the fee provisions for the zoning code that

needs to be reflected in the subdivision fees. Finally, an issue has arising regarding per lot fees for large subdivisions. Currently a subdivision must pay a \$50/lot fee for each lot over 5, which makes sense on an initial application; however, the current code makes not distinction between an application for the first instance and subsequent revisions to the plat. By adopting Council Bill No. 040-1013, the proposed amendments would clarify certain fees and remedy an inequity in the current fee structure.

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

ORDINANCE NO. 3203

COUNCIL BILL NO. 04-1013

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADOPTING NEW SECTION 16.10.015 GOVERNING THE ESTABLISHMENT, WAIVER AND REFUND OF SUBDIVISION FEES; AMENDING 16.10.020 REGARDING PAYMENT OF SUBDIVISION FEE WITH APPLICATION SUBMITTAL; AMENDING SEFCTION 16.10/045 REGARDING PAYMENT OF FEES FOR FINAL PLAT APPROVAL; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREIWTH; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING FOR THE PUBLICATION AND AN EFFECTIVE DATE HEREOF.

Motion by Edinger, seconded by McEvers to pass the first reading of Council Bill No. 04-1013.

ROLL CALL: McEvers, Aye; Reid, Aye; Edinger, Aye; Hassell, Aye; Goodlander, Aye. Motion carried.

Motion by Reid, seconded by McEvers to suspend the rules and to adopt Council Bill No. 04-1013 by its having had one reading by title only.

ROLL CALL: McEvers, Aye; Reid, Aye; Edinger, Aye; Hassell, Aye; Goodlander, Aye. Motion carried.

RESOLUTION 05-009

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ADOPTIONG POLICY PL/Z-11 GUIDING THE PLANNING DIRECTOR'S DISCRETION IN WAIVING CERTAIN APPLICATION FEES.

Motion by Reid, seconded by McEvers to adopt Resolution 05-009.

ROLL CALL: McEvers, Aye; Goodlander, Aye; Hassell, Aye; Reid, Aye; Edinger, Aye. Motion carried.

KOOTENAI METROPOLITAN AREA PLANNING ORGANIZATION: Council President Reid announced the KMPO will be holding their monthly meeting this Thursday February 3rd at 1:30 p.m. at the ITD Headquarters building on Prairie Avenue and the public is always invited to attend. This week ITD Director Dave Ekern will be giving a presentation on Garvee Bonds.

EXECUTIVE SESSION: Motion by Reid, seconded by McEvers to enter into Executive Session as provided by Idaho Code 67-2345 Subsection A: To consider the hiring of a public officer, employee, staff members or individual agent; Subsection C; To conduct deliberations concerning labor negotiations or to acquire an interest in real property not owned by a public agency; and, Subsection F: To consider and advise its legal representatives in pending litigation or where there is a general public awareness of probable litigation.

ROLL CALL: Edinger, Aye; Hassell, Aye; Goodlander, Aye; McEvers, Aye, Reid, Aye. Motion carried.

The session began at 6:50 p.m. Members present were the Mayor, City Council, City Administrator and City Attorney.

Matters discussed were those of hiring an employee, property acquisition and pending litigation. No action was taken and the Council returned to regular session at 8:05 p.m.

ADJOURNMENT: Motion by Edinger, seconded by McEvers to recess this meeting to Monday, February 7th at 3:30 p.m. for the canvass of votes. Motion carried.

The meeting adjourned at 8:05 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, City Clerk