

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT THE LIBRARY COMMUNITY ROOM
February 2, 2010**

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 February 2, 2010 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Mike Kennedy)	Members of Council Present
Woody McEvers)	
A. J. Al Hassell, III)	
John Bruning)	
Deanna Goodlander)	

Loren Ron Edinger)	Members of Council Absent
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CALL TO ORDER: The meeting was called to order by Mayor Bloem.

PLEDGE OF ALLEGIANCE AND PRESENTATION OF COLORS: The pledge of allegiance and presentation of colors was led by Boy Scout Troop 209.

PROCLAMATION – BOY SCOUTS OF AMERICA APPRECIATION MONTH: On behalf of Mayor Bloem, Councilman Hassell read the proclamation proclaiming February, 2010 as Boy Scouts of America Appreciation Month in the City commemorating the 100th Anniversary of Boy Scouts of America. Ladd Livingston accepted the proclamation and outlined the events that will occur in commemoration of their 100th anniversary.

PUBLIC COMMENTS:

GLOBAL CONSPIRACY: Stonecalf Warriorwoman, 1421 N. 9th B-4, Cd'A, read a letter she received from Senator Crapo regarding her beliefs in the Global Conspiracy theory that deals with extraterrestrials taking over the world.

REQUEST FOR LETTER OF INTENT FOR TAX CREDIT: Todd Prescott, White Water Creek, Hayden, Idaho, requested the City provide them with the same letter of intent that the City is providing Pacific West Communities regarding a tax credit for their affordable housing project. Councilman Kennedy expressed his belief that the City should extend the same courtesy to his group. Renata McLeod reported that staff has been working with Pacific West Communities and just learned that White Water Creek is now interested in the same tax credit. She recommended that this request go to the General Services Committee and, if approved by this committee, staff would bring back the agreement for ratification at the next Council meeting since the deadline for submitting these requests is February 12th. **MOTION:** Motion by Kennedy, seconded by Goodlander to place this on the next General Services Committee meeting. Motion carried.

HAROLD'S COMMENTS: Harold Hocker, 1413 E. Spokane Ave., believes that the issue of a global conspiracy is a very serious issue as a group in Russia wants to take over the entire world and it all started with China when the United States started trading with China. He also reminded the Council that each Council member should stop being followers and that they were elected to help the people and not just a few special people. He commented that he believes that this City is not a good government, it is Hitlerism.

CELL PHONE BAN AND MCEUEN FIELD COMMENTS: Dave Walker, 1055 E. Brooklyn, Cd'A, spoke about banning the use of cell phones while driving and feels that this would be another unenforceable law. He commented that he had observed a driver running a red light and there was an officer next to him who did nothing as he was on his cell phone. In regard to McEuen Field he believes there is a conspiracy rumor going through town about changes to McEuen Field and he reminded the Council that there is a Walker Macy Plan that has been prepared already. Councilman Kennedy noted that a citizen had brought the request forward regarding banning cell phones and that there is proposed legislation being presented at the State level. Dave Walker reminded everyone that the Walker Macy plan is conceptual but there was mention of a parking facility in order to decrease the footprint of the current parking area at 3rd and 4th Street. He noted that he would also like to be a part of a future discussion regarding McEuen Field.

MCEUEN FIELD: Steve Adams, 5292 N. Parkwood Circle, commented that Mr. Troy Tymesen told him that the tennis courts were being removed from McEuen field to construct a two-story parking garage. He had passed this information along to Mary Souza and because of the Mayor's response to the Spokesman Review that this was not true, he expects the Mayor to apologize to Mary Souza. The Mayor explained that her response was that a parking garage is not planned to be constructed on top of McEuen Field which was how the question was asked and she stands by her response that there are no plans to construct a parking garage on "top of McEuen Field". She further explained that enhancements are being looked at for McEuen Field and the City's plan is to have community input. She noted that every time the topic of McEuen Field is mentioned there are always rumors, speculation and exaggeration spread around and reminded Mr. Adams that the Council had adopted 7 values for McEuen Field and those values are still in place. Mr. Adams said that he would like to go on record that he supports enhancements to McEuen Field and improved parking capacity for those using the field but still expects the Mayor to apologize to Mary Souza.

CONSENT CALENDAR: Motion by Kennedy, seconded by Goodlander to approve the Consent Calendar as presented except that portion of Resolution 10-003 which is for the approval of the contract for artwork at Seltice/NW Blvd...

1. Approval of minutes for January 19, 2010.
2. Setting the General Services Committee and the Public Works Committee meetings for Monday, February 8th at 12:00 noon and 4:00 p.m. respectively.
3. RESOLUTION 10-003: 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 AUTHORIZING A PERSONAL SERVICES AGREEMENT WITH DONNA BAIN FOR THE CREATION AND INSTALLATION OF PUBLIC ART ON

SELTICE WAY / NORTHWEST BOULEVARD, AND; AUTHORIZING STAFF TO DESTROY CERTAIN TEMPORARY RECORDS LOCATED IN THE POLICE DEPARTMENT.

4. Approval of a letter of intent with Pacific West Communities.
5. Approval of cemetery lot repurchase from Marybeth McKenna.

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

ARTWORK ON SELTICE WAY: Steve Anthony, Arts Commission liaison, presented Donna Bain who will be constructing the artwork to be located at Seltice Way and Northwest Boulevard. He reported that this piece of artwork was the result of an RFP for artwork that would be located at the east end of Sherman Avenue. Because it received so many votes from the original project the Arts Commission decided to place the second place finisher of the RFP at Seltice Way and Northwest Boulevard. The project is anticipated to be completed by the end of June.

Motion by Goodlander, seconded by Kennedy to approve including the contract with Donna Bain for artwork at Seltice Way/Northwest Boulevard in Resolution 10-003. ROLL CALL: Hassell, Aye; Goodlander, Aye; Kennedy, Aye; McEvers, Aye; Bruning, Aye. Motion carried.

COUNCIL ANNOUNCEMENTS:

COUNCILMAN MCEVERS: Councilman McEvers announced that Dr. Jay Lee VP from NIC and Ryan Maskell from Coeur d'Alene High School are observing our TV contractor to learn how our television station works.

ADMINISTRATOR'S REPORT: City Administrator Wendy Gabriel announced the Coeur d'Alene Fire Dept. received a grant from Homeland Security for breathing apparatus in the amount of \$495,765. Chief Building Official Ed Wagner was named Building Official of the Year by the Idaho Building Officials Association. She announced that the General Services Committee meeting time has changed from 2:30 p.m. to 12:00 noon. Mrs. Gabriel noted that there is a KMPO blog which includes topics such as stimulus funding, possible tax for miles driven vs. gas tax. The annual Arbor Day button design contest has been announced. Designs are due by March 5th and from all the entries, 6-10 finalists will be chosen and the 4th grade students will select the winning design from the finalists. She announced the various Library activities for February. Census 2010, a constitutionally mandated requirement, will be conducted this year and she noted that by March everyone should receive the questionnaire from the Census. For those wondering what it is worth to Idaho to be counted in the census, for every person who is counted the state receives \$1,400. If anyone has questions regarding the 2010 census they may contact Victoria Bruno at 769-2204.

Councilman Kennedy reminded everyone that they should make sure if someone comes to their house stating they are a census taker that they have the appropriate ID and badge.

RAILROAD ABANDONMENT: City Attorney Mike Gridley identified the areas of railroad tracks that will be removed along Northwest Boulevard and Seltice Way. He noted that a portion of the abandoned railroad will be reverting to the Bureau of Land Management. Mr. Gridley

reviewed the boundaries of Government Lot 48 which includes City Park, Memorial Field, as well as a portion of City Park where the railroad transects. He noted that in 1904 the Federal Government deeded Lot 48 to the City subject to the railroad being allowed to maintain their railroad right-of-way. In 1933 Government Lot 49 was also deeded to the City by the Federal Government. This lot also makes up part of City Park. He noted that the railroad has a lease with Parkside Bistro which expires this year and with the abandonment of the railroad that property reverted to the City. He noted that City Park was constructed with Water and Land Conservation Funds. One of the conditions of that funding was that no commercial activity can be allowed on this land. Two years ago, the Federal Government, acting through the State of Idaho Parks Department, notified the City that they cannot allow the continuation of the Bistro when the railroad was abandoned. In regard to the gas station in the northeast portion of Government Lot 48 that small portion was removed by the Federal Government when Northwest Boulevard was part of the Interstate Highway.

Councilman McEvers believes that in these hard economic times it seems unfair to put someone out of business. Mr. Gridley noted that the owner had been notified two years ago of this mandate by the Federal Government. Councilman Goodlander noted that two years ago the City received notice from the State of the mandate to remove the commercial activity from this public land or the City would have to pay back the full amount of the Water and Land Conservation Funds the City received to develop City Park. Councilman McEvers asked who will be sued if the business does not leave this premises. Mr. Gridley responded that the City would do an eviction through the courts to remove the Bistro. He added that the Bistro owner does realize that his lease will end in April 2010 and he has no further rights to this property.

PUBLIC HEARING – HUD COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS – 2010 ANNUAL ACTION PLAN: Mayor Bloem read the rules of order for this public hearing. Renata McLeod.

Mrs. McLeod explained that the City of Coeur d'Alene receives a direct allocation of HUD Community Development Block Grant (CDBG) funds. Each year the City is required to complete an annual action plan in accordance with the adopted citizen participation plan. On January 8, 2010, the City sent an email notification to approximately 95 community stakeholders, inviting them to a public workshop to provide input toward the proposed Plan Year 2010 Action Plan (to be held January 12, 2010). Additionally, an advertisement was published January 11, 2010 notifying the community of the thirty-day public comment period January 11 – February 12, 2010 and notice of the January 12, 2010, public workshop. There were three citizens present at the workshop. Those present were provided a survey form to complete. One public comment has been received with the completed survey. Therefore, staff requests that the City Council adopt the attached Plan Year 2010 Action Plan.

Nelle Coler, Panhandle Area Council, reviewed the accomplishments achieved using the HUD CDBG Funding for 2009. She noted that the 2010 plan allows 16% for administration, 32.5% for land acquisition for future LMI housing, 32.5% for Community projects, 6% for sidewalks, and 13% for neighborhood revitalization (includes emergency minor repair program),

PUBLIC COMMENTS: Harold Hocker, 1413 E Spokane Ave, asked if this has anything to do with the railroad and public transportation.

COUNCIL MOTIONS: Motion by Kennedy, seconded by Hassell to approve the 2010 Annual Action Plan for the HUD Community Development Block Grant Funds and to authorize staff to take appropriate actions to any public comments received. Motion carried.

ADJOURNMENT: Motion by Kennedy, seconded by Bruning to recess to February 11th at 12:00 noon in the City Hall Council Chambers for a workshop with CDA TV Committee. Motion carried.

The meeting recessed at 7:40 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan Weathers, CMC
City Clerk